HONORING TREASON: COMMEMORATION, RECONCILIATION, AND CONFEDERATE BURIALS AT ARLINGTON NATIONAL CEMETERY, 1864-1914

by

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A Dissertation
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DEDICATION

This dissertation is dedicated to my loving wife Jennifer, and to my two wonderful sons Donovan and Dempsey who provided support, encouragement and love all throughout my studies. This dissertation would not exist but for the help of my family. This dissertation is also dedicated in loving memory to my father Kendell Ray Warren (1942-2016) and brother Kendell Jay Warren (1971-2020), the first Warren historians.

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ABSTRACT

HONORING TREASON: COMMEMORATION, RECONCILIATION, AND CONFEDERATE BURIALS AT ARLINGTON NATIONAL CEMETERY, 1864-1914

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This dissertation examines the change in time that occurred at Arlington National Cemetery over acceptable commemoration and treatment of Confederate burials from 1864 to 1914. Soon after the end of the Civil War, Confederate interments at Arlington were deemed "treasonous" and unworthy of remembrance with visitors prevented from decorating rebel graves during commemoration ceremonies. Over time this treatment of Arlington's Confederate dead transformed from animosity to reverence, complete with the erection of a thirty-two-foot tall monument to the Confederacy and the Lost Cause in the middle of a congressionally authorized Confederate burial section. Arlington, over this fifty-year period, influenced and reflected the changing nature of sectional reconciliation and national unity witnessed throughout the country.

This dissertation examines why this radical change in the treatment of Arlington's Confederate dead occurred; how the federal government and Northerners evolved from

disallowing any type of Confederate recognition to honoring rebel military service; what occurred during this period to alter the perception of Arlington's Confederate graves from an insult to the memory of the Union dead to deserving honored rest adorned with memorial statuary; and how Arlington, as the nation's premiere national cemetery, influenced commemorative practices throughout the nation.

This dissertation argues that this change was a slow transformation over time, heavily influenced by the war's effect on changing gender roles in the South as well as fluctuating race relations throughout the nation. As the northern public became weary of continued federal involvement in the South, Southerners began advocating for recognition of their dead, focused initially on the shared experience of combat endured by both sides during the war. This continued focus on the valor of all soldiers created a common bond between the loyal and the treasonous, strengthening national reconciliation, and Arlington provided an early and important venue for an eventual unified reverence of the war dead. As the North increasingly capitulated to a southern interpretation of war memory, Arlington's Confederate graves, once scorned as the final resting place of traitors, became celebrated as martyrs to a righteous and lost cause.

INTRODUCTION[1]

On May 29, 1869, thousands of residents from the Washington, DC area descended on Arlington National Cemetery. With the national observance of Decoration Day slated for the following morning, the public arrived at Arlington to decorate the graves of the Civil War dead. Flowers adorned the headboards of over 15,000, with the exception of a select few. Deemed unworthy of remembrance, Confederate graves remained undecorated. Animosity in the cemetery remained so high that a collection of United States Marines patrolled the grounds, stopping women and children from visiting and decorating "rebel" graves and quickly removing flowers placed anywhere nearby. Remembrance and commemorating at Arlington was for loyal Union soldiers, not for traitors to the nation. Yet this animosity would not last. Less than fifty years after Marines stood guard over the Confederate dead, President Woodrow Wilson, one day after the 106th anniversary of the birth of Jefferson Davis, dedicated a thirty-two-foot-tall

[1] The terms "rebel" and "Confederate" are used interchangeably throughout this dissertation to identify military members of the Confederate States of American. The terms "Union" and "Federal" are used to refer to members of the United States military. In addition, the term "soldier" is used as a term of art to signify members of the US Army, US Navy and US Marine Corps as well as members of the Confederate Army and Navy. Stylistically I chose to use "soldiers" as a catchall, instead of continually writing "soldiers, sailors, and marines." Also, "Arlington National Cemetery," "Arlington," and "ANC" are used interchangeably.

monument to the Confederacy and the "Lost Cause," placed in the middle of a congressionally authorized rebel section containing 264 Confederate graves.[2]

"Honoring Treason" is the examination in this change over time at Arlington. How, at the nation's most revered national cemetery, did Union veterans, Northerners, and the federal government change from expressing vitriolic disdain for any acknowledgement of Confederate service to honored remembrance and praise of rebel dead and celebration of the Confederacy and the mythical tenets of the Lost Cause? How and why did this radical change in the treatment of the Confederate dead occur? How did the federal government and the Northern public evolve from disallowing any type of recognition of Confederate graves to committing to the perpetual care and maintenance of those graves? How did it happen that, at ANC, Confederate graves were considered unworthy of commemoration and honor in 1869 (and seen as an insult to northern families), but by 1914 a separate, individual rebel section was authorized, complete with pro-Confederate memorial statuary praised by many throughout the North and the South?

The period examined in "Honoring Treason" focuses on the post-Civil War era, including Reconstruction, the Gilded Age, and the early Progressive Era. This dissertation focuses on how remembrance and commemoration changed during this period, and how national reconciliation, war and memory, gender roles and race relations influenced the debate over the treatment of the Confederate dead on northern soil. The decision of the federal government to allow the creation of a separate Confederate section

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[2] The first national commemoration of "Decoration Day" occurred at Arlington National Cemetery in 1868. Eventually, this holiday was renamed "Memorial Day" and became an official federal holiday in 1971.
[2] Alex Y. P. Garnett, M.D., "Decoration of Graves of Soldiers-A Card Front," *Daily National Intelligencer*, June 2, 1869; "Let Us Have Peace," *Staunton Spectator and General Advertiser*, June 8, 1869.

in Arlington National Cemetery was an important event in remembrance of the Civil War, for both Southerners and Northerners. The 1914 unveiling presented to the nation the largest pro-Confederate monument on northern soil resplendent with symbolic depictions of Lost Cause iconography. Its dedication by the President of the United States in the midst of over 15,000 federal dead achieved three objectives. First, it recognized the success of White national reconciliation between the North and the South by the early years of the twentieth century. Second, the dedication symbolically forgave the Confederacy for committing treason against the federal government and attempted destruction of the nation. And, finally, it further legitimized post-war southern propaganda.

The road to the creation of a separate burial plot for rebel soldiers and a Confederate monument at Arlington was a slow, haphazard process, occurring over thirty years. No single person or group was individually responsible, and no grand plan ever existed to establish this type of burial ground and memorial at Arlington. This dissertation argues that pro-Confederate organizations, individual men and women, former rebels, and southern sympathizers successfully built an island of treason within the nation's most revered national cemetery by concentrating on creating bonds of affection between veterans of the war. Southerners, recognizing these relationships were difficult to forge in the initial years after the conflict, identified commemoration of the dead as a potential avenue for reconciliation and partnership with Northerners. Southern groups and individuals recognized that arguments justifying secession or defending southern war aims would be met with disdain, so they pivoted to using rhetoric that

emphasized the communal aspects of military service and the shared experiences of war suffered by Union and Confederate alike. This choice, to focus on collective soldier experiences as a commonality between the former enemies was palatable to veterans, gained support from Northerners, Union organizations such as the Grand Army of the Republic, and eventually the US government. By initially focusing on the shared honor and courage exhibited by soldiers of both sides, southern groups eventually garnered sympathy and compassion from federal veterans who shared a communal wartime experience and sympathized with fellow combatants, even their former enemy.

As the years after the war increased, animosity felt by both sides lessened due to numerous factors. These included northern fatigue and apathy over relitigating the causes of the war, the empathy of Union veterans to appeals to honor the service of their former enemy, the passage of time muting sectional animosity, the unexpected success of southern propaganda, and the northern exhaustion of, ambivalence for, and often outright hostility to the continual protection needed to secure African American civil rights in the South. These factors influenced the progression of acceptable commemoration of Confederate burials and memorialization in the North. As these feelings of reconciliation and unification increased, southern organizations recognized this slow, changing level of acceptance and began making greater arguments for the legitimacy and righteousness of the Confederacy. After a significant portion of federal veterans acknowledged the service of their former enemy as noble, southern propagandists further pushed for greater acceptance of the “honorable” aims of the Confederacy. These propagandists argued that if rebel soldiers died with honor, it must be that their cause was also honorable.

As the nation neared the beginning of the twentieth century, other factors made these arguments more palatable. The success of the US military in the Spanish-American War, with soldiers from the North and South now fighting alongside each other against a common enemy, engendered pride in American military prowess, and created an outpouring of patriotism and national goodwill. One direct consequence of this national enthusiasm were numerous speeches and articles proclaiming the death of sectional animosity. This, coupled with President William McKinley's celebratory promise that the federal government should care for the graves of all American war dead, including Confederates, set the stage for the creation of Arlington's segregated rebel section. Southerners, recognizing the opportunity to construct an individual Confederate burial plot in the middle of a Union cemetery, lobbied Congress and achieved their goal.

As with the changing acceptance of Confederate commemorative practices, southern groups and rebel sympathizers successfully created Arlington's Confederate burial section by seizing an opportunity formed by national goodwill and calls for sectional unity. Constantly pressing for more national recognition of rebel service and opportunities to promote the legitimacy of the Confederacy, these groups simply capitalized on many federal veteran's compassion and the northern inability or unwillingness to hold the South to account so long after the end of the war. The eventual construction of a monument to the Lost Cause in the middle of Arlington's Confederate section simply lent final proof to the success of southern propaganda and the capitulation of the nation to a Confederate interpretation of war memory. Arlington officials, the federal government, and the American public, subconsciously or not, determined that

honoring rebel soldiers and accepting claims of southern moral righteousness and defense of the Lost Cause were more likely to achieve national reunification than holding the former Confederacy accountable for the attempted destruction of the nation and fully committing to the protection of African American civil rights.

Beginning with an emphasis on honoring the dead of both sides and rallying around veteran's experience of combat and the stress of military service, reconciliation efforts grew steadily over time, with many White Northerners transforming their attitude toward the South from hostility to willful disregard and eventual acceptance and even support for Confederate propaganda. This allowed Arlington, initially constructed to contain the remains of soldiers loyal to the nation and killed to prevent its destruction, to become a place of Confederate pilgrimage and celebration of the Lost Cause. In a little over thirty years after the initial burials of US Army soldiers, Arlington transformed from a venue of heroes to the nation to a location that also honored treason.

Public Reconsideration and Academic Treatment

The current reappraisal of Civil War reconciliation and memorialization of the Confederacy and its influence on American society and culture is more relevant now than at any point in the last century. Spurred in part by the 2015 mass shooting of African Americans in a Charleston, South Carolina church in which the murderer was a white supremacist appearing in images holding a Confederate battle flag, the public in many cities and towns began a reexamination of the history of post-Civil war memory and Confederate iconography appearing on federal and state property and the thousands of

statues and memorials nationwide. Further inciting this effort to readdress Civil War memory and memorialization were the continued law enforcement killings of unarmed African Americans, especially the 2020 death of George Floyd. In addition, the deadly 2017 white supremacist/neo-Nazi rally in Charlottesville, Virginia, protesting the removal of a Robert E. Lee statue in which the President of the United States described the Confederate-battle-flag waving participants as "very fine people" and the January 6, 2021, attack on the United States Capitol by approximately 2,000 people, including some who wore and held pro-Confederate iconography demonstrates the continued relevance of the debate over historical memory and memorialization of the Civil War.

Yet as debate over removal of Confederate memorials and monuments and direct action took place over the past decade throughout the nation including marches, protests, and vandalism, Arlington's Confederate burial section and monument has avoided the same level of discussion and critique as other sites of remembrance. With a few exceptions[3], demand to reexamine the propriety of Arlington's rebel graves and Confederate memorial never reached the level of evaluation as other sites throughout the nation. Arlington's lack of attention compared to other sites of Lost Cause glorification is partially due to its status. Political activity and protests are prohibited at national cemeteries, and as one of the few Civil War-era cemeteries that is still an active burial

[3] Dan K. Thomasson, "As Arlington Cemetery's fills up, should Confederates make room?," *Orlando Sentinel*, June 27, 2017; Elliot Ackerman, "The Confederate Monuments We Shouldn't Tear Down," *New York Times*, July 7, 2020; Steven I. Weiss, "You Won't Believe What the Government Spends on Confederate Graves," *The Atlantic*, July 19, 2013; Karen L. Cox, "White supremacy is the whole point of Confederate statues," *Washington Post*, August 20, 2017; Brian Palmer and Seth Freed Wessler, "The Costs of the Confederacy," *Smithsonian*, December 2018; T. Rees Shapiro, "Descendants of Rebel sculptor: Remove Confederate Memorial from Arlington National Cemetery," *Washington Post*, August 18, 2017; Lara Moehlman, "The Not-So Lost Cause of Moses Ezekiel," *Moment*, September-October 2018.

ground, on-site remonstrations would not be tolerated by Arlington officials. In addition, with Arlington's reputation as the nation's premiere national military cemetery, it is doubtful the American public would approve of the same type of protests on its grounds that occurred at other venues of Confederate memorialization. For these reasons Arlington has avoided most of the current debate over Civil War memory and interpretation and the cemetery's responsibility for promoting Confederate commemoration Lost Cause ideology.

Although historians have contributed to the current public reevaluation of Confederate monuments and memorials by providing historical context and scholarship to the deliberations, academic scholarship on reconciliation and memorialization dates back much further than the recent controversies. Academia, which tends to categorize these examinations under the broader heading of collective memory, saw increased scholarship in this area of Civil War studies in the 1990s, with books by David Thelen, George Mosse, David Lowenthal, Michael Kammen, John Gillis, John Bodnar, and David Blight. As one historian, conducting a survey of the field wrote, this emphasis on remembrance came from a shift in the field toward reexamining personal reflections of participants to "study ordinary people *as* historian." This change in focus was an outcome of historians, beginning in the 1960s, concentrating less on the causes of the war, and toward an investigation of it consequences and how interpretation of war memory influenced national reconciliation.[4]

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[4] Stuart McConnell, "The Civil War and Historical Memory: A Historiographical Survey," *OAH Magazine of History* 8, no. 1 (Fall 1993): 3-4; David Thelen, ed., *Memory and American History* (Bloomington: Indiana University Press, 1990); George Mosse, *Fallen Soldiers: Reshaping the Memory of the World Wars* (New York: Oxford University Press, 1990); Michael G. Kammen, *Mystic Chords of Memory: The*

Scholarship investigating Civil War memory, reconciliation, and the treatment of war dead remains a growing field of historiography. Some historians explore the influence of race on reunion, arguing white reconciliation only occurred once efforts toward racial equality were abandoned.[5] Other historians push back against that argument, claiming race relations remained at the forefront of veterans' concerns, and was not simply abandoned by the white population to secure national harmony.[6] Undoubtedly, there is truth to both sides of that debate, that while abandonment of black civil rights occurred and contributed to an easing of relations between the White North and South, it was not universally accepted, with many Northerners and federal veterans refusing to embrace reconciliation at any cost. What many historians fail to identify, however, is how the initial effort by Southerners to reconcile with the North began. This dissertation fills that historical gap by examining early southern efforts to use burial commemorations as a way to engender northern sympathy for rebel military service, even in support of a treasonous cause. What were the first steps taken by former Confederates and sympathizers to begin to ingratiate themselves back into national life? How did they begin the journey from despised former enemy and traitors to the nation to heavily influencing historical memory of the war with pro-Confederate ideology?

Transformation of Tradition in American Culture (New York: Knopf, 1991); David Lowenthal, *The Past is a Foreign Country* (New York: Cam bridge University Press, 1985); John R. Gillis, ed., *Commemoration: The Politics of National Identity* (Princeton: Princeton University Press, 1993); John Bodnar, *Remaking America: Public Memory, Patriotism, and Commemoration in the Twentieth Century* (Princeton: Princeton University Press, 1992); David Blight, *Frederick Douglass' Civil War: Keeping Faith in Jubilee* (Baton Rouge: Louisiana State University Press, 1989). Emphasis in original.

[5] See, for example, David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge: Harvard University Press, 2002).

[6] See, for example, Caroline E. Janney, *Remembering the Civil War: Reunion and the Limits of Reconciliation* (Chapel Hill: University of North Carolina Press, 2013); M. Keith Harris, *Across the Bloody Chasm: The Culture of Commemoration Among Civil War Veterans* (Baton Rouge: Louisiana State University Press, 2014).

This dissertation answers those questions, identifying and examining the relatively early commemoration of rebel dead in the North as the foundation on which national reconciliation grew. Knowing that any public discussion right after the end of the war on the legality of secession or the legitimacy of the Confederacy would probably be met with vehement northern disapproval and possible further federal intervention into southern politics and society, former rebels and other sympathizers focused on commemoration of their dead and the commonalities between combatants of both sides to garner sympathy and a sense of respect for themselves and those Southerners who perished. While historians routinely focus on the influence of white supremacy and racism in promoting national reconciliation, this dissertation identifies the initial inroads used by Southerners to create empathy and help lessen mindsets of betrayal and disloyalty felt by many in the North. Before Southerners could advocate for the justness of their cause they needed an initial outreach to their former foe, and emphasizing the bravery of the dead of both sides provided the opportunity to begin creating bonds of affection between veterans.

Civil War remembrance and commemoration scholarship explores how the use of the past reflects as much about the present as it does about the historical. Examination of the treatment of Union and Confederate dead in northern cemeteries, and efforts at commemoration and remembrance, provides an opportunity to examine how the changing expectation of treatment reflected the status of reconciliation throughout the nation. Numerous northern cemeteries and burial grounds contained Confederate graves by the end of the war. Most were simply mass graves for the southern dead perishing in

prisoner of war camps. Arlington National Cemetery was a unique location as it was one of the few national cemeteries that contained the remains of hundreds of Confederate soldiers in addition to thousands of federal dead. In addition, it rapidly became the nation's most revered national cemetery after the war with its prominent location just outside the national capital, and as the home of the annual Decoration Day commemoration. Because of Arlington's increasing prominence, policies, procedures, and expectations at ANC influenced remembrance practices at other national cemeteries, and, on a smaller scale, in Civil War burial grounds throughout the nation.

Scholarship on war memory, commemorative practices, and sectional reconciliation occasionally mention Arlington, but typically as an example of reconciliation being a *fait accompli*, an example of the finished nature of national reunion and not as an active participant in furthering sectional appeasement. An in-depth examination of Arlington's role in post-war sectionalism does not exist. This dissertation will help fill this gap in the historiography by using ANC as a case study, analyzing its role in the changing treatment of the Confederate dead, how this transformation reflexed national healing and reconciliation, and the cemetery's responsibility for memorializing a once hated enemy and helping legitimizing southern Lost Cause mythology.

Collective Memory

Collective memory, often defined as the shared memories of a particular group that also contribute to the group's identity, is different than historical analysis and interpretation. History, broadly defined, is the attempt to provide an objective, factual

depiction of the past.[7] One of the earliest and still influential collective memory studies of examining the "experience of war and [how] its literary articulations were inscribed into the memories of an entire generation," is Paul Fussell's 1975 book, *The Great War and Modern Memory*. Fussell, analyzing shared remembrance of the First World War, argues this memory is the beginning of European "ironic modernity." For Fussell, the enormity and scale of the Great War irrevocably shattered the existing, dominant historical narrative, which was one of enlightened progress, "a static world, where the values appeared stable and where the meanings of abstractions seemed permanent and reliable." The resulting mode of understanding, central to modernity, was a changed world, unable to reconcile the horrors of the war with previous notions of advancement and social improvement.[8]

George Mosse was another historian who contributed to studies of collective memory in the twentieth century. Writing about the effect of both world wars on commemoration and remembrance of the dead, Mosse contends in his book, *Fallen Soldiers: Reshaping the Memory of the World Wars*, that the cultural significance of the wars was due to the number of individuals with a personal connection to one of the war dead and because national governments, for the first time in Europe, were responsible for burials due to the number of casualties. While Paul Fussell identifies the Great War as the breaking point from nineteenth century ideals of enlightened progress, Mosse argues both wars must be taken together as reshaping European society and culture. For Mosse, the

[7] For an overview of the state of collective memory studies, see Jeffery K. Olick, Vered Vinitzky-Serousssi & Daniel Levy, eds., *The Collective Memory Reader* (New York: Oxford University Press, 2011), 3-49.
[8] Olick, *Collective Memory Reader*, 15; Fussell, *The Great War*, 21, 31, 35.

impact of each war must be seen mutually as each contributed to a fundamental change in European standards and beliefs.[9]

While Mosse extended Fussell's argument to include both world wars, Jay Winter directly contested Fussell's argument that the memory of the First World War instigated the age of European "ironic modernity." Winter's book, *Sites of Memory, Sites of Mourning: The Great War in European Cultural History* examined "how commemorations in World War I served to transform individual grief into public mourning." As an instrumental addition the field of collective war memory, Winter disagrees with Fussell, arguing that European mourning of the dead of the Great War was not an abrupt change in values, but reinforced traditional Victorian methods of bereavement. For Winter, it was not the commemoration and remembrance of the World War I that led to Fussell's notion of cynical modernity, but World War II and the Holocaust that was more of a "decisive turning point."[10]

All three of these historians contend that the world wars fundamentally transformed European culture and society due to the unprecedented amount of death and destruction that ravaged the continent. *Honoring Treason* turns the analysis used by Fussell, Mosse, and Winter on the United States by exploring the enduring legacy of Civil War and how it influenced American society. Adding to discussions of collective memory, this dissertation uses the changing observance of commemoration and memorialization of the dead after the war as a focus that represents fundamental changes

[9] George L. Mosse, Fallen Soldiers: Reshaping the Memory of the World Wars (New York: Oxford University Press, 1990).
[10] Olick, *Collective Memory Reader*, 15, 30; Winter, *Sites of Memory*, 5-7.

in American society and culture akin to those European transformations occurring after the world wars. For the United States, the death and destruction directly witnessed by many of its citizens as well as the anxiety, sadness and despair experienced by family and friends away from the battlefields was the nation's "decisive turning point." The creation of battlefield and national cemeteries perpetually reinforced the devastation of the war providing a tactile, visual representation of national grief. American commemorative practices changed because of the conflict, addressing notions of collective public mourning to an unprecedented scale. The American Civil War forced the nation to turn away from nineteenth century notions of sacrifice and death, unable to reconcile these outdated beliefs with the horrors of the conflict. This dissertation identifies how commemorative practices and remembrance of the dead contributed to an ongoing change in American society and culture from animosity and hatred between the North and South, to forgiveness and even praise of secession and treason.

Civil War Memory

The influence of the world wars on commemoration, mourning, and collective memory is crucial to understanding social and cultural change in twentieth century Europe. Yet for the United States, the Civil War and its enduring legacy was the catalyst that forced the same type of national reevaluation of political, social, and cultural beliefs. Scholarship on the historical memory of the war explores how individuals, groups, and regions interpreted the past, and how these changing interpretations reflects as much about contemporary society, culture, and political ideals as about the historical era under examination. Over the past forty years, the analysis of historical memory from

Reconstruction through the Progressive Era has become one of the more robust fields of nineteenth and early twentieth century American history.[11] War and memory studies bring a longer contextual examination to military conflicts, often linking how the remembrance of past tragedies informs later political, social, and cultural debates. As historian Matthew Grow states, "Studies of Civil War memory potentially can reveal much about the cultural, political, and intellectual world of the Civil War, Reconstruction, and the Gilded Age."[12]

Civil War memory studies that examine post-war reconciliation and reunion fall into distinct schools of thought. Representing one school, and often cited as producing a seminal work on Civil War commemorative culture is historian David W. Blight.[13] Expanding on the concept of reconciliation and Civil War memory, he proposes three interpretations of the war: the "reconciliationist" vision that sought to make sense of the carnage and coming to terms with the enormous number of dead; the "white supremacist" vision, which included "terror and violence," and the "emancipationist" vision held in the memory of African Americans who fought for their freedom and the "liberation of blacks to citizenship and Constitutional equality." Blight argues that reunion between the North and South only became possible once the reconciliationists

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[11] In addition to work already referenced by Fussell, Mosse, and Winter, other relevant scholarly literature on memory studies includes Edward Tabor Linenthal, *Sacred Ground: Americans and Their Battlefields* (Urbana: University of Illinois Press, 1991); Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge: Cambridge University Press, 1992); Gillis, ed. *Commemorations*; Kammen, *Mystic Chords of Memory*; Paul Connerton, *How Societies Remember* (New York: Cambridge University Press, 1989); David Thelen, "Memory and American History," *Journal of American History* 75, no. 4 (March 1989).

[12] Matthew J. Grow, "The Shadow of the Civil War: A Historiography of Civil War Memory," *American Nineteenth Century History* 4, no. 2 (Summer 2003): 77.

[13] Jennifer M. Murray, review of *The Long Shadow of Lincoln's Gettysburg Address* by Jared Peatman and *Across the Bloody Chasm: The Culture of Commemoration Among Civil War Veterans* by M. Keith Harris, *The Pennsylvania Magazine of History and Biography* 140, no. 2 (April 2016), 239.

and white supremacists combined to forget certain aspects of Civil War history and collective memory. Universal white supremacy and racism allowed the North and South to ignore or downplay slavery as the main cause of the conflict, as well as the role of emancipation and civil rights in defining the war. Only once the fight for black political and social equality was stricken from collective (White) memory could true reconciliation materialize. The terms of reunion embraced by the White population, asserts Blight, made the White nation feel that "everyone was right, no one was wrong, and something so transforming as the Civil War had been rendered a mutual victory."[14]

Other historians challenged Blight's contention that nationally imbedded white supremacy and racism defined reconciliation efforts in the post-war years. Barbara Gannon analyzes the successful racial integration of Grand Army of Republic (GAR) posts and achievements of all-Black GAR units as examples of improving race relations between Union veterans. Gannon recognizes that the GAR ultimately failed to prevent a White southern interpretation of war memory. However, she argues that this failure of the organization was not based completely on racism, but also on the ability of proponents of the Lost Cause developing sympathy from GAR members based on bonds of comradeship that emphasized the shared experience of military service. Gannon also contends that because the GAR's strength relied on mutual bonds of communal experiences and affection, it was unsustainable as future generations who felt no such ties found it more difficult to sustain animosity and bitterness toward the South.[15]

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[14] David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge: Harvard University Press, 2002), 2-3, 386.
[15] Barbara A. Gannon, *The Won Cause: Black and White Comradeship in the Grand Army of the Republic* (Chapel Hill: University of North Carolina Press, 2011), 145-50.

Caroline Janney is another historian who disagrees with David Blight's argument that white Northerners accelerated reconciliation by ignoring issues of emancipation and African-American equality in the post-war era. Janney's scholarship contends that Union veterans routinely highlighted the destruction of slavery as a critical accomplishment of the war and important to both victory and the survival of the Union. Even if emancipation had little to do with post-war social equality, US veterans were proud to remind their southern counterparts that it was the federal army who "freed" African-Americans.[16]

Janney also makes an important distinction between national reunion and reconciliation. Reunion, she argues, was an inevitable conclusion upon the US victory in the war, "achieved in the spring of 1865 and refined during Reconstruction. It was the legal reality for which Unionists had fought and died, and which former Confederates accepted-even if grudgingly." National reconciliation was entirely different. Even defining reconciliation was difficult. "For some, reconciliation implied forgiving one's enemies for their transgressions. For others, it suggested a mere silence on the issues." In direct opposition to Blight's "inevitable" reconciliation, Janney argues that for decades "neither side was willing to forget what it had fought to preserve, even in the name of sectional reconciliation." As one member of the Grand Army of the Republic attested, "They were wrong in 1861, and until they admit they were wrong, and not until then, will we join them."[17]

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[16] Caroline E. Janney, *Remembering the Civil War: Reunion and the Limits of Reconciliation* (Chapel Hill: University of North Carolina Press, 2013), 7.
[17] Ibid, 4, 6.

Continuing to emphasize the importance of emancipation to Union veterans and challenging David Blight's conclusions is historian M. Keith Harris. In agreement with Janney, Harris agrees that for veterans of both sides, Civil War commemoration and memory was complex and never as straightforward as Blight contends. His study "underscores the sectionalism infused in veterans' reconciliatory efforts." Once the war ended, Harris contends, veterans on both sides fought to "preserve sectional memories that advanced one side over the other and conjured fear, anger, and resentment among formerly warring parties." Agreeing with Janney, Harris argues that achieving the destruction of slavery was central to Union commemorative efforts, and not, as Blight contends, ignored to expedite national reconciliation.[18]

Finally, another historian who explores the politics of Civil War commemoration is John Neff. Neff pushes refutes the idea that reconciliation was an inevitable process where veterans focused on the heroism of both sides at the expense of other more contentious issues, such as slavery, that caused the war. Concentrating on the war dead, Neff argues that any attempt at reconciliation ran into the inevitable problem that "many young men lay in graves because of the actions of the enemy, and no reunion, encampment, or political oration could deny that essential reality." Concentrating on sectional hostilities and commemorating the war dead, Neff writes, "remembering the dead proved to be an impediment to national healing."[19]

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[18] M. Keith Harris, *Across the Bloody Chasm: The Culture of Commemoration Among Civil War Veterans* (Baton Rouge: Louisiana State University Press, 2014), 2-3, 12.
[19] John R. Neff, *Honoring the Civil War Dead: Commemoration and the Problem of Reconciliation* (Lawrence: University Press of Kansas, 2005), 6.

This ongoing scholarship represents differing interpretations of Civil War memory. One school of thought argues that endemic national racism and White supremacy made sectional reconciliation at the expense of African-Americans inevitable. Another interpretation disagrees, contending it was the ability of Southerners to garner Northern sympathy from Union veterans based on shared experiences that contributed to national reunion. Other historians argue that far from ignoring the importance of race in post-war commemoration and remembrance, many Union veterans took pride in their contribution to the destruction of slavery. *Honoring Treason* reconciles these interpretations by examining how efforts at reconciliation and reunion changed over time at Arlington National Cemetery. As the nation's premiere national cemetery, and annual home of Decoration Day, Arlington's prominence played an important role in influencing and reflecting the success of national reconciliation.

As this dissertation demonstrates, although White racism was endemic to the nation, southern efforts to gain acceptance and empathy began by appealing to their northern brethren's shared experience of military service and empathy for all war dead. This southern effort quickly focused on cemeteries and commemorations as favorable venues to advocate for sympathy and respect. Arlington's reputation made it a target of focus and eventual southern success. Yet racism did play a major role in national reunion. Although many veterans referenced the destruction of slavery as a source of pride, *Honoring Treason* uses Arlington's eventual capitulation of Lost Cause propaganda as an example of the North's recapitulation to a long-standing embrace of White racism. In addition, this dissertation reveals that Northerners, especially GAR members, made

choices that created openings for southern sympathizers to continually impose their version of war memory upon the nation, tentatively at first but growing over time as locations like Arlington continually failed to refute this pro-Confederate interpretation. Whether focusing on the effect of racism on post-war national reconciliation or examining the success of Southerners clamoring for greater respect for their war dead, *Honoring Treason* fills a gap in the historiography by demonstrating that the treatment of Confederate burials at Arlington National Cemetery was one of the earliest locations that influenced and reflected the state of national reunion.

Part of the reason the Civil War is a fertile field for war and memory studies is the unique situation of having both the conquered and defeated from the same nation. Remembrance of conflict took on special meaning when both sides were thrust together after the war, forced to reconcile differences while attempting to govern a "unified" United States. How could the reunited nation reconcile after four years of conflict when even the public perception of death and suffering changed as a result of the bloodshed. Historian Drew Gilpin Faust examines this phenomenon in her examination of how funerary practices changed due to the Civil War arguing that the scale of carnage during the war changed America's "relationship with death," not only individually, but collectively as a nation. Far from achieving a "good death" of peaceful, Christian passing into the afterlife, battlefield fatalities and death by disease in hospitals or prisoner of war camps often left family and friends without closure, continually reminded of

uncomfortable memories whose effects lasted long after the guns fell silent.[20] Arlington and other national cemeteries were at the forefront of the nation's changing relationship with death as a physical and perpetual representation of "uncomfortable memories." This dissertation provides a specific example of Faust's contention that the war changed a collective understanding of funeral practices and expectations. In addition, *Honoring Treason* demonstrates how the public's relationship with death was not complete after the end of the war, but changed throughout the next fifty years with Arlington reflecting and influencing acceptable commemorative practices in the North.

Additional broad examinations of Civil War memory include John Bodnar's analysis of the "creations of public memory in commemorative activities…and the dramatic exchange of interests that are involved in such exercises." Bodnar describes public memory as "produced from a political discussion that involves not so much specific economic or moral problems but rather fundamental issues about the entire existence of a society." More specifically, he defines public memory as a "body of beliefs and ideas about the past that help a public or society understand both its past, present, and by implication, its future." In his examination of the Civil War centennial, he sees an ongoing tension between a nationalistic commemoration and a more combative "vernacular cultural expressions" created by less formalized interest groups often in opposition to nationwide reconciliation efforts.[21]

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[20] Drew Gilpin Faust, *This Republic of Suffering: Death and the American Civil War* (New York: Knopf, 2008), xi, xiii, 149, 180, 191, 209-10.
[21] John Bodnar, *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton: Princeton University Press, 1992) 13-15.

Historian G. Kurt Piehler continues this analysis of the influence of contemporary politics and public perception concentrating on the designation of national holidays and governmental and private efforts to construct monuments to the past. Piehler's main goal is to contrast how politics of the day influenced efforts to legitimize the nation's war. As an example, his examination of the legacy of the Civil War notes how many White Southerners "insisted that chattel bondage be remembered as a benevolent institution that civilized savage Africans." Piehler juxtaposes this push by Southerners with Frederick Douglass' arguments against the effort to forgive the South, "without repentance and without according African Americans full citizenship."[22]

Further examining individual and group endeavors to control Civil War memory is David Blight's *Beyond the Battlefield: Race, Memory, and the American Civil War*. Blight's essays explore memory studies on various levels, from personal memories and soldiers' experiences to public commemorative activities after the turn of the century. Blight's intention is to call attention to the "politics of memory," analyzing how "cultures and groups use, construct, or try to own the past in order to win power and place in the present." Blight argues that memory, unlike history, is more akin to a religious belief, a "sacred set of potentially absolute meanings and stories…" Blight contends that memory is passed down from generation to generation and influenced by a community and rarely revised as time passes on. History, on the other hand, is continually revised and edited, as new information and interpretation becomes available. "History," Blight writes, "asserts the authority of academic training and recognized cannons of evidence; memory carries

[22] G. Kurt Piehler, *Remembering War the American Way* (Washington, DC: Smithsonian Institution Press, 1995), ix, 3-4, 69.

the often more powerful authority of community membership and experience." Blight's argument is certainly supported by the success of Lost Cause propaganda throughout the South. In this case a community (White Southerners) craft a memory based on a shared experience and proselytizes that memory as enthusiastically as a religious belief. So successful is this memory over history many in the North willingly accept its tenets and, consciously or not, support the community who created the memory.[23]

These historians (Faust, Bodnar, Piehler, Blight) all examine the changing nature of national memory of the war. From the immediacy of witnessing the carnage of the war and its effect on a collective understanding of death and funeral practices, to the influence of interest groups, contemporary politics, and the religious-like nature of community memory each historian identified a range of influences on reconciliation and reunion. This dissertation provides a specific, and influential venue that demonstrated the success of these influences on Civil War memory and remembrance. Arlington's existence is a direct representation of the forced change in a collective American understanding of death to those who suffered loss due to the war, but also to those who happened to visit the cemetery perhaps only intending to enjoy its bucolic setting.

In addition, this dissertation's examination of Arlington's commemorative practices over fifty years demonstrates the slow journey towards collective nationalism despite the efforts of groups such the GAR, Union veterans and African-American leaders to remind the nation of the true causes of the conflict. More importantly, *Honor Treason* identifies and demonstrates how many Northerners reverse course from

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[23] David W. Blight, *Beyond the Battlefield: Race, Memory, and the American Civil War* (Amherst: University of Massachusetts Press, 2002), 2, 191.

disparaging discussions of moral equivalency between Union and Confederate war rationale to accepting and embracing Lost Cause mythology and the righteousness of the South. This dissertation establishes Arlington as one of the initial locations that witnessed and reflected the influence of changing contemporary politics and an evangelical belief in southern war memory on forgiveness and reconciliation.

Finally, Civil War memory studies also include scholarship on the evolution of reconciliation and reunion between the North and the South. While directly tied to aspects of war and memory, historical interpretations of the "inevitability" and the reception to reconciliation and reunion between former rebels and Yankees changed over time. One of the strongest imprints of post-war North-South solidarity comes not from an academic treatment of reconciliation, but from Ken Burns' 1990 PBS documentary *The Civil War*. Seen by approximately forty million viewers, it remains one of the most watched television series in PBS history. Throughout the series, Burns used actual footage from the early twentieth century showing Civil War veterans, actual Billy Rebs and Johnny Yanks, clasping hands at reunions, marching together in parades, and posing for photographs seemingly in a spirit of magnanimity. Scenes such as these left the viewer with the impression that the transition to reconciliation between once warring parties was smooth, without conflict, and inevitable.[24] Burns' treatment of reconciliation is closest in interpretation to historian Paul H. Buck's 1937 book, *The Road to Reunion 1865-1900*, which stresses "national integration" over "sectional divergence," arguing

[24] PBS, "The Civil War: About the Series," PBS, http://www.pbs.org/kenburns/civil-war/about/about-overview/ (accessed January 5, 2016); Robert Toplin, ed., *Ken Burns's The Civil War: Historians Respond* (New York: Oxford University Press, 1996), xv-xxvi.

that within a generation after the war a "union of sentiment based upon integrated interests had become a fact."[25]

Identifying Buck's "integrated interests" is historian Nina Silber who argues that part of Buck's structure was dependent on "construct[ing] a gendered view of postwar Dixie." In particular, the transformation of Southern women from "spiteful women" during the war to the delicate belles of legend once the fighting ended. The southern lifestyle itself, Silber argues, seen as effeminate and unmanly, undergoes a reinterpretation as well. In the decades after the war, admiration for the antimodernist lifestyle of the South grew as a reaction to increased industrialization and immigration in the North. Some northern men, argues Silber, wanted to marry southern belles and live a southern lifestyle based on honor, gentility, and traditional gender roles. These southern and northern "integrated interests" reinforced the peaceful transition to full reconciliation.[26]

Honoring Treason demonstrates that the transition to national reconciliation was neither peaceful nor inevitable after the war. Images of Civil War veterans shaking hands with their former enemy glosses over the contentious nature of memory and commemoration that routinely occurred for many years after the end of the conflict. Especially at national cemeteries and on battlefields, commemorative events often proved controversial, argumentative, and frequently presented a clear understanding of who was morally justified in fighting, to be honored and remembered, and who was not. As this

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[25] Paul H. Buck, *The Road to Reunion 1865-1900* (Boston: Little, Brown and Company, 1937), vii-viii.
[26] Nina Silber, *The Romance of Reunion: Northerners and the South, 1865-1900* (Chapel Hill: University of North Carolina Press, 1993), 1-12, 19.

dissertation demonstrates, gender played a large role in these debates over honoring the dead, as it was southern women who were initially the most active and vocal in advocating for the honored remembrance of their fallen. Over time most White Northerners and Southerners did bridge the divide over who should be honored and remembered. As *Honoring Treason* reveals, Arlington National Cemetery was one of the earliest sites where this debate took place.

Collective Memory and Arlington National Cemetery

Arlington's history and its importance as a reflection of and influence on post-war national reconciliation and reunion has not garnered many in-depth academic treatments. Often simply noted as an example of warming relations between the North and South, scholarship examining the cemetery's role in contributing to that change is minimal. One of the few academic monographs attempting to analyze Arlington's history and impact on collective memory is Micki McElya's 2016 book, The *Politics of Mourning: Death and Honor in Arlington National Cemetery*. In her book, McElya examines how contemporary politics influenced who was worthy of remembrance in national cemeteries. McElya identifies that Arlington's history is twofold, the creation of a narrative emphasizing patriotism and national pride, and the exclusionary politics that often determined who was worthy of remembrance. McElya argues that Arlington played an important role in whose military service mattered and was worth commemorating, changing over time as American society and culture became more inclusive and open. McElya particularly focuses on how Arlington's initial disparate treatment of African Americans and women helped define who was worthy of commemoration, only the

White Union war dead. By focusing on the changing political landscape over time and its influence on who could be buried at Arlington, McElya demonstrates how this expanded racial, ethnic, and gender diversity in the cemetery. McElya takes a broad look at how Arlington has reflected and helped reinforce the contemporary politics of each era and proves how "approaching Arlington National Cemetery as a site that is inclusive of all of the nation's stories…is an opportunity to expand the contours of the honorable and brave, not diminish them."[27]

McElya focuses on the intentional disregard for USCT military service and African American and women's sacrifice during the war. This was demonstrated, she argues, by Black burials located in a segregated portion of the cemetery and the complete lack of female burials during the conflict and initial refusal of spousal burials beside their veteran husbands. McElya treats these decisions as reflective of the political and cultural position of African Americans and women in American society at the time based on well-established racial and gender roles. She sees the positive treatment of Confederate dead, as evidenced by the construction of Arlington's rebel section and monument, as a reflection of White supremacy and race relations. What McElya does not consider is the disparaging treatment of Arlington's Confederate burials in the first few years after the war. Far from an immediate acceptance of White valor based on race, Arlington's first few years witnessed condemnation of Confederates as traitors. Union veterans refused any equivocation concerning the rebel "cause" of justification for secession. This dissertation identifies that the process of reconciliation at Arlington, and eventual praise

[27] Micki McElya, *The Politics of Mourning: Death and Honor in Arlington National Cemetery* (Cambridge, MA: Harvard University Press, 2016), 10-11.

of the Lost Cause, was a difficult and contentious process, not only based on race and gender as McElya identifies, but initially on southern efforts to create goodwill between veterans based on their shared wartime experiences.

In the same school of thought as McElya, historian William Blair documents the "political role of commemorations" for white and black Southerners. Concentrating on Civil War memory in Dixie, Blair emphasizes the importance of White southern use of Confederate war dead as symbols of resistance to Reconstruction. Through efforts of Ladies Memorial Associations (LMAs), Blair argues, southern cemeteries became subtle scenes of defiance to federal occupation of the South. Increasing resistance against northern memory of the war, LMAs use repatriation of Confederate war dead form northern cemeteries back to southern graveyards as a subversive effort to legitimize the southern "cause." Blair agrees with this dissertation's contention that the creation of a segregated Confederate burial section at Arlington was important to the historical memory of the war.[28] However, his study concentrates principally on reconciliation and remembrance in the South. Veteran's organizations such as the Grand Army of the Republic and the United Confederate Veterans are less important to his argument. *Honoring Treason* will examine how those groups, mostly unaddressed in Blair's monograph, shaped the politics of Civil War remembrance. This dissertation's emphasis on the importance of Arlington's Confederate section and monument to veteran's, women's, and political organizations and to national reconciliation, will augment gaps in Blair's interpretation, placing greater emphasis on

[28] William A. Blair, *Cities of the Dead: Contesting the Memory of the Civil War in the South, 1865-1914* (Chapel Hill: University of North Carolina Press, 2004), 4, 171-93, 201-07.

the influence of social and veteran's organizations on growing support for Lost Cause ideology in the North.

Arlington National Cemetery experienced an extraordinary change over time in its treatment of Confederate burials from the end of the Civil War to the beginning of World War I. Rebel burials initially perceived as the final resting place of traitors slowly became honored comrades-in-arms, even if from opposing sides in the conflict. This reconciliation, first between many northern and southern veterans and eventually between Whites across the nation, was due to many factors including long-established national acceptance of White supremacy, the influence of women on commemoration and remembrance, and the unwillingness of Northerners to continually expend effort and energy protecting African American civil rights gained by defeat of the Confederacy. As important as these factors were in shaping American culture, politics, and society in the Gilded Age, Arlington made an early and important contribution in this post-war transformation.

Before advocates of Lost Cause ideology began promoting their interpretation of war memory, it was at venues such as national cemeteries and battlefield burial grounds that demands for recognition of Confederate dead began. Southerners, identifying a connection between veterans of the North and South based on shared combat experience, persuaded many that valor belonged to both sides. This early southern effort to ingratiate themselves with northern veterans provided the opening to eventually transform the narrative from arguing for honored remembrance of rebel dead, to, eventually, promoting the righteousness of secession and southern war aims. Arlington provided a high-profile

location for Southerners to continually advance their justifications and promote Lost Cause ideology. Over a fifty-year period Southerners were so successful that Arlington National Cemetery transformed from a burial ground constructed to honor the Union dead of the Civil War, to a site that also honored Confederate treason.

The remaining portion of this introduction will provide a short history on the historical treatment of American war dead as well as the rationale for creation of the national cemetery system during the Civil War. In addition, Arlington's founding and early history is addressed in order to provide historical context to the issues and concerns surrounding burial practices and commemoration during and after the conflict. Chapter one concerns the early treatment of Confederate burials at Arlington in the last few years of the war and with the establishment of Decoration Day in 1868. These years helped establish Arlington as the nation's premiere national cemetery and reinforced the righteousness of the Union war effort and condemnation of the Confederacy. The second chapter examines the height of animosity for rebel burials on cemetery grounds. As the annual Decoration Day commemoration grows in prestige, visitors are forbidden to decorate or acknowledge Confederate interments. This level of animosity, condemning recognition of rebel burials on cemetery grounds, is short-lived. Chapter three examines 1872 through 1877 when sectional hostility, at least at Arlington, begins to lessen with Union and Confederate veterans beginning to emphasize shared wartime experiences. Notable is that these shared experiences did not include USCT veterans as they continued to be seen as separate from remembrance and commemoration ceremonies.

The fourth chapter covers over a decade of transformation with northern sympathy for Confederate dead increasing. This era includes southern efforts to identify and commemorate Confederate prisoners-of-war who died in northern prisons. This focus demonstrates what is deemed acceptable commemorative practices for rebel soldiers on northern soil and directly influences remembrance and reconciliation at Arlington. Chapter five examines the impact of the construction and dedication of Chicago's Confederate Mound in the late 1890s on rebel monumentation in the North. Confederate Mound provided a direct inspiration and template for builders of Arlington's Confederate monument and its importance, as one of the largest northern-located memorials to rebel service and ideology is paramount in understanding the acceptance of southern propaganda in much of the North by the end of the nineteenth century. The final two chapters deal directly with the construction and dedication of Arlington's Confederate burial section and monument. From endorsement by President McKinley in 1898 to dedication by President Wilson in 1914, this period completes the transformation of Arlington from revered site of mourning for US soldiers, sailors, and marines to commemorating an island of insurrection within cemetery grounds. Furthering the insult to the loyal dead interred throughout the cemetery, Arlington's Confederate monument goes one step further to proselytizing a pro-southern interpretation of the war with grandiose Lost Cause iconography.

The concluding chapter of *Honoring Treason* brings the discussion back to how and why this transformation at Arlington occurred and why there was a lack of discussion, or even notice, of Arlington's condoning pro-Confederate messaging on

cemetery grounds through most of the twentieth century. In addition, with the recent debate over Civil War memory, pro-Confederate monumentation, White supremacy, and civil rights rages throughout the nation, this dissertation closes by addressing by examining why Arlington's role in supporting White supremacy and Lost Cause mythology has not come under more scrutiny. Many of the arguments and debates over who deserves to be commemorated and what "cause" was just continue on today and Arlington remains an important venue for discussion.

Historical Background-American Military Burial Practices

When the American Civil War began in 1861, both the North and the South were unprepared for what lay ahead. Neither side had a large standing army nor the necessary equipment to wage an extensive, multi-year campaign across a large portion of the United States. The creation of a sufficiently sized military force, needed to fight an assumedly short war in which one side would quickly prevail, preoccupied the federal government in Washington, DC as well as the newly formed Confederate government. Focusing on logistical concerns such as clothing, feeding, arming, and training new recruits took precedent over all other matters, including treatment of those killed on the coming battlefields or dying of disease over the length of the war.

Neglecting a comprehensive plan for the treatment of war dead in 1861 reflected a policy dating back to the American Revolution (1775-1783), when battlefield casualties rarely constituted a logistical problem for commanders. As an example, the approximate number of colonials killed during the Revolution numbered 4,435 battlefield deaths. Additionally, approximately 2,260 died in battle during the War of 1812 (1812-15), with

1,733 perishing during the Mexican War (1846-48). More specifically, the largest total killed from a single battle during the American Revolution reached only 300, with less combat deaths from individual battles during subsequent 19th century conflicts.[29]

Within a few months of the beginning of the war, the federal government began addressing the need for a more formalized burial policy. After the disastrous failure of the US Army at the First Battle of Bull Run on July 21, 1861, the assumption by many that the war would be short, with one triumphant victory by the Union crushing the Confederacy began to fade. The US Army suffered 2,708 casualties in one day of action. By comparison, this number represents approximately 40 percent of the total number of casualties during the War of 1812, and nearly 26 percent of all Revolutionary War dead and wounded. With the number of casualties greater than anticipated, and Union confidence in a brief war diminishing, the federal government needed to reexamine appropriate burial procedures and assign accountability.[30]

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[29] Office of Public Affairs, "America's Wars Fact Sheet," US Department of Veterans Affairs, https://www.va.gov/opa/publications/factsheets/fs_americas_wars.pdf (accessed October 9, 2018); John W. Chambers, II, ed., *The Oxford Companion to American Military History* (New York: Oxford University Press, 1999), 433-6, 603-16; 783-5. The largest battle of the American Revolution was the Battle of Long Island on August 27, 1776 with approximately 30,000 forces engaged and 300 colonists killed. Over 30,000 men fought at Brandywine on September 11, 1777 also with 300 colonists killed. 28,900 were engaged at the Siege of Yorktown from September 29-October 19, 1871 with 389 Americans killed in action.

[30] United States War Department, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 70 Volumes (Washington, DC: Government Printing Office, 1880-1901): Series I, Vol. II, 327 (hereafter cited as *OR*); General Irvin McDowell, *Report of Brigadier General Irvin McDowell, Headquarters Department Northeastern Virginia, Arlington, VA, August 4, 1861* (Washington, DC: United States Army, 1861); Office of Public Affairs, "America's Wars Fact Sheet," US Department of Veterans Affairs, https://www.va.gov/opa/publications/factsheets/fs_americas_wars.pdf (accessed October 9, 2018). It is important to remember that the term "casualties" refers to both killed, injured, captured, or missing in action. Injuries are considered non-mortal but severe enough to render the service member unable to continue combat in the near term. If a soldier subsequently dies of wounds received on the battlefield, or from subsequent disease (as did the vast majority who died during the war), it is not always attributed to a specific battle. According to the US Department of Veterans Affairs, there were 10,623 American casualties during the American Revolution (4,435 battle deaths and 6,188 non-mortal

In response to the lack of an established military burial policy after the debacle at Bull Run, on September 11, 1861 the US War Department issued General Order No. 75, addressing responsibility for tracking burial of the dead, stating "whenever any soldier or officer of the US Army dies it shall be the duty of the commanding officer of the military corps or department in which such person dies to cause the regulation and forms provided in the foregoing directions to the Quartermaster-General to be properly executed."[31] Thus, the commanding officer retained responsibility for providing the Quartermaster-General with a record of burials within the commander's jurisdiction. The same order directed the Quartermaster-General to provide "in every general and post hospital of the Army" blank burial logs for preserving records of the dead as well as "provid[ing] proper means for a registered headboard, to be secured at the head of each soldier's grave."[32] Overall, this order simply established a system for tracking burial records, with commanders and hospitals required to provide documentation to the Quartermaster-General. Since the responsibility for maintenance of US Army post cemeteries predated the Civil War, General Order No. 75 also further reinforced the primacy of the Quartermaster-General in cemeterial administration.

Soon, the US Army developed official policies and procedures concerning burials when they retained the field of battle. General Order No. 33, published on April 3, 1862, directed commanding generals, "in order to secure, as far as possible, the decent interment of those who have fallen, or may fall, in battle…to lay off lots of ground in

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woundings), and 6,765 American casualties during the War of 1812 (2,260 battle deaths and 4,505 non-mortal woundings).

[31] United States War Department, *General Orders of the War Department Embracing the Years 1861, 1862, 1863*, (New York: Derby & Miller 1864), 1:158 (hereinafter cited as *GO 1861-63*).

[32] Ibid.

some suitable spot near every battlefield, so soon as it may be in their power." Order No. 33 also charged commanders with the responsibility to mark burials "with headboards to the graves bearing numbers, and when practicable, the names of the persons buried in them. A register of each burial ground will be preserved, in which will be noted the marks corresponding with the headboards."[33] This order placed direct responsibility for retrieval, identification, and burial of battle dead with commanders in the field. It further codified procedures for establishing burial grounds on or near battlefields, and locating and cataloguing individual interments and burial plots. Of note, this order contained no mention of disparate treatment of enemy dead. By implication then, disposition of Confederate remains was to mirror treatment of fallen US Army soldiers. Unsurprisingly, Union commanders often placed a lower priority on Confederate dead. Terms in General Order No. 33 such as "as far as possible" and "so soon as it may be in their power" provided a convenient excuse to move on to more pressing matters than ensuring appropriate treatment of deceased traitors.[34]

Although battlefields obviously required burial space, other locations necessitated adequate cemeterial land. Hospitals, where most soldiers died of disease during the war, also required property to ensure the dead received proper burial. Throughout the war, the Washington, DC metro area housed a greater number of general hospitals than any other military department in the US Army. The District of Columbia included twenty-four hospitals with 21,426 beds and Alexandria, Virginia added an additional twenty-three

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[33] *GO 1861-63*, 1:248-49.
[34] Faust, 66, 71-73; John R. Neff, *Honoring the Civil War Dead: Commemoration and the Problem of Reconciliation* (Lawrence: University Press of Kansas, 2005), 29, 32-35; Sledge, 33.

hospitals of varying size.[35] The location of these hospitals was one of practicality. Not only was Washington, DC, the national capital and the most strategically important city during the war, it also served as the initial headquarters and training area for the Army of the Potomac, the principle Union army in the eastern theater. Tens of thousands of soldiers and civilians transited the District of Columbia. In addition, as the federal government grew in power to address the needs of the war, the resident populace grew. According to the US Census, between 1860 and 1870, the population of Washington, DC, grew from 75,080 to 131,700, a 75 percent population change representing the largest decennial growth in the District's history.[36]

The mass concentration of soldiers, civilians, and animals in the national capital meant the influence and spread of disease became a constant concern. In addition to those stationed in the District, training or in transit to front-line regiments, hospitals in the national capital routinely received wounded soldiers, arriving after initial treatment near battlefields. Washington, DC, was within approximately one hundred miles of most of the major battlefields in the eastern theater of war.[37] Although robust battlefield triage was a foreign concept to both armies when the war began, as the conflict continued the US Army developed a medical evacuation system designed to administer treatment on or

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[35] United States Army Surgeon-General's Office, *The Medical and Surgical History of the War of the Rebellion (1861-1865)*, Pt. 3, Vol. 1 (Washington, DC: Government Printing Office, 1888), 896-7, 960; Harvey E. Brown, *The Medical Department of the United States Army from 1775 to 1873* (Washington, DC: Surgeon General's Office, 1873), 238–43, 254; Grand Army Of The Republic, Committee On Marking Points of Historic Interest, "Catalogue of Points of Historic Interest: Washington DC and Metropolitan Area (Washington, DC: Grand Army of the Republic National Encampment, 1902) Library of Congress (hereinafter LC) Geography and Map Division.

[36] US Department of Commerce, Bureau of the Census, *Population of States and Counties of the United States: 1790-1990*, Richard L. Forstall, ed. (Washington, DC: Government Printing Office, 1996) 29.

[37] Gettysburg is approximately 81 miles from Washington, DC, Antietam 75 miles, Manassas National Battlefield Park 31 miles, etc.

near battlefields as quickly as possible. Mainly developed by army surgeon Jonathan Letterman, treatment of wounded began on the edge of battle by assistant surgeons who determined the extent of injuries. More severely wounded began the journey to field hospitals, brigade hospitals, then to general hospitals, mainly in the DC region, for treatment, recuperation and further care.[38]

While surviving battlefield wounds and transportation to a general hospital was certainly better than the alternative, conditions at these facilities proved problematic. "The American Civil War," one physician and historian wrote, was "the last large-scale conflict fought without knowledge of the germ theory of disease." Hospital conditions included "unsound hygiene [and] dietary deficiencies." These conditions, coupled with battle wounds, "set the stage for epidemic infection, while inadequate information about disease causation greatly hampered disease prevention, diagnosis, and treatment."[39] Of the 620,000 to 752,000 killed during the war, uncontrolled infectious disease caused approximately two-thirds of deaths, with pneumonia, typhoid, diarrhea/dysentery, and malaria the largest killers.[40] These diseases were not only a Union issue. Confederate

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[38] Jonathan Letterman, M.D. *Medical Recollections of the Army of the Potomac* (New York: D. Appleton & Co., 1866), 157; James Robertson, *After the Civil War: The Heroes, Villains, Soldiers and Civilians who Changed America* (Washington DC: National Geographic Press, 2015), 131; Robert Slawson, M.D., FACR, "The Development of Triage," National Museum of Civil War Medicine, http://www.civilwarmed.org/surgeons-call/triage1/ (accessed October 15, 2018). Letterman is buried at Arlington National Cemetery in Section 3, Grave 1869.

[39] Jeffrey S. Sartin, M.D., "Infectious Diseases During the Civil War: The Triumph of the 'Third Army'," *Clinical Infectious Diseases* 16, Issue 4 (April 1, 1993): 580-584.

[40] Ibid; American Battlefield Trust, "Civil War Casualties," American Battlefield Trust, https://www.battlefields.org/learn/articles/civil-war-casualties (accessed October 16, 2018); J. David Hacker. "A Census-Based Count of the Civil War Dead," *Civil War History* 57, no. 4 (2011): 307-348. Dr. Sartin, using data extrapolated from government records estimates that among Union soldiers, pneumonia (including influenza and bronchitis) accounted for 360,000 episodes of illness and 21,000 deaths; typhoid, for 149,000 episodes and 35,000 deaths; diarrhea/dysentery, for 1,765,000 episodes and 45,000 deaths; and malaria, for 1,316,000 episodes and 10,000 deaths.

prisoners of war, captured on the battlefield and routinely removed to the Washington, DC area for treatment in the same hospitals, often suffered the identical fate as their adversaries. With disease rampant in DC-area hospitals, death and burials were a daily occurrence. Burial space in the national capital region was insufficient to accommodate the demand. How the US Army would address the increasingly pressing issue of where to bury the dead was a looming question.[41]

The initial response occurred just days after the First Battle of Bull Run. Not only did that encounter spur processes for tracking the dead, it also brought to the forefront a recognition of the need for cemeterial space. As a result, the Commissioners of the United States Military Asylum in Washington, DC, (today the Armed Forces Retirement Home), offered six acres of land for burials. The US Army Adjutant-General's Office formally accepted the offer on July 25, 1861, by Special Order No. 198 which "set apart for a place of burial for officers and soldiers, both regular and volunteer."[42] The first interments occurred just a few days later, on August 3. This solution, pre-dating the establishment of national cemeteries, was a stop-gap and temporary solution at best. The major need was the acquisition of burial space, both near battlefields, and somewhere in the DC metro area as close as possible to the numerous general hospitals. Unfortunately,

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[41] Robert F. Reilly, M.D., "Medical and Surgical Care During the American Civil War, 1861–1865," *Baylor University Medical Center Proceedings* 29, no. 2 (April 2016): 138-42.

[42] Judge-Advocate-General's Office, *National Military Parks, and National Cemeteries. Title and Jurisdiction* (Washington, DC: Government Printing Office, 1898), 23; Colonel Paul R. Goode, *The United States Soldiers' Home: A History of Its First Hundred Years* (Richmond, VA: William Byrd Press, 1957), 126; National Park Service, US Department of the Interior, "United States Soldiers' and Airmen's Home National Cemetery Washington, DC," National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/district_of_columbia/us_soldiers_and_airmens_home_national_cemetery.html (accessed October 16, 2018).

the US Army had no authority, or funding mechanism, to acquire private land in these locations for cemeterial needs. Authorization of this type needed Congressional approval.

The Creation of "National" Cemeteries

On July 17, 1862, one year after opening the US Military Asylum cemetery to burials, legislative action sanctioned the Lincoln administration to purchase land for cemeteries, stating in section 18 of an omnibus act addressing officer pay that "the President of the United States shall have power, whenever in his opinion it shall be expedient, to purchase cemetery grounds, and cause them to be securely enclosed, to be used as a national cemetery for the soldiers who shall die in the service of the country."[43] This law represents the first statute authorizing the creation of "national cemeteries," and provided a vehicle with which the executive branch could quickly identify appropriate land for burials, purchase the property, and securely separate the grounds from the surrounding area. Not only would battlefield burial grounds, where exigent interments already existed, now be legally eligible for government purchase, but also land for national cemeteries conveniently located near Washington, DC general hospitals.

Recognizing the increasingly pressing need for interment space, the Lincoln administration wasted little time establishing the first national cemeteries. Burial locations, mostly near troop concentrations and thus areas prone to disease, took priority. The first fourteen national cemeteries came into existence in 1862, only two of which are associated with a specific battle, the Mill Springs National Cemetery in Nancy,

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[43] *An Act to Define the Pay and Emoluments of Certain Officers of the Army, and for Other Purposes*. 37th Cong., 2d sess. (July 17, 1862), 596.

Kentucky, and the Antietam National Cemetery near Sharpsburg, Maryland.[44] In the Washington, DC region, two national cemeteries were among the initial grouping. The already existing cemetery at the US Military Asylum became the Soldier's Home National Cemetery, and the Alexandria National Cemetery came on line to accommodate interments near various Union hospitals in Alexandria, Virginia. Yet, with only six acres at the Soldier's Home and just over five acres of space in Alexandria, these national cemeteries would soon prove too small to accommodate the number of dead in the national capital region. By 1864, the US Army needed open, unoccupied land, within easy reach of the District of Columbia along river and road transportation routes. The solution lay to the west, just across the Potomac River, on the grounds of the Custis-Lee plantation on Arlington Heights, the former home of the "traitorous" rebel leader of the Army of Northern Virginia.[45]

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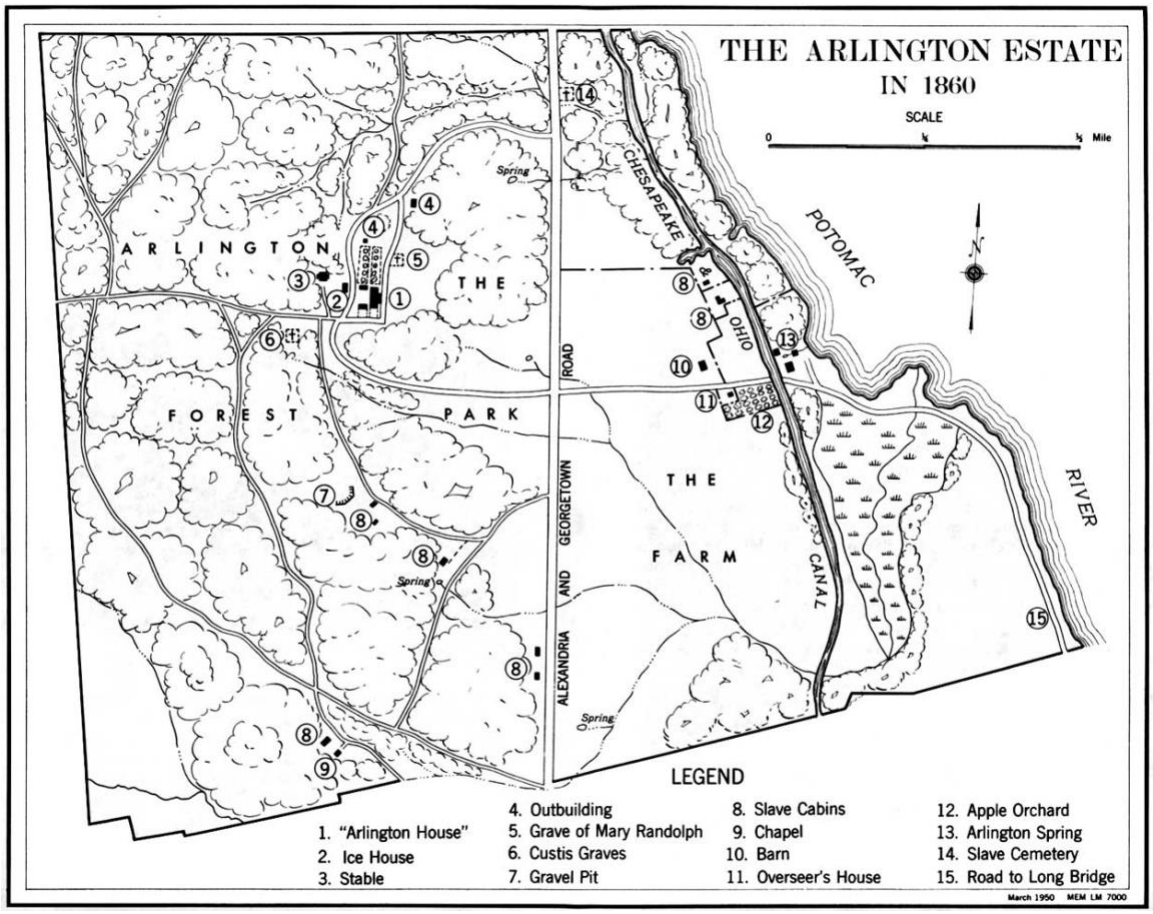
[44] *OR*, Series I, Vol. VII, 105-16; *OR*, Series I, Vol. XIX, Part I, 189-204; David S. Heidler and Jeanne T. Heidler, eds., *Encyclopedia of the American Civil War: A Political, Social, and Military History* (New York: W.W. Norton & Company, 2000), 55-67, 1205-07. The Battle of Mill Springs, also known as the Battle of Logan's Cross Roads, and the Battle of Beech Grove occurred on January 19, 1862 near Nancy, KY and is often credited as the first significant Union victory of the war. Casualties were 39 killed, 207 wounded US soldiers, and 125 killed, 404 wounded/missing Confederate soldiers. Soldiers killed in the battle were initially buried in large trenches, as would become the custom throughout the war. The Battle of Antietam, also known as the Battle of Sharpsburg, occurred September 17, 1862 near Sharpsburg, MD. Considered the bloodiest single day in American military history, the US Army suffered 12,410 casualties (2,108 killed, 9,549 wounded, 753 missing/captured) with the Confederate Army suffering 10,316 casualties (1,567 killed, 7,752 wounded, 1,018 missing/captured). The 14 original national cemeteries in alphabetical order: Alexandria National Cemetery, Alexandria, VA, Annapolis National Cemetery, Annapolis, MD, Antietam National Cemetery, Sharpsburg, MD, Camp Butler National Cemetery, Springfield, IL, Cypress Hills National Cemetery, Brooklyn, NY, Danville National Cemetery, Danville, KY, Fort Leavenworth National Cemetery, Fort Leavenworth, KS, Fort Scott National Cemetery, Fort Scott, KS, Keokuk National Cemetery, Keokuk, IA, Loudon Park National Cemetery, Baltimore, MD, Mill Springs National Cemetery, Nancy, KY, New Albany National Cemetery, New Albany, IN, Philadelphia National Cemetery, Philadelphia, PA, Soldier's Home National Cemetery, Washington, DC.
[45] National Cemetery Administration, "History and Development of the National Cemetery Administration," US Department of Veterans Affairs, https://www.cem.va.gov/docs/factsheets/history.pdf (accessed October 17, 2018); John S. Heider, "Our Ever Changing National Cemeteries," National Park Service, http://npshistory.com/series/symposia/gettysburg_seminars/15/essay8.pdf (accessed October 17, 2018); National Park Service, US Department of the Interior, "United States Soldiers' and Airmen's Home



"The Arlington Estate in 1860"[46]

1864 placed an enormous strain on the pace and amount of burials in Washington, DC as Lt. Gen. Ulysses S. Grant's Overland Campaign commenced with the Battle of the

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National Cemetery Washington, DC," National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/district_of_columbia/us_soldiers_and_airmens_home_national_cemetery.html (accessed October 16, 2018); National Park Service, US Department of the Interior, "Alexandria National Cemetery, Alexandria, Virginia," National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/virginia/alexandria_national_cemetery.html (accessed October 17, 2018).

[46] Department of the Interior, National Park Service, "Custis-Lee Mansion, The Robert E. Lee Memorial," National Park Service, https://www.nps.gov/parkhistory/online_books/hh/6/hh6e.htm (accessed April 14, 2022). This map shows the convenient location of the Arlington Estate just off the Potomac River and with both the Chesapeake and Ohio Canal and the Alexandria and Georgetown Road running through the property. The initial military burials took place on the northernmost (upper) portion of the map, just to the west (left) of the Alexandria and Georgetown Road across from the Slave Cemetery (#14).

Wilderness in May, and lasted through the Siege of Petersburg, Virginia in June. The Overland Campaign was particularly bloody, with almost 55,000 Union casualties and over 30,000 Confederates killed or wounded in less than two months. As quartermaster wagons headed south laden with supplies for the Army of the Potomac, those same wagons returned to Washington, DC, filled with wounded soldiers heading for area hospitals. Noah Brooks, local journalist and friend of Abraham Lincoln, described the scene in the capital writing, "Maimed and wounded…arrived by hundreds as long as the waves of sorrow came streaming back from the fields of slaughter…They came groping, hobbling, and faltering, so faint and so longing for rest that one's heart bled at the piteous sight." As these men succumbed to wounds and disease, both Alexandria and the Soldier's Home National Cemeteries approached maximum capacity.[47]

Arlington Becomes a National Cemetery

The need for additional burial space apparent, two quartermaster officers, Capt. James Monroe and Bvt. Brig. Gen. Daniel H. Rucker, examined potential locations for a new, larger cemetery to accommodate those dying in DC area hospitals. The Custis-Lee plantation seemed an obvious choice. Occupied by the US Army just hours after Virginia voters ratified the ordinance of secession to join the Confederacy[48], the plantation provided large, open areas for burials. With much of the ground located on a ridge

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[47] David W. Hogan, Jr., *The Overland Campaign: 4 May – 15 June 1864* (Washington: Center of Military History, United States Army, 2014), 70; Charles A. Dana, "Reminiscences of Men and Events of the Civil War," *McClure's Magazine* XI, no. 1 (May 1898), 34; Jennifer Hanna, *Cultural Landscape Report, Arlington House: The Robert E. Lee Memorial* (Washington, DC: US Department of the Interior, National Park Service, 2001), 84; Noah Brooks, *Washington, DC, in Lincoln's Time: A Memoir of the Civil War Ear by the Newspaperman Who Knew Lincoln Best*, ed. Herbert Mitgang (Athens: University of Georgia Press, 1989), 16-17.
[48] May 23, 1861.

overlooking Washington, DC, the risk of flooding (and unearthing graves) was minimal, and the setting appropriately pastoral. In addition, Arlington was easily accessible from both the nearby Georgetown-Alexandria road, numerous bridges from the District, as well as convenient water transportation off the Potomac River. In short, Arlington's location provided various routes to quickly convey the dead to their final resting place. And, while the strategic use of Arlington for the defense of Washington, DC justified the 1861 confiscation[49], three years of carnage up to this point in the war undeniably increased the animus felt towards a man responsible for much of that bloodshed. By 1864, the opportunity to locate a US Army cemetery at the former home of the traitorous Robert E. Lee undoubtedly appealed to many in the North. With the endorsement of Monroe and Rucker on June 15, 1864, Brig. Gen. Montgomery C. Meigs, Quartermaster General of the Army, recommended to Secretary of War Edwin Stanton, "that the land surrounding the Arlington Mansion, now understood to be the property of the United States, be appropriated as a National Military Cemetery." Meigs closed his recommendation by reiterating that "the grounds about the mansion are admirably adapted to such a use."[50]

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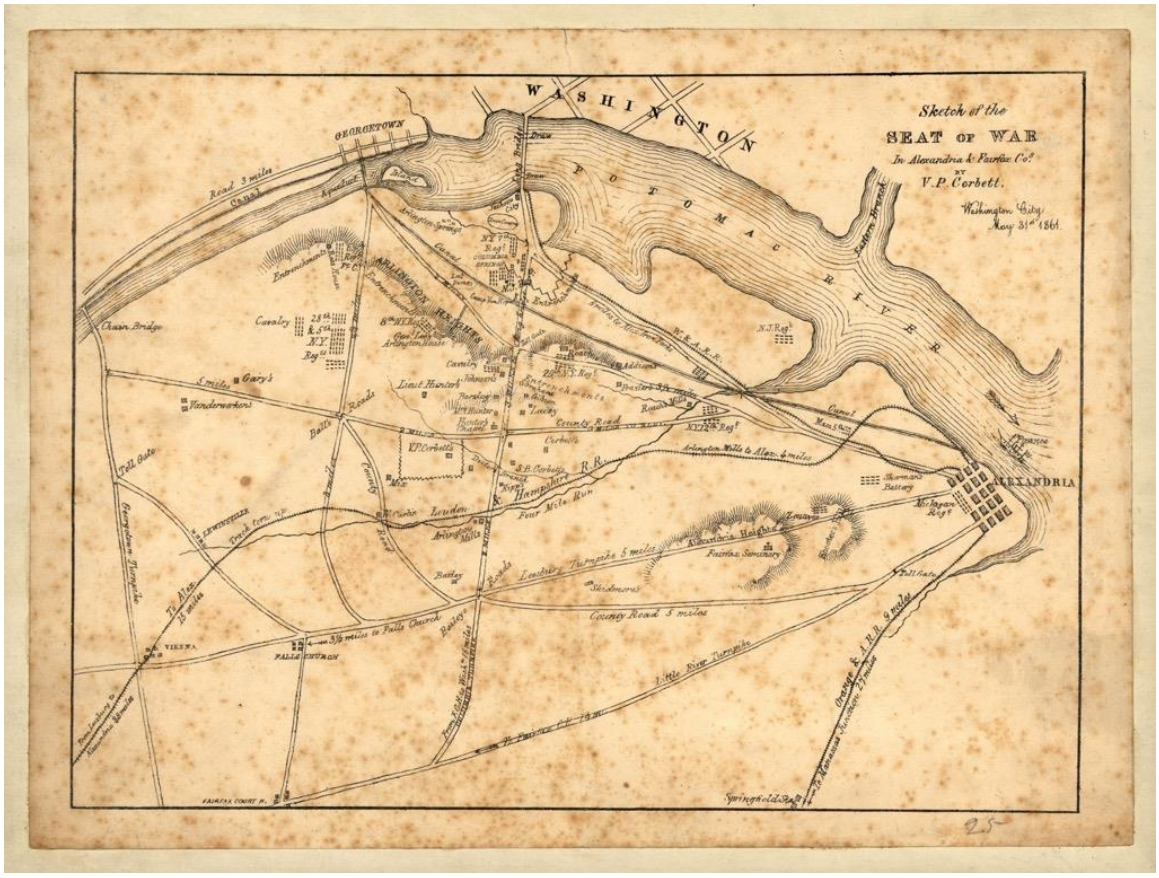
[49] The initial rationale for the US Army's occupation of the Arlington estate was to protect Washington, DC from potential Confederate attack or invasion. To that end, the army built three fortifications during the war along Arlington Heights, an elevated portion of the property that over looked the national capital. These artillery fortifications were Fort Cass, Fort Whipple, and Fort McPherson and were part of the integrated defenses of Washington, DC.

[50] George B. Davis, Leslie J. Perry, Joseph W. Kirkley, Compiled by Calvin D. Cowles, *Atlas to Accompany the Official Records of the Union and Confederate Armies* (Washington: Government Printing Office, 1891-95), plate VI; Maj. Gen. C.W. Sandford to Lt. Gen. Winfield Scott, May 28, 1861, in *OR*, Series I, Vol. II, 37-39; Maj. Gen. S.P. Heintzelman to Adj. Gen. L. Thomas, July 20, 1863, in *OR*, Series I, Vol. II, 40-41; Col. O.B. Willcox to Gen. Mansfield, May 24, 1861, in *OR*, Series I, Vol. II, 41; Colonel Emmons Clark, *History of the Seventh Regiment of New York 1806-1889* (New York: Seventh Regiment, 1890), 2:25-27; FirstBullRun.co.uk, "Occupation of Arlington Heights and Alexandria," FirstBullRun.co.uk, http://www.firstbullrun.co.uk/NEV/occupation-arlington-alexandria.html (accessed



"Sketch of the Seat of War in Alexandria & Fairfax Cos.

by V. P. Corbett, May 31, 1861"[51]

January 1, 2019); *National Republican*, June 17, 1864; "The Arlington Estate," *Big Blue Union*, (Marysville, KS), July 9, 1864; Brig. Gen. M.C. Meigs to Hon. Edwin M. Stanton, June 15, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I.

[51] V. P. Corbett, *Sketch of the seat of war in Alexandria & Fairfax Cos., by V. P. Corbett*, Washington City, 1861, https://www.loc.gov/item/99439186/ (accessed April 14, 2022). This map of Alexandria and Fairfax County clearly shows the high ground of Arlington Heights which overlooks the Potomac River and Washington, DC. By May of 1861 numerous US Army regiments occupied this area as it was strategically important to the defense of the national capital. Arlington house is located in the middle of Arlington Heights.

Stanton agreed with Meigs, ordering, on the very same day, "The Arlington Mansion and the grounds immediately surrounding it are appropriated for a military cemetery." Stanton's order authorized the Quartermaster General to "cause the grounds, not exceeding two hundred acres, to be immediately surveyed, laid out, and enclosed for this purpose." Stanton, seeking to relieve the pressure on other burial grounds in the area, further ordered that, "The bodies of all soldiers dying in the hospitals of the vicinity of Washington and Alexandria…will be interred in this cemetery." Wasting little time to affect Stanton's decision, Meigs fired off instructions to Brig. Gen. Rucker, who, as chief quartermaster of the Depot of Washington, DC, was responsible for creating the new cemetery. Echoing Stanton's order, Meigs directed Rucker to have 200 acres of the plantation surveyed for, "the National Cemetery at Arlington."[52]

Meigs letter to Rucker also gave instructions concerning burials already conducted on Arlington land, prior to official authorization by the US government, to begin interment services. Meigs wrote, "When the season permits it the bodies lately interred there…will be removed to the National Cemetery at Arlington." Burial records show that the first military burial at Arlington occurred more than a month before Stanton's authorization. On May 11, 1864 Private William Christman, a member of the 67th Pennsylvania Volunteer Infantry, died of peritonitis at Washington's Lincoln General Hospital. His burial, the first white[53] interment at Arlington since George Washington

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[52] Sec. of War Edwin M. Stanton to Brig. Gen. M.C. Meigs, June 15, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I; Brig. Gen. M.C. Meigs to Brig. Gen. D.H. Rucker, June 15, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I.

[53] A cemetery for enslaved people, in existence for many years prior to the war, was located on the easternmost portion of the property, nearer the Potomac River. Undoubtedly, burials services occurred here

Parke Custis in 1857, took place on May 13, with little fanfare, in a lower portion of the property, near the Georgetown-Alexandria road.[54]

No record exists why burials began prior to Stanton's authorization, or who gave permission for interments. The location on the property suggests these initial burials may have been temporary in nature. The plot of land chosen was extremely low ground, nearer the Potomac River, prone to flooding, and would not have impacted the fields of fire from the nearby forts. Meigs may have authorized the initial burials as a way of presenting, if needed, a fait accompli to the Secretary of War. Commencing interments as quickly as possible, Meigs could the demonstrate Arlington's convenience and practicality as a burial ground. Once national cemetery authorization and a permanent, surveyed site on the plantation was determined, it would be a simple matter to disinter and relocate the existing burials, a practice common during the war. In addition to proving the convenience of burials on the plantation, the sheer number of interments conducted reinforced the need for additional space. Between May 13 and June 14, 1864, 1,121 burials occurred at Arlington, an average of over 35 interments per day. Forty-four

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between Custis's death in 1857 and Christman's in 1864. Unfortunately, no record of burials for the enslaved cemetery are known to exist and any remains were probably lost with subsequent 20th century road development in the area.

[54] *Volunteer Enlistment*, William Christman, March 25, 1864, ANCHO; *Casualty Sheet*, William Christman, May 11, 1864, ANCHO; *Record of Death and Interment*, William Christman, May 13, 1864, ANCHO; *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; Quartermaster General, US Army, *First Interment in Arlington National Cemetery*, Memorandum for Record, June 16, 1959. Christman, a farmer from Pennsylvania, enlisted on March 25, 1864. His regiment was sent to Washington, DC where he became sick from either measles, typhoid, or rubella (sources differ). Admitted to Lincoln General Hospital on May 1, he died on May 11 without ever seeing a battlefield. George Washington Parke Custis (1781-1857) was the son of John Parke Custis (1754-1781), the adopted son of George Washington. Upon John Parke Custis' death during the Revolutionary War, George Washington Parke Custis inherited land from his father that included the property that became Arlington National Cemetery. George Washington Parke Custis established a plantation on this property and built Arlington House. Upon his death in 1857 ownership of the property passed to his daughter, Mary Anne Randolph Custis (1807-1873), who married Robert E. Lee in 1831.

burials occurred on June 14, the day before Arlington officially became a national cemetery. The demand for burial space was so great that, on June 15, 1864, Soldier's Home National Cemetery reached maximum capacity and closed for new interments.[55]

This is the first known image of military burials at Arlington, dated June 29, 1864[56]

(Chrysler Museum of Art/Andrew Joseph Russell)

As apparent as the logistical benefit of Arlington for burials was to the US Army, the northern public also recognized the irony of federal interments on southern soil.

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[55] *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; Hannah, *Cultural Landscape Report*, 84.

[56] Located in the "Lower Cemetery," these graves mainly occurred in the first month of burials, prior to Arlington's official designation as a national cemetery. Note the crude wooden markers not yet whitewashed for easier identification.

Newspapers commented on the appropriateness of Stanton and Meigs' decision, rejoicing that the Freedman's Village[57] and the national cemetery "are righteous uses of the estate of the rebel General Lee, and will never dishonor the spot made venerable by the occupation of Washington." Another editorial used stronger language stating, "How appropriate that Lee's land should be appropriated to two such noble purposes-the free living black man whom Lee would enslave, and the bodies of the dead whom Lee had killed in a wicked cause!" Newspapers justified the location of burials as bringing honor back to a dishonored land, with the added benefit of a vengeful punishment for Robert E. Lee's treasonous actions.[58]

As persuasive as many found these articles, Arlington National Cemetery's chief proponent was Montgomery Meigs. As a quartermaster and trained military engineer, Meigs' Arlington proposal was logical. Location, vast amounts of open space, ease of access, and confiscation of the property made the plantation an obvious choice. Without these evident benefits, fully endorsed by Monroe and Rucker in their survey of potential cemetery sites, Arlington would have only housed fortifications and the Freedman's Village. These were the most important considerations underlying the selection of the

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[57] Prior to the establishment of a military cemetery on the Arlington property, on May 5, 1863 a Freedman's Village was created a half mile south of the Arlington mansion. This village was a temporary settlement established by the federal government for formerly enslaved people functioning as a refugee camp for men, women and children. According to the Arlington National Cemetery History Office, "The Freedman's Village on the Arlington property evolved into a unique and thriving community with schools, hospitals, churches and social services. While intended to be temporary, the community remained on the land from 1863 until 1900." See National Park Service, "Freedman's Village," Department of the Interior, National Park Service, https://www.nps.gov/arho/learn/historyculture/emancipation.htm (accessed April 13, 2022); Arlington National Cemetery History Office, "Freedman's Village," Department of the Army, Arlington National Cemetery, https://www.arlingtoncemetery.mil/Explore/History-of-Arlington-National-Cemetery/Freedmans-Village (accessed April 13, 2022).

[58] *National Republican*, June 17, 1864; "The Arlington Estate," *Big Blue Union*, (Marysville, KS), July 9, 1864.

Arlington for a burial ground. However, as the previously cited newspaper articles argued, by 1864 not only military necessity but retribution and vengeance played an increasingly important role, as significant to Meigs as logistical and engineering considerations.

Meigs, born in Georgia and raised in Philadelphia, was a staunch Unionist, with little sympathy for the Confederacy, or those who committed treason against the United States. A friend of both Robert E. Lee and Jefferson Davis before the war, he reacted with hostility to their defection to the rebel cause, going so far as to suggest Lee and other Confederate leaders should be tried and executed for treason. When asked about possible options for Arlington by President Lincoln, Meigs responded, "The Romans sowed the fields of their enemies with salt; let us make it a field of honor."[59] As the war progressed, Meigs, as Quartermaster General, witnessed devastation and death, and like many families, experienced personal tragedy. The death of his son, 1st Lt. John Rodgers Meigs, in October 1864, while on patrol in the Shenandoah Valley, devastated Meigs. Never truly recovering from the "murder" of his son, Meigs wrote, shortly after Lee's surrender to Ulysses S. Grant at Appomattox, that Congress should banish the rebel leaders if they escaped punishment by presidential pardon or lack of military action. Continuing his letter, Meigs levelled his strongest vitriol at Confederate leadership "as murderers of [his] son & of the sons of hundreds of thousands…justice seems not satisfied [if] they escape

[59] Montgomery Meigs, April 11, 1865, Meigs Papers, LOC, shelf 18,202.1, reel 6; Montgomery Meigs, Meigs Papers, LOC, shelf 18,202, reel 16, 0021, reel 17, 0024. 1st Lt. John Rodgers Meigs died while on a patrol under the command of Brig. Gen. Philip Sheridan. On Oct. 3, 1864, Sheridan sent Meigs and two assistants on a mission to map terrain near Harrisonburg, VA. As Meigs and his assistants rode along Swift Run Gap Road, they encountered three Confederates scouts. A firefight ensued which killed Meigs. It is unclear who fired first, and the details of the fight were contested.

judicial trial & execution in this world by the government which they have betrayed, attacked & whose people loyal & disloyal they have slaughtered."[60]

Losing his son clearly reinforced Meigs hatred for the Confederacy. However, coming four months after the establishment of Arlington National Cemetery, the death of John Meigs could not have played a role in his father's selection of the property. What convinced Meigs of Arlington's potential was equal parts location and ease of transportation, a bucolic setting honoring the sacrifice of the fallen, and a property confiscated by the United States government. Meigs' animosity undoubtedly played a role in the selection, but one that only added to the primary concerns for logistical convenience and the necessity of open, unused land for burials. The moral suitability of a US military cemetery on a former slave plantation, while undoubtedly compelling to many, was more an added benefit than a priority.

Although burials began in May, Meigs' vision for the national cemetery took time to realize. Meigs preliminary message to Secretary of War Stanton advised that the initial burial ground, known as the "Lower Cemetery," should be discontinued, and all subsequent interments conducted nearer "the land surrounding the Arlington Mansion, now understood to be the property of the United States…." Meigs seemed particularly fixated on ensuring the uninhabitable of the mansion in the future by placing graves within site of the residence. To that end, Meigs suggested, "the bodies recently interred [in the Lower Cemetery] be removed to the National Cemetery thus to be established."

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[60] Montgomery Meigs, April 11, 1865, Meigs Papers, LOC, shelf 18,202.1, reel 6; David W. Miller, *Second Only to Grant: Quartermaster General Montgomery C. Meigs* (Shippensburg, PA: White Mane Books, 2000), 253; Russell F. Weigley, *Quartermaster General of the Union Army: A Biography of M.C. Meigs* (New York: Columbia University Press, 1959), 324-25; Robert M. Poole, *On Hallowed Ground: The Story of Arlington National Cemetery* (New York: Bloomsbury, 2009), 65.

His concern was to safeguard against possible future legal action that might allow the Lee family to resume control of the property. Thousands of US military graves covering the land, Meigs believed, helped guarantee continued government control.[61]

Meigs' intention was clear. As of June 15, burials in the original, Lower Cemetery were to cease, with all subsequent interments taking place nearer the mansion. However, Meigs, touring the national cemetery on the day of its creation, observed his orders ignored, with burials still occurring in the original burial plot. Soldiers, using Arlington house as a residence, did not wish to have "the dead buried near them." Infuriated, Meigs rectified the situation by ordering enlisted burials to the southwest of the house, in a location directly next to the graves of George Washington Parke Custis and his wife. Additionally, Meigs ordered an initial burial of 26 officers next to the mansion, ringing Mary Lee's flower garden. Meigs dealt with the concerns of the soldiers living and working in the residence by ordering their eviction and replacement with two chaplains to overseas burials and conduct interment services. By the end of the first month of its existence, Arlington National Cemetery contained the remains of over 2,600 individuals and averaged over sixty burials per day.[62]

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[61] Brig. Gen. M.C. Meigs to Hon. Edwin M. Stanton, June 15, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I.

[62] Gen. M.C. Meigs to Brig. Gen. D.H. Rucker, June 15, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I; Meigs to Stanton, April 12, 1874, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I; Meigs to Stanton, June 16, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I; Rucker to Meigs, July 8, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I; *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; George Dodge, "The Rose Garden at Arlington House, Arlington National Cemetery," *The Arlington Historical Magazine* 9, no. 2 (October 1990): 20-50; George Dodge, "The Rose Garden at Arlington House, Arlington National Cemetery," *The Arlington Historical Magazine* 9, no. 3 (October 1991): 53-62.

"Part of Arlington, Virginia Surveyed for Gen. M.C. Meigs Q.M.G. USA.,"

E. Hergesheimer, US Coast Survey, 1864.[63]

[63] National Oceanic and Atmospheric Administration Historic Coast & Geodetic Survey Collection, https://www.flickr.com/photos/noaaphotolib/9716182873/in/album-72157635471119538/ (accessed April 14, 2022).
This is an 1864 Coast Survey map of the Arlington estate. The northeast corner (lower right) of the property is the "Lower Cemetery" where the original military burials occurred beginning on May 13, 1864 with Pvt. William Christman. Today, this is Section 27. This location is the furthest from the mansion and would become the African American burial plot once Arlington became a national cemetery on June 15, 1864. The circular shape is a road built to allow burial wagons easier ingress and egress out of the cemetery. The Arlington mansion is in the middle of the map, with the rose garden to the left and a vegetable garden to the right.

Arlington's African American Burials

Despite Meigs' directive to cease interments in the lower cemetery, burials continued at this location for one class of individuals, African American civilians and soldiers. During the war, the US military employed hundreds of African Americans as laborers in the DC region. Only recently freed and often impoverished, these employees died in area hospitals of illness and disease and interment at Arlington was an efficient and pragmatic option. In the first month of burials in the Lower Cemetery, Black civilian interments occurred concurrently with White soldiers, creating a unique, desegregated cemetery where White and Black dead lay in the same burial section.[64]

In addition to African American civilians laid to rest in the Lower Cemetery, the burial of United States Colored Troops (USCT) in this location began in July 1864. Endorsed by President Lincoln in his Emancipation Proclamation, and recruited by the Bureau of Colored Troops under General Order 143 beginning on May 22, 1863, USCT were US Army regiments composed primarily of African-American volunteers, and commanded by white officers. As USCT regiments engaged in battle and

[64] Report by Cemetery Official to Secretary of War, Edwin Stanton, June 10, 1867, NW-81E.576, Box 6, RG 92, RQG, NARA I. As has been mistakenly claimed by other histories of Arlington National Cemetery, none of the dead from Arlington's Freedman's Village were buried in the Lower Cemetery. ANC's Freedman's Village included a separate cemetery, located southwest of the residences, roughly in the same location as the Sheraton Pentagon City Hotel, 900 S Orme St, Arlington, VA 22204.

died of wounds and disease, the number of burials grew accordingly. Both white and black soldiers died in DC area hospitals, and needed burial at Arlington. On July 9, 1864, George Lewis of the 23rd Regiment, USCT became the first African American service member buried at Arlington National Cemetery. Much like William Christman, the first military burial at Arlington, Lewis also died of disease only four days after enlistment, never having set foot on a battlefield.[65]

What sustained interments in the Lower Cemetery section, even after Montgomery Meigs ordered all new burials placed near the mansion, was the segregated burial practices of the era. Interment procedures at national cemeteries reflected societal customs, albeit with modifications. Public and private cemeteries segregated burials on many grounds, including religion, wealth, and race. National cemeteries, born of necessity, ignored religious differences, often unaware of the spiritual practices of the dead. Thus Catholics, Jews, Protestants, and nonbelievers all laid side by side. Socioeconomic separation, if not an official policy, occurred in fact by using military rank to determine burial location. As with the committals around Mary Lee's flower garden, national cemeteries created separate sections for officer interments, not to be intermingled with burials of enlisted men. With most Civil War officers coming from

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[65] General Order No. 143, May 22, 1863, Orders and Circulars, 1797-1910; Records of the Adjutant General's Office, 1780's-1917, RG 94, NARA I; Heidler, *Encyclopedia of the American Civil War*, 2002-03; *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; Timothy Dennee, "African-American Civilians Interred in Section 27 of Arlington National Cemetery, 1864-1867" (paper presented at the 38th Annual Conference of DC Historical Studies, Washington, DC, November 3, 2011), 7-8; George W. Dodge, "The Burial of United States Colored Troops at Arlington National Cemetery," *The Arlington Historical Magazine* 11, no. 1 (October 1997): 46-47; Military Service Record of George Lewis, National Archives; Frank R. Freemon, *Microbes and Minie Balls: An Annotated Bibliography of Civil War Medicine* (Cranberry, NJ: Associated University Press, 1993), 142. Like many buried at ANC, Lewis died not of battlefield wounds, but of disease. Lewis was a 19-year-old native of Virginia who enlisted on July 5, 1864, and died four day later of "typhoid malarial fever." He is buried in Section 27, grave 2230.

wealthier families, this arrangement separated the affluent from the less privileged, thus influencing national cemetery design.

Not surprisingly, the one practice national cemeteries strictly adhered to, much like public and private cemeteries, was segregating burials by race. On June 15, 1864, the same day Arlington became a national cemetery, burials of White soldiers in the Lower Cemetery ceased. At that point the Lower Cemetery became an African-American burial ground. Throughout the war, African American burials continued. 1,391 USCT and civilian interments took place from August 1864 to June 1865. By the end of 1867, total African American burials in the Lower Cemetery numbered over 3,600. Civilian burials ended in November 1867 with the bulk of USCT committals terminating in 1868.[66]

As was interment of white soldiers at Arlington National Cemetery, burial of black soldiers was a pragmatic decision born of military necessity. The newly opened national cemetery was the obvious and logical location for African American soldiers dying in hospitals in the region. Yet for many, not least those fighting as part of USCT regiments, eligibility for burial in a national cemetery was an important, validating benefit of membership in the US military. At a time when the concept of arming African Americans to fight in the federal army was controversial, and seen by many in the South

[66] *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; *Washington Star*, "Colored Burials at Arlington," January 1865, (newspaper clipping), Records Relating to Functions: Cemeterial, 1828-1929, Box 7, NM-81, Entry 576, RG 92, NARA I; Sexton Morrison to T.B. Baker, July 5, 1865, Records Relating to Functions: Cemeterial, 1828-1929, Box 7, NM-81, Entry 576, RG 92, NARA I; Dennee, "African-American Civilians Interred in Section 27," 6; Montgomery C. Meigs to Edwin M. Stanton, June 10, 1867, Entry 576, RG 92, RQG, NARA I; Montgomery C. Meigs to William W. Belknap, April 14, 1873, Entry 576, RG 92, RQG, NARA I. The final USCT veterans buried in Section 27 date to the 1930s. Racial and military rank segregation at US national cemeteries lasted until 1948, when President Harry Truman signed an executive order desegregating the military. This order also stated that only government issued headstones would be allowed in all new burial sections opened from 1948 onward.

as an effort to incite servile insurrection, black soldiers not only fought the enemy on the battlefield, but also for equal treatment, pay, and the right of honored burial in national cemeteries alongside their comrades. This fight, to gain the same rights in death as other US soldiers, required vigilance on the part of the US Army Quartermaster Corps as well as USCT veterans.

One local example illustrates the often-contentious nature of African-American soldier burials. On December 24, 1864, Reverend Albert Gladwin, Superintendent of Contrabands[67], and a party of soldiers stopped a quartermaster general wagon from transporting the remains of a USCT soldier to the Alexandria National Cemetery. As described by an assistant quartermaster officer, "while [a] hearse and escort were proceeding to the military cemetery…Gladwin and a party of soldiers arrested [the] driver, took him from my hearse and drove it where they pleased…" The officer complained that Gladwin was continuing the practice of burying black soldiers in the local "contraband burying ground," a cemetery that is "not owned by the US, is not fenced…nor is it taken care of as the regular cemetery is." The refusal of Rev. Gladwin to permit interment of African American soldiers in the Alexandria National Cemetery,

[67] "Contraband" is a term given to enslaved individuals who successfully escaped and crossed Union army lines and were then classified as property. Since all enemy property that fell into Union hands constituted contraband and would not be returned, on August 6, 1861 federal policy codified that all fugitive slaves were declared to be "contraband of war" if their labor was used to aid the Confederacy. If found to be contraband, they were declared free. See National Park Service, "Living Contraband - Former Slaves in the Nation's Capital During the Civil War," Department of the Interior, National Park Service, https://www.nps.gov/articles/living-contraband-former-slaves-in-the-nation-s-capital-during-the-civil-war.htm (accessed April 13, 2022).

even with segregated burials, epitomized the belief of many that Black soldiers belonged in a separate cemetery, away from White soldiers, amongst those of their own race.[68]

The assistant quartermaster's complaint, sent directly to Montgomery Meigs, also contained a more compelling protest. Upon hearing of the disparate treatment of their deceased comrades, USCT soldiers, recuperating from wounds and illness in Alexandria's L'Ouverture Hospital (opened in February 1864 for African-American soldiers and contraband civilians), circulated a petition. This petition, in very explicit terms, demanded that black soldiers deserved the honor of burial in a national cemetery. The "convalescents of L'Ouverture Hospital," the complaint began, "learning that some dissatisfaction exists in relation to the burial of colored soldiers…who are part and parcel with the white soldiers in this great struggle against rebellion, do hereby express our views…."[69] The appeal vehemently objected to the burial of USCT in the Alexandria Contraband Cemetery. "We are not contrabands," the petitioners asserted, "but soldiers of the US army. We have cheerfully left the comforts of home, and entered into the field of conflict, fighting side by side with the white soldiers, to crush out this God insulting, Hell deserving rebellion." Demanding those rights guaranteed to every American soldier, the petitioners insisted they "should share the same privileges and rights of burial in every

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[68] Capt. A.Q.M. Lee to Montgomery C. Meigs, December 27, 1864, "Alexandria, Va File," Records Relating to Functions: Cemeterial, 1828-1929, Box 2, NM-81, Entry 576, RG 92, RQG, NARA I.
[69] Convalescents of L'Ouverture Hospital to Major Edwin Bentley, December 24, 1864, "Alexandria, Va File," Records Relating to Functions: Cemeterial, 1828-1929, Box 2, NM-81, Entry 576, RG 92, RQG, NARA I; City of Alexandria, Virginia, "History of L'Ouverture Hospital," City of Alexandria, Virginia, last modified April 24, 2017, https://www.alexandriava.gov/historic/civilwar/default.aspx?id=73499 (accessed February 5, 2022). According to the City of Alexandria's website, "In 1864 and 1865, about 1,400 patients were admitted to L'Ouverture. Most were admitted because of disease, and many patients stayed for weeks and months at a time."

way with our fellow soldiers, who only differ from us in color." The petitioners closed with a formidable call for equal justice in life and in death:

To crush this rebellion, and establish civil, religious, & political freedom four our children, is the height of our ambition. To this end we suffer, for this we fight, yea and mingle our blood with yours to wash away a stain as black, and destroy a plot so destructive to the interest and prosperity of this nation, as soldiers in the US army, we ask that our bodies may find a resting place in the ground designated for the burial of the brave defenders of our countries flag."[70]

The petition, signed by over 500 patients, provides an explicit example of Black soldiers demanding equal treatment with White soldiers, and not simply relying on the US Army to adhere to proper military burial practices. As a result of the complaint by the assistant quartermaster officer, as well as the demands of the convalescing USCT, Montgomery Meigs rectified the situation. USCT burials no longer took place in contraband or freedmen's cemeteries, but only in national cemeteries, as was fitting all US Army soldiers.[71]

With the interment location of USCT determined, the layout of Arlington National Cemetery, at least through the end of the war, took shape. Within the 200-acre burial ground, interment of White, enlisted soldiers took place southwest of the mansion, in a plot of land soon known as the "Field of the Dead." Officers burials, numbering

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[70] Convalescents of L'Ouverture Hospital to Major Edwin Bentley, December 24, 1864, "Alexandria, Va File," Records Relating to Functions: Cemeterial, 1828-1929, Box 2, NM-81, Entry 576, RG 92, RQG, NARA I

[71] "History of L'Ouverture Hospital," City of Alexandria, Virginia, last modified April 24, 2017, https://www.alexandriava.gov/historic/civilwar/default.aspx?id=73499.

forty-five by end of the war, took place beginning 105 feet from Arlington House, in an "L" shape around the rose garden. African American interments, both the remains of USCT, contrabands and freedmen, took place in the Lower Cemetery. Within a few months of the end of the war, the total number of burials within the grounds numbered over 15,000. These burials represented those who served in the federal army, Black and White, as well as those employed in support of the federal government. The only remaining burials taking place at Arlington during the war was a small subset of soldiers, whose presence was unique to national cemeteries in the Washington, DC region. By April 1865, Alexandria National Cemetery, Soldier's Home National Cemetery, and Arlington National Cemetery contained the remains of hundreds of Confederate prisoners of war.[72]

[72] *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; George W. Dodge, "The Rose Garden at Arlington House, Arlington National Cemetery," *The Arlington Historical Magazine* 9, no. 2 (October 1990), 20-50; "The Rose Garden at Arlington House, Arlington National Cemetery, Part Two" *The Arlington Historical Magazine* 9, no. 3 (October 1991), 53-62.

CHAPTER ONE

"Silent Assembly of the Dead": The Treatment of Confederates at Arlington National Cemetery, 1864-1868

The creation of Arlington National Cemetery during the third year of the Civil War provided the US Army a convenient location for the burial of soldiers dying in Washington, DC area hospitals. Along with wounded and ill Union soldiers, these hospitals also treated hundreds of Confederate prisoners of war captured throughout the mid-Atlantic region. While the war raged, burials took place as quickly as possible, with both federal and Confederate dead laying side by side throughout the cemetery. The propriety of interring soldiers loyal to the nation and rebels guilty of treason next to each other was of secondary importance to burial procedures based on convenience and practicality, as a continual flow of dead arrived at Arlington each day.

During the war, and for a few years after the conflict's end, there was little debate concerning the propriety of Confederate burials at Arlington. Most likely this was due to ignorance of rebel interments, as most burials, Union and Confederate alike, proceeded with minimal ceremony and received scant attention in the press. Once the war ended, however, both sides began examining how to remember, honor, and commemorate their war dead. Northerners and Southerners, while still suffering the effects of the war, could now examine the conflict in greater detail, dispute the causes and assign blame for the tragedy. Patterns developed in both regions over who deserved acknowledgement for

their honorable service defending the nation, and the appropriate level of commemoration for the treasonous dead. These arguments took place in political debates, newspaper articles, and popular literature. While the war was over, arguments over the righteousness of each side's "cause" was just beginning.

Arlington, with both Union and Confederate soldiers interred, provided an opportunity for Northerners to address appropriate post-war commemoration. While an ideal location, a southern-located national cemetery just across the Potomac River from Washington, DC containing the remains of victor and vanquished alike, what it lacked was an opportunity to establish itself as the nation's premiere national military cemetery, with appropriate influence over the treatment of war dead, Union and Confederate alike.

This chapter argues that this opportunity occurred, beginning on May 30, 1868, with the establishment of Decoration Day at Arlington National Cemetery. Created by the Grand Army of the Republic (GAR), Decoration Day at Arlington provided an annual, specific venue to address unresolved blame, honor the sacrifice of federal soldiers, remind the public of the "true" cause of the war, and establish the expectation for the treatment of Confederate burials in the cemetery. Decoration Day provided the North with a yearly, public event to decorate the graves of the loyal, and demonstrate northern contempt for the rebel dead and their "cause." In addition, Decoration Day, in conjunction with over 15,000 Union burials and the creation of the Civil War Tomb of the Union Soldiers[73] in 1866, helped to establish this burial ground as the nation's

[73] Not to be confused with Arlington's WWI Tomb of the Unknown Soldier, created in 1921 and now housing the remains of an unknown American soldier of WWI, WWII, the Korean conflict as well as a cenotaph honoring all missing United States service members from the Vietnam War.

premiere national military cemetery. The fact that Decoration Day routinely merited attendance by the highest levels of government, including the President of the United States, gave tacit approval to the GAR's belief that while Union veterans deserved praise for loyal, virtuous service, treasonous Confederate soldiers warranted perpetual scorn as traitors to the nation.

Throughout the Civil War, captured Confederate soldiers travelled north through Union lines to various prisoner of war (POW) camps in loyal states. In the eastern theater, this transit invariably led through Washington, DC Often, these rebel POWs suffered from battlefield wounds or illness requiring medical care. If prisoners survived the journey north, at least as far as the national capital, they received treatment in DC-area hospitals. These were the same hospitals used by federal soldiers, administering identical remedies and suffering identical results. The ever-growing number of sick and wounded, coupled with often inexperienced surgeons, certainly contributed to hospital fatalities. It is important, however, to remember the conditions under which doctors were operating. As one physician-historian wrote, "Physicians were practicing in an era before the germ theory of disease was established, before sterile technique and antisepsis were known, with very few effective medications, and often operating 48 to 72 hours with no sleep."[74]

Hospital organization prior to the war was minimal as well, especially in the national capital. Before 1861, Washington, DC, contained a single six-room hospital,

[74] Robert F. Reilly, M.D., "Medical and Surgical Care During the American Civil War, 1861–1865," *Baylor University Medical Center Proceedings* 29, no. 2 (April 2016): 138.

used primarily for the isolation of smallpox patients. The largest military hospital in the nation contained only forty beds and was at Fort Leavenworth, Kansas, suggesting the War Department's antebellum military priorities. It would take until September 1862 for the creation of large, general hospitals in major northern cities. Washington, with the largest number, forty-seven, containing over 25,000 beds, located in the DC region. The North, by the end of the war, housed approximately 400 hospitals with nearly 400,000 beds. At these hospitals, overall mortality rates reached 8 percent, which, with two million admissions from 1861-1865 translates to 160,000 fatalities. All of these fatalities required corresponding burials for both the Union and Confederate dead.[75]

Of the thousands of Confederate prisoners incarcerated in Washington, DC facilities like the Old Capitol Prison, or transiting the national capital to POW camps in the North, over 500 died of wounds or disease while in local hospitals. Unlike battlefield burials, which tended to be overwhelming and intense during a relatively short period of time, hospital patients died regularly, at a somewhat predictable rate. This ability to forecast and plan for needed interments allowed US Army officials to establish appropriate policies and procedures for the burial of the dead. Initially, interment of deceased Confederate POWs took place at numerous locations, including Congressional Cemetery, Rock Creek Cemetery, the Soldiers' Home National Cemetery, and

[75] *The Medical and Surgical History of the War of the Rebellion (1861-1865)*, Pt. 3, Vol. 1 (Washington, DC: Government Printing Office, 1888), 896-7, 960; Harvey E. Brown, *The Medical Department of the United States Army from 1775 to 1873* (Washington, DC: Surgeon General's Office, 1873), 238–43, 254; Grand Army Of The Republic, Committee On Marking Points of Historic Interest, "Catalogue of Points of Historic Interest: Washington DC and Metropolitan Area (Washington, DC: Grand Army of the Republic National Encampment, 1902) LOC Geography and Map Division; Reilly, M.D., "Medical and Surgical Care," 139; S.W. Mitchell, "On the Medical Department in the Civil War," *The Journal of the American Medical Association*, no. 62 (1914): 1445–1450; Susan Provost Beller, *Medical Practices in the Civil War* (Charlotte, VT: OurStory, 1998), 57–62; Alfred Jay Bollet, M.D., *Civil War Medicine: Challenges and Triumphs* (Tucson, AZ: Galen Press, 2002), 223.

Alexandria National Cemetery. Once military burials began at Arlington, on May 13, 1864, all further rebel interments took place there, only four miles from downtown Washington, DC and seven miles from Alexandria, VA.[76]

Like the burial of US Army soldiers in the national capital region, interment of the Confederate dead at Soldier's Home, Alexandria, and Arlington National Cemeteries was born of necessity, using the most convenient locations. As POWs, the US government retained responsibility for the burial of rebel soldiers in their custody. Without an identified, separate Confederate burial ground to hold interments, national cemeteries in the DC region accepted all military burials, friend and foe alike. Likely more concerned with the pace of interments than the propriety of locating enemies next to each other, rebel burials during the war took place without dissent, lacking even an editorial complaint in local newspapers. As with federal interments, these rebel burials took place with little announcement or ceremony. Upon their deaths in captivity, these Confederates, previously willing to kill the same US Army soldiers now responsible for their burial, may have achieved some modicum of forgiveness, but more likely simply tolerance, from their enemy.

The first Confederate burial at Arlington took place on May 17th, 1864, only four days after the first federal burial. By the end of the war, the remains of approximately 377

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[76] *Burial Records 1864-66, Arlington National Cemetery*, Arlington National Cemetery History Office (hereinafter ANCHO); *Burial Records 1864, Soldier's Home National Cemetery*, ANCHO; George Dodge, "Arlington National Cemetery's Confederate Burials," *The Arlington Historical Magazine* 10, no. 1 (October 1993): 41-42; Michelle A. Krowl, "'In the Spirit of Fraternity': The United States Government and the Burial of Confederate Dead at Arlington National Cemetery, 1864-1914," *The Virginia Magazine of History and Biography* 111, no. 2 (2003): 159; "The Confederate Dead," *Baltimore Sun*, September 17, 1900; Montgomery C. Meigs to Edwin Stanton, November 3, 1864, "Arlington Estate File," Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, RQG, NARA I.

rebels resided at Arlington with an additional 128 Confederates at Soldier's Home National Cemetery. The burial ledgers made little differentiation between a US Army and Confederate burial with name, rank, regiment, company, and discharging hospital noted for all, and only the penned-in letters "Reb." indicating a former prisoner of war. In death, government bureaucracy and documentation reunited both sides into one integrated burial record with minimal distinction between those who fought to save the Union and those whose goal was dissolution.[77]

Consolidated record-keeping was understandable. It was a practical solution to maintain the integrity and chronology of burials and ensure the identity and location of the deceased at national cemeteries. Actual burial locations, however, were another matter. Surely the US Army would separate US military veterans and the Confederate dead, sparing loyal Union soldiers the insult of lying, in perpetuity, beside the traitorous, perfidious rebels who sought to kill them? The US Army could have created a separate, segregated burial plot for the exclusive use of Confederate interments. At national cemeteries created on or near battlefields, planners gathered the remains of federal soldiers and placed them in designated burial plots, usually divided by state. To ensure that, as one popular monthly magazine of the period stated, "none but loyal soldiers of

[77] *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; S.A. Cunnigham, ed., "Reburial of Confederate in Arlington Cemetery," *Confederate Veteran* VIII, no. 1 (January 1900): 371-72; "Sexton's Morning Report of National Cemetery, Arlington, VA," May 4-9, 11, 13, 16, 22-23, 30, 1865, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, NM-81, Entry 576, RG 92, NARA. The first military burial at Arlington was Private William Henry Christman, a member of the 67th Pennsylvania Infantry Regiment. Christmas enlisted on March 25, 1864, and died of illness on May 11, 1864 never having served in combat.

the Union lie here," Confederate dead remained buried, typically in mass graves, outside national cemetery boundaries.[78]

Arlington, Alexandria, and Soldier's Home National Cemeteries had the opportunity to follow the procedure established at other national cemeteries, either disallowing Confederate burials within their confines, or, at a minimum, segregating rebel burials into a designated space, away from loyal soldiers. Once again, practicalities won out over other considerations. Unlike other national cemeteries such as Gettysburg and Antietam, where the projected number of burials was finite, as long as the war continued the DC area national cemeteries would increase their number of interments. With Soldier's Home National Cemetery closing for burials on June 15, 1864, and Alexandria National Cemetery after that period only conducting a limited number of burials, the pressure to conduct rapid interments at Arlington increased as it often averaged over sixty burials per day. Perhaps taking the time to cull the Confederate dead from the Union, or creating a separate "rebel burial ground" was impractical, and could potentially cause delays and confusion.[79]

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[78] Harlan D. Unrau, *Administrative History, Gettysburg National Military Park and National Cemetery* (Washington, DC: United States Department of the Interior, National Park Service, 1991), 10-11, 16, 21; "The National Cemetery at Gettysburg," *Hours At Home* (December 1865), 183-84; Charles W. Snell and Sharon A. Brown, *Antietam National Battlefield and Cemetery: An Administrative History* (Washington, DC: United States Department of the Interior, National Park Service, 1986), 1, 21; National Park Service, "Antietam National Cemetery," Department of the Interior, National Park Service, https://www.nps.gov/anti/learn/historyculture/antietam-national-cemetery.htm (accessed May 7, 2019). The board of trustees of the Antietam National Cemetery authorized separate plots for both Union and Confederate dead. However, according to the National Park Service, animosity between the North and the South, and the South's inability to purchase land precluded rebel burials in the national park. Instead, all Confederate dead were reinterred in Washington Confederate Cemetery in Hagerstown, Maryland, Mt. Olivet Cemetery in Frederick, Maryland, and Elmwood Cemetery in Shepherdstown, West Virginia.
[79] *Burial Records 1864-66, Arlington National Cemetery*, ANCHO.

Another possibility is that Quartermaster General Montgomery Meigs, the main proponent of a national cemetery at Arlington and responsible for burials, never intended for the Confederate burials to be permanent. Under the assumption that rebel burials were simply part of a queue, buried in the order received at the cemetery, and that southern family members or state governments would retrieve the remains of their dead after the war, the most expeditious treatment of the rebel dead was to conduct burials alongside their former enemy. If Confederate remains eventually returned home, the newly reopened plots could be backfilled with the remains of loyal Union soldiers. Constructing a separate, segregated Confederate burial section during the war would be a waste of manpower and time if rebel remains were simply temporarily residing at Arlington.[80]

While Confederate burials at Arlington ended upon conclusion of the conflict, Union interments continued. In an attempt to consolidate scattered burials in the surrounding areas, on October 14, 1865, Montgomery Meigs ordered the exhumation of "deceased Union Soldiers who gave up their lives in the service of the country and were buried in the neighborhood of the forts and former encampments in the vicinity." Extending in a radius roughly twenty-five miles from Washington, DC, "circulars were distributed inviting information from the residents, and the scene of every skirmish and the vicinity of every former hospital and encampment was explored with scrupulous care…." Many of the remains located were single graves, often located in "obscure places and isolated miles from any others."[81]

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[80] Interview with Dr. Stephen Carney, Command Historian, Arlington National Cemetery, and Roderick Gainer, Chief Curator, Arlington National Cemetery, August 22, 2019.
[81] Extract from Annual Report of Colonel Ludington, Chief Quartermaster Department of Washington, Brevet Brig. Genl. Vols., October 14, 1865, Washington, DC File, Records Relating to Functions:

For Meigs, removal of these remains and reinterment at Arlington served dual purposes. For one, it was the responsibility of the US Army Quartermaster Corps to consolidate service member remains scattered across the Virginia and Maryland countryside and relocate them to a national cemetery. This would ensure an honorable burial for fallen soldiers, and prevent any potential desecration of graves by unrepentant rebels. Second, and arguably the most compelling rationale for Meigs, was to further ensure Arlington would remain in US government possession in perpetuity. Meigs wished for more interments, closer to the mansion to "more firmly secure the grounds known as the National Cemetery, to the Government by rendering it undesirable as a future residence or homestead." He was concerned the Lee family might attempt to recover their former plantation, even with thousands of graves on the property. This was not an idle or overblown concern. During the fall of 1865, Smith Lee, brother of Robert E. Lee, visited Arlington and remarked that, "the house could still be made a pleasant residence, by fencing of the Cemetery and removing the officers buried around the garden."[82] In addition, Mary Custis Lee indicated she intended to return to the plantation and reassert her legal right to the property, "even if she is obliged to live in the black quarters."[83]

As burials continued through the end of 1865 and into 1866, the pressing need to remove the remains of service members in other nearby areas continued. In particular,

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Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 72, Entry 576, NM-81, RG 92, NARA.

[82] Bvt. Lt. Col. J.M. Moore to Maj. Gen. D.H. Rucker, Dec. 11, 1865, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-1914, Box 7, Entry 576, NM-81, RG 92, RQG, NARA I.

[83] "Arlington Heights," *Philadelphia Press*, December 28, 1865; Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA.

bodies from the battlefields of Bull Run and along the US Army's route to the Rappahannock River were in desperate need of attention. Reports indicated improper burials, with many of the bodies in these areas subsequently exposed by weather. Most of the remains now consisted of bones, "bleaching in the fields." Other reports indicate that "hogs have rooted out the remains of brave soldiers," and there were even some allegations of bone grinders purchasing remains to produce fertilizer.[84]

The dead from the Bull Run battlefields numbered approximately 1,791 with over 320 more exhumed in an area from Alexandria to Rappahannock Crossing, Virginia. Unable to identify the remains, and to expedite the reinterment at Arlington, Meigs designed a large, underground ossuary to hold the fallen, located just southwest of the Custis Mansion. Containing the bones of 2,111 unknown soldiers, one newspaper described the vault as "a literal Golgotha…piled together, skulls in one division, legs in another, arms in another…" A ceremony to seal the vault occurred in September 1866, with a large granite sarcophagus, designed by Meigs, placed on top to honor those below. Eventually, this monument came to represent the sacrifice of tens of thousands of soldiers, never identified in death. Because positive identification of the remains was impossible, including distinguishing rebel from US Army soldiers, it is likely the vault contains the remains of Confederate as well as Union dead.[85]

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[84] "The Union Dead on the Battle-Field of Virginia," *New York Times*, April 8, 1866; "The Union Dead on the Battle Fields of Virginia," *Milwaukee Daily Sentinel*, April 18, 1866; Extract from Annual Report of Colonel Ludington, Chief Quartermaster Department of Washington, Brevet Brig. Genl. Vols., October 14, 1865, Washington, DC File, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 72, Entry 576, NM-81, RG 92, NARA.

[85] Col. Ludington to Bvt. Maj. Gen. Meigs, September 21, 1866, Arlington Cemetery Graves of Union Soldiers Folder, Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92,

The location of the ossuary, within yards of the Arlington House, and the placement of a large memorial sarcophagus on top, further reinforced Meigs intention to ensure the grounds remained undesirable as a future residence. The possibility that rebel remains rested intermingled with Union soldiers in the vault appeared unimportant. Newspaper articles discussed the probability as soldiers, "lay[ing] together, friend and foe" alike. With over 12,000 interments on the property by the end of 1866, the proportionally small number of scattered rebel burials attracted little attention. Other locations and cemeteries received far greater scrutiny shortly after the war, as they became venues for remembrance and commemoration. The creation of national cemeteries throughout the South was a natural focal point for tension. How would a defeated foe react to the dead of a victorious enemy, permanently located on Southern soil? Commemorative ceremonies, and decorating the graves of the fallen produced mixed responses.[86]

In one instance in April 1866, a *Washington Weekly Chronicle* reporter witnessed citizens of Augusta, Georgia, decorating the graves of fallen Confederates while ignoring Union soldier burials nearby. When local African Americans attempted to decorate the forgotten graves, they were "met at the gates of the cemetery by the mayor of the city and

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NARA; National Cemeteries, Washington, DC File, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 72, Entry 576, NM-81, RG 92, NARA; "Arlington," *National Intelligencer*, 1866; Proposal for Construction of Vault at Arlington, VA, Arlington National Cemetery Vault File, Consolidated Correspondence File, 1794-1915, Box 49, Entry 225, NM-81, RG 92, NARA; Extract from Annual Report of Colonel Ludington, Chief Quartermaster Department of Washington, Brevet Brig. Genl. Vols., October 14, 1865, Washington, DC File, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 72, Entry 576, NM-81, RG 92, NARA.

[86] "The Union Dead on the Battle-Field of Virginia," *New York Times*, April 8, 1866; "The Union Dead on the Battle Fields of Virginia," *Milwaukee Daily Sentinel*, April 18, 1866; National Cemeteries, Washington, DC File, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 72, Entry 576, NM-81, RG 92, NARA.

a strong force of police." Despite the appeal of members of the Freedmen's Bureau and the "tears of the poor negroes, [they were] sternly refused admission." This attempt to decorate graves was such an affront to southern sensibilities that one individual later assaulted Captain John Emory Bryant, the local leader of the Freedmen's Bureau, "striking him several times over the head…in reference to the attempt of the colored people to decorate graves of the Union dead with flowers."[87]

Reaction to disallowing African American decoration of Union graves in Georgia and the subsequent assault on Capt. Emory reached the floor of the US House of Representatives. Representative Thomas Williams of Pennsylvania responded by proposing a firebrand resolution addressing Southern animosity. Stating as fact that "treason should be made odious, and traitors not only disgraced, but impoverished," Williams vehemently complained that in the former Confederacy, the "memories of the traitor dead have been hallowed and consecrated by local public entertainments and treasonable utterance in honor of their crimes," while the same treatment of the "martyred dead" Union soldiers, who "perished in the holy work of punishing the treason of those who are thus honored, and restoring the Union of our fathers," had been denied by local (southern) authorities.[88]

Williams continued with what would prove to be a prophetic statement, that if the reports in Georgia were true, it is a "pernicious and dangerous example, insulting to the

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[87] "Strewing Flowers Over Union Graves Forbidden," *Washington Weekly Chronicle*, April 27, 1866; "Assault on an Officer of the Freedmen's Bureau," *Washington Weekly Chronicle*, May 2, 1866. Is the WWC an African American newspaper? I have no idea. But I think it would be helpful to signal that in the footnotes at least. Also, I encourage you to foreground where you're getting information, especially quotations, from in the text.

[88] *Washington Weekly Chronicle*, May 28, 1866.

living soldiers of the Republic, as well as to the memories of the dead, and calculated to make loyalty odious and treason honorable," that would prevent an amiable reunion of the states. Williams' resolution requested that the President inform the House of Representatives if any government officials "countenanced or assisted in the rendition of public honors to any of the traitors, living or dead," and if honoring Union soldiers "has been…obstructed or denied by the rebel authorities." Although Williams' resolution failed to pass due to procedural issues, it identified what would become an important concern of many in the post-war Congress: how to honor and commemorate those who died preserving the Union, while also combatting the notion of moral equivalence with the "traitor dead." His voice would not be the last in Congress concerned with the maliciousness of the defeated South and their treatment of the dead. [89]

As provocative as the incident in Georgia was, southern aggression towards northern burials was situational and often had more to do with who was attending to the graves than the commemoration itself. On the same day as the occurrence in Augusta, the ladies of Atlanta decorated Confederate graves in the area with US Army soldiers, garrisoned nearby, adorning Union burials at the Marietta and Atlanta National Cemetery. This event passed without incident, without reports of animosity between the two sides. For dispirited Southerners, white soldiers (in addition to being a conquering, occupying army) honoring their brethren was tolerable, while African Americans attempting to do the same was unbearable.[90]

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[89] Ibid.

[90] "Georgia," *Washington Weekly Chronicle*, April 27, 1866; National Cemetery Administration, "Marietta National Cemetery," US Department of Veterans Affairs, https://www.cem.va.gov/cems/nchp/marietta.asp (accessed September 16, 2019). According to the National Cemetery Administration, Marietta and Atlanta

Throughout 1866, Northerners and Southerners often clashed on the appropriate disposition of remains, early memorialization, and the peculiarity of locating national cemeteries on conquered territory. In one instance, a southern plantation owner complained about the 800 US Army soldiers buried on his land and threatened to "have them taken up and pitched into the river" if the government failed to remove them immediately. Animosity of this type was so prevalent that the US Army commander of the Department of the South issued an order threatening arrest to anyone who "desecrates or causes to be desecrated the graves of United States soldiers." While this is an example of the outer boundary of bitterness, early memorials to the fallen became targets as well. One representative example was the monuments erected on the Bull Run battlefields during the summer of 1865, which were "mutilated and almost destroyed by evil-disposed persons in their vicinity." This destruction happened to coincide with the transportation of the dead, mostly unidentifiable at this point, from Bull Run to Arlington National Cemetery.[91]

Not surprisingly, in the immediate aftermath of the war, with animosity running high, desecration and vandalism was a concern in the North as well as in the former Confederacy. One potential target of hostility were the burial grounds of Confederate prisoners of war throughout the North. The number of interments was vast. In response to a July 12, 1866, resolution of the House of Representatives, Secretary of War Edwin

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National Cemetery was an early attempt at reconciliation between veterans. "Henry Cole, a local merchant who remained loyal to the Union throughout the war, offered land for a burial ground for both Union and Confederate dead. His hope was that by honoring those who had fallen together, others might learn to live in peace. Unfortunately, both sides clung to their bitterness and neither North nor South would accept Cole's offer toward reconciliation."

[91] *Army and Navy Journal*, July 28, 1866; "The Union Dead on the Battle Fields of Virginia," *Milwaukee Daily Sentinel*, April 18, 1866.

Stanton reported 26,436 rebel POW deaths in the North, compared to 22,576 Union dead in southern prisons. The Union graveyards in the South, in most instances, became national cemeteries, under the perpetual care of the United States government. The Confederate burials in the North were an entirely different matter, as these southern dead remained traitors on Union soil. So concerned was the government of possible mistreatment of rebel graves, the US Army took protective steps, ensuring "that the burial grounds of Confederate prisoners of war should be preserved from desecration by decent enclosures equally with those of our own Soldiers [sic]; and that any stakes or memorial to the graves, erected by their comrades should not be disturbed."[92]

For Arlington, with its rebel burials intermingled with Union graves, desecration and vandalism was of less concern. On the contrary, in the last few months of 1866, burials continued with authorities committing to a post-war cleanup of the grounds as well. One local reporter extensively toured the national cemetery and wrote an in-depth article detailing Arlington's general layout and upkeep. Pleased that the Custis mansion was "brushed up" after years of "hard usage," and with the replanting of the flower gardens, the reporter described the well-maintained graves as having an "aspect of neatness, and good taste" in their arrangement and decoration. The article acknowledged Arlington's position as "some sort of the model National Cemetery," and deemed its location quite appropriate, "almost under the shadow of the National Capital."[93]

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[92] Edwin M. Stanton to Schuyler Colfax, July 28, 1866, Samuel Edwin Lewis Papers, 1861-1917, Box 11, Virginia Museum of History and Culture (hereinafter VMHC); Col. J.L. Dana to Col. Ludington, June 15, 1866,
Cemeterial Communications File, Records Relating to Functions: Accounting and Finance, 1818-1919, Box 92, Entry 561, NM-81, RG 92, RQG, NARA I.
[93] "The National Cemeteries," *Daily National Intelligencer*, November 15, 1866.

As positive as the article began, it was not without complaint. The reporter criticized Meigs' construction of the large ossuary, describing it as a "charnel house," and complained that there was plenty of land to give each set of remains an individual burial, complete with markers indicating "unknown." Yet while the construction of a mass grave concerned the reporter, the most vehement criticism concerned the burial of African American soldiers and civilians. Surveying the "Colored Section," the reporter noted that it was the "farthest possible from the white," located in the remote, northeast corner of the cemetery. This de facto separation of burials by race irked the correspondent, and he turned his attention to the government.[94]

Clearly a critic of the "Radical Congress," the reporter wondered how they, who were attempting to "enforce negro equality upon this District and the country at large by intemperate politicians in high places," failed to notice segregated burials at the largest national cemetery in the region. He pondered how "negro soldiers" can be equal to white soldiers while living, but "it is not deemed fit for them to sleep together in the chambers of death." It must be, he speculates, that politicians who will benefit from black and white voters side by side at the ballot box would surely "mingle these dead bodies in like manner if there were any *voting* to be done on this solemn camping ground." The reporter ends this section of his report sarcastically stating, "Whether any precaution is exercised to prevent the bones of negro soldiers from mingling with the others in the [unknown

[94] Ibid.

soldier] vault we did not inquire but it is just to infer that such care is exercised." "Consistency," he wrote, "is a jewel."[95]

From the tone of the article, the reporter was obviously more concerned with pointing out the hypocrisy of Congress than the treatment of African American burials. In a highly opinionated piece, on one topic he remained conspicuously silent. Racially segregated burials of US soldiers caught his eye, yet the intermingling of Confederate and Union dead raised no objection. The article is an extensive exposé on Arlington, and the reporter admits he met with US Army officials and the superintendent of the cemetery to discuss interments, memorials, record-keeping, and procedural issues concerning the disposition of the dead. Not once does the article mention Confederate burials intermingled with loyal Union soldiers. As thorough as the article is, it is unlikely rebel interments escaped his notice, either in discussion with officials or simply stumbling upon a Confederate grave during his admittedly robust survey of the grounds. More plausible, and implicit with his comments about "intemperate politicians" from the "Radical Congress" inflicting a "deliberate plan to enforce negro equality," this reporter saw nothing inappropriate with intermingling the graves of former adversaries--as long as they were white.[96]

One article addressing potential controversy at Arlington could not sway American public opinion. In order to address issues such as commemoration, remembrance, reconciliation, honoring the dead, and the overall legacy of the war, an annual, national memorial event was needed. Required was a symbolic, commemorative

[95] Ibid.
[96] Ibid.

event to remember the fallen, and remind the public of the true nature of the war. Without an officially sanctioned federal observance of such a day, a private organization created an appropriate occasion, helping to define the post-war narrative of remembrance and reconciliation.

It began with General Order No. 11. On May 5, 1868, John A. Logan, Commander-in-Chief of the Grand Army of the Republic (GAR), and former major general in the US Army, designated May 30 as the date for an annual commemoration of those "who died in defense of their country during the late rebellion." In addition to decorating the graves of the fallen with flowers, each GAR post thought the nation was to conduct "such fitting services and testimonials of respect as circumstances may permit." Logan's intention was not a superficial remembrance of comrades, but designed to preserve and strengthen "those kind and fraternal feelings which have bound together the soldiers, sailors, and marines who united to suppress the late rebellion." The GAR, a fraternal veterans organization created in 1866 and open to "honorably discharged veterans of the Union Army, Navy, Marine Corps or the Revenue Cutter Service who had served between April 12, 1861 and April 9, 1865" would eventually become one of the most powerful special interest groups in the post-war years, advocating for veteran pensions and relief work and counting five US Presidents as members.[97]

Logan's general order was unequivocal. This ceremony was to honor the "heroic dead" and no others, those honored brethren who "made their breasts a barricade between our country and its foes." Going further, he specifically acknowledged what their

[97] John A. Logan, Commander-in-Chief, *General Orders No. 11* (Washington, DC: Grand Army of the Republic, May 30, 1868); "Our Dead Heroes," *Philadelphia Inquirer*, May 9, 1869.

sacrifice meant to the nation stating, "Their soldier lives were the reveille of freedom to a race in chains, and their deaths the tattoo of rebellious tyranny in arms." Simply stated, this inaugural Decoration Day, and all those observed afterward, were to remember that brave Union men who died to bring freedom to the enslaved and defeat to the traitorous South. Noticeably absent from the order was any hint of southern legitimacy in their war aims.[98]

Continuing to outline the purpose of the commemoration, the order declared, "We should guard their graves with sacred vigilance," raising above them "the dear old flag they saved from dishonor…gather[ing] around their sacred remains and garland the passionless mounds about them with the choicest flowers of spring time," as a "fitting tribute to the memory of the slain defenders." Knowing full well that many national cemeteries were in former rebellious states, and perhaps concerned with the treatment of the victors by the vanquished in the embittered South, General Order No. 11 continued, "Let no vandalism of avarice or neglect…testify to the present or to the coming generations, that we have forgotten as a people the cost of a free and undivided Republic." Logan's order concludes that this is to be an annual event, throughout the nation, as a simultaneous occasion to remember the fallen, and, just as important, remind the public of the true meaning of the war.[99]

General Order No. 11 became the organizational principle behind a nationally recognized day of remembrance throughout the nation, as GAR posts, North and South, began observing the commemoration. Logan's order was clear, concise, and unassailable.

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[98] Ibid.
[99] Ibid.

On the 30th of May, when spring flowers are in bloom, loyal citizens of the United States are to gather in national cemeteries, decorate the graves of the honored fallen, remember the rationale behind the war (the end of slavery, the defeat of treason), and dismiss any notion of moral equivalency between the Union and Confederate cause. By remembering, commemorating, and decorating fallen federals, Logan's order reminded the public that one side died with honor, defending their country as martyrs to the "cost of a free and undivided Republic," while the other side dishonored themselves and the nation by attempting a "rebellious tyranny in arms." General Order No. 11 is unambiguous. Decoration Day is to remember heroes, not traitors.[100]

Shortly after the issuance of Logan's order, preparations began for the observance. Two days before the ceremony, a notice appeared in the *Washington Weekly Chronicle* advising participants that the purpose of the observance was to "decorate the graves of Union soldiers buried at Arlington Heights, pursuant to general order, No. 11, headquarters G.A.R." In addition, in furtherance of the commemoration, and with the full endorsement of the United States Army, Assistant Quartermaster General D.H. Rucker, charged with the care and maintenance of Union burials in the national capital region, ordered all cemeteries opened on May 30 for the decoration of graves.[101]

The notice specifically reserved decoration for the "graves of Union soldiers," ignoring Confederate graves. And, while the public may have been unaware of the presence of rebel remains at Arlington and other cemeteries in the region mainly due to their scattered nature and lack of publicity during the war, the GAR and General Rucker

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[100] Ibid.
[101] *Washington Weekly Chronicle*, May 28, 1868.

were undoubtedly cognizant of Confederate burials in the local national cemeteries. The GAR as well as the United States Army had the opportunity to ensure the decoration of all graves, perhaps in a spirit of reconciliation and reunion. Instead, both General Order 11, and Rucker emphasized that the only purpose of the event was to decorate the graves of loyal Union soldiers. Reconciliation may come eventually, but three short years after the war the battle lines stayed fixed.

By the day of the ceremony, Saturday, May 30, preparations were complete. A Committee of Arrangements, appointed to oversee the commemoration, finished gathering the necessary flowers by noon, one hour prior to the beginning of the ceremony. Reporters covering the event noted the large number of attendees, stating that the long bridge, leading into Virginia from the District of Columbia, "was covered from an early hour with one long, continuous procession." Noting that the purpose of the ceremony was to decorate the graves of the *Union* dead, the reporter described the attendees as "many thousands of people," while another reporter stated there was a "vast assemblage of persons." The ceremony itself took place on the steps of the Custis Mansion, former home of Robert E. Lee. Numerous commentators noted the irony of locating the event on the front porch of a man responsible for the deaths of thousands of Union soldiers.[102]

At 1 p.m. the commemoration began. Attendance at this first Decoration Day included many notables such as General John A. Logan, Commander in Chief of the Grand Army of the Republic, General (and soon to be president) Ulysses S. Grant, and

[102] *Wheeling Daily Intelligencer*, June 2, 1868; *Daily National Intelligencer*, June 1, 1868.

the Honorable James A. Garfield, member of the U.S House of Representatives, former major general in the US Army, and the day's keynote speaker. Prior to Garfield's address, the ceremony began with a prayer. Conducted by Reverend Byron Sunderland, former Chaplain of the Senate, and current president of Howard University, it began with predictable solemnity, praising the heroes who had fallen in the "sacred cause of God, of country." Continuing, Sunderland reminded the attendees to remember those who have "sealed with blood their devotion to the holy work of God and man."[103]

That the first half of Sunderland's prayer contained such exaltations is unsurprising, and appropriate. Praising the sacrifice of the war dead was the purpose of the commemoration. It was the second half of the prayer that turned to vengeance. Sunderland reminded the audience that while the flowers amongst the graves would wither, what would remain was the memory of the Union dead, who stood as a "living rampart against the violence of treason-against the fury of rebellion." Continuing, Sunderland opined that it was the "machinations and efforts of demagogues" using the "pestilence and poison of mere partisan [sp] politics," that caused the war. Reaching a rhetorical climax, he claimed these men not only defeated an immoral, treasonous, unholy foe, but won "victory in the last great struggle for the welfare of mankind." In closing, he reiterated the purpose of the Union sacrifice, praising the "emancipation of millions that had been growing in bondage," and warned the attendees that if the nation failed to commit to "equality for all men without distinction," and allowed "despotism

[103] Grand Army of the Republic (hereinafter GAR), *Memorial Ceremonies at the National Cemetery, Arlington, Virginia* (Washington, DC: McGill & Witherow, 1868), 7.

and oppression" to return, God would, once again, "strike down the whole political fabric under which we live."[104]

As presiding chaplain at the commemoration, many in the audience may have anticipated a customary opening prayer, containing solemn words of praise for all the fallen, without blame or culpability assigned. As Chaplain of the Senate during most of the Civil War, Sunderland undoubtedly witnessed the suffering and death of wounded soldiers in DC area hospitals, even attending funerals as part of his pastoral duties. He used this occasion to disabuse any notion of moral, or divine equivalency between the North and the South. Using terms such as "despotism, treason, demagoguery," and "oppression" mirrored the terminology and tone of Logan's General Order No. 11. In addition, the twin themes of Union and emancipation hold equal significance in both Logan's order and Sunderland's prayer. General Order No. 11 stated, "Their soldier lives were the reveille of freedom to a race in chains," while Sunderland celebrated that the "fruits of the war" was the "emancipation of millions that had been growing in bondage." Sunderland was unmoved by any early reconciliation sentiment, and more concerned with judging notions of right and wrong.[105]

After Sunderland concluded his prayer opening the commemorative event, next came the keynote address, given by James A. Garfield, veteran of the war, and eventual President of the United States. The choice of Garfield as keynote speaker further supports the idea that the Arlington ceremony made no attempt to reconcile the nation over the sacrifice of men on both sides. A staunch abolitionist and Radical Republican who was

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[104] Ibid, 7-8.
[105] Logan, *General Orders No. 11*; GAR, *Memorial Ceremonies*.

elected to Congress in 1862, Garfield often clashed with Abraham Lincoln, frustrated that the president did not take a harder line against the South. Garfield went so far as to argue that Confederate leaders had surrendered their constitutional rights and advocated for their execution as traitors and the confiscation of their plantations. Although Garfield later moved away from the radical wing of the Republican Party, in 1868 he advocated for progressive ideals such as black suffrage and denounced any efforts at reconciliation. Knowing that newspapers across the nation would print his keynote address at Arlington, Garfield took the opportunity to remind the nation of the righteousness of Union cause.[106]

Garfield began his speech, like Lincoln at Gettysburg, claiming his words could never do justice to the actions of the honored dead. He stated, "For love of country they accepted death; and in that act they resolved all doubts, and made immortal their patriotism and their virtue." Setting the tone for the rest of his address, Garfield stressed the righteousness of the soldiers of the federal army. By making the virtuous choice of defending their nation, he argued, immortality beckoned. Garfield's implication was that only one side in the war deserved continued recognition. Southerners, who acted without virtue and disdained national patriotism, did not deserve the same, honored remembrance. Immortality was for the righteous, according to Garfield, not for traitors.[107]

After his introduction, Garfield examined why loyal, "heroic" northern men joined the Union cause. "What high motive," he wondered, "led them to condense life into an hour, and to crown that hour by joyfully welcoming death?" Garfield noted

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[106] Burke A. Hinsdale, ed., *The Works of James Abram Garfield* (Boston: James S. Osgood and Company, 1882), 1: 1-18.
[107] GAR, *Memorial Ceremonies*, 8.

that, prior to the war, United States was untouched by warfare on its soil for fifty years. "Peace, liberty, and personal security" abounded throughout the nation. Garfield argued that this harmony was "due [to the] submission and obedience to the lawfully expressed will of the majority," as originally expressed in the Mayflower Compact of 1620. He continued his speech by claiming that this notion of majority rule was not just one of many principles in the American political system, but the "it is the system itself…it is the encasing air; the breath of the nation's life." It was against this fundamental doctrine that "the whole weight of the rebellion was thrown." In this early part of his speech, Garfield chooses to accentuate the larger implication of southern treason. By emphasizing the notion that Confederates chose to betray the central tenant of American republican government, he reminded the audience that the rebel cause was not only a disagreement over the expansion of slavery, but a rejection of basic national principles. It is self-evident why, according the Garfield, so many Northerners flocked to the US Army. The volunteers came because "two centuries of freedom had made its people unfit for despotism. They must save their Government [sic] or miserably perish."[108]

Garfield then attempted to set the Union war effort in historical context. Noting that the "abyss of rebellion" turned the country into the "most warlike nation on earth," he argued that loyal Northerners were upholding the historical tradition and honor of the Anglo-Saxon race. Far from shying away from their duty to their nation, Union soldiers, like their predecessors at Marathon, Agincourt, and Bunker Hill, heard the call

[108] Ibid, 8-9; "Decoration of the Graves of the Union Dead at Arlington Cemetery," *Daily National Intelligencer*, June 1, 1868; "Our Dead Soldiers: Decoration of Their Graves on Saturday Last." *Wheeling Daily Intelligencer*, June 2, 1868.

and responded in kind. How could they not, Garfield asked, when their ancestors "felt the inspiration of battle on every field where civilization had fought in the last thousand years?"[109]

Garfield rhetoric (and hyperbole) placed the conflict in the grandest of scales. He sees the Union as upholding the very nature of civilization by directly comparing US Army soldiers with Athenians fighting invading Persians, Englishmen defeating the numerically superior French army, and, perhaps most persuasively of all, American colonials fighting for liberty against British regulars. For Garfield, and undoubtedly for many in attendance, those who loyally served the Union continued the ancient, and honored western tradition of vaunted military service in defense of the nation. These men, who like their Greek, English, and colonial ancestors, answered the call to service, deserve the highest of remembrances. In contrast, Southerners, who threw the nation into the "awful abyss [of] rebellion," chose the path of tyranny and were unworthy of accolades. Garfield ended this portion of his speech with a poignant reminder of Yankee dedication to American principles. Addressing those who may have initially questioned the bravery and commitment of Northerners to defeat the rebels, he pointed to the nearby graves and declared, "Read their answer in this green turf."[110]

Up to this point in the ceremony, Garfield's oration emphasized the honored sacrifice of Northerners, refusing every opportunity to find common ground between members of the opposing armies. Continuing, he turned to examining the impact slavery

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[109] GAR, *Memorial Ceremonies*, 9.
[110] Ibid; "Decoration of the Graves of the Union Dead at Arlington Cemetery," *Daily National Intelligencer*, June 1, 1868; "Our Dead Soldiers: Decoration of Their Graves on Saturday Last." *Wheeling Daily Intelligencer*, June 2, 1868.

had on northern motivation. Initially, he argued, his fellow soldiers fought simply to save the Union from destruction. Shortly after the war began, the Union cause added an additional element, once which "filled the army and the nation with cheerful but intense religious enthusiasm." Garfield argued that God himself directly linked the destruction of Southern tyranny, to the "destiny of an enslaved race-that their liberty and our Union were indeed 'one and inseparable.'"[111]

For Garfield, an abolitionist and devout Christian, defending the nation and slave emancipation were holy causes. Echoing the sentiments of Rev. Sunderland's opening prayer, Garfield found patriotism and abolitionism to be two parts of God's divine plan for the United States. By joining these two elements together as the principle foundation of the Union cause, those buried at Arlington performed not only honored service for their nation, but acted with the divine blessing of the almighty. He went so far as to link the martyrdom of John Brown with the Union cause, telling the audience that he was the "marching companion" of the army, who happily sang "let us die to make men free" as they went off to battle. How could anyone, Garfield implied, honor Confederate dead when it was the US Army that acted in accordance with heavenly approval?[112]

Garfield next addressed the legacy of those who fought to preserve the nation. He related a story that, on the battlefield at Chickamauga, General George H. Thomas stopped, during a pause in the horrific action, to thank a soldier for his "steadfast courage." The soldier, with appropriate solemnity, shook Thomas's hand and as Thomas

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[111] GAR, *Memorial Ceremonies*, 9.
[112] Ibid; Julia Ward Howe, *Battle Hymn of the Republic*. LC, accessed January 29, 2020, https://www.loc.gov/item/ihas.200000003/.

had honored him with an affectionate grasp, said he would "knock down any man" who attempted to grasp him thereafter. While the story itself is an odd anecdote, as the facts of the tale appear somewhat convenient, Garfield used it as a metaphor to reinforce the righteousness of the Union cause. In the spirit of Shakespeare's Henry V St. Crispin's Day speech, Garfield claimed battle had forever consecrated the Union veterans with "honor and virtue," setting them apart from those who dishonored their nation by attempting to destroy it. Garfield saved his greatest compliment for those who perished in defense of the Union, stating it is they who's fame shall never dim. "Coming generations," he pleaded, "will rise up to call you blessed." Garfield's continual use of terms such as "courage," "honor," and "virtue," sets the US Army apart from Confederates. It appears that for the assembled at Arlington, it is only the Union "band of brothers" who deserve this honored remembrance.[113]

Garfield's next turns his attention to the consecration of Arlington National Cemetery itself, and those buried within, the "silent assembly of the dead." He explained to the assembled crowd the meaning behind the cemetery, and the sacrifice of those entombed within, claiming this burial ground as a microcosm of the war, containing men who died on every battlefield of Virginia, and many who perished from disease. Some died early in the conflict, when "the tide of war had swept us back till the roar of rebel guns shook the dome of yonder Capitol," while others perished "in sight of the spires of Richmond…the citadel of treason." Attempting to underscore the larger meaning

[113] GAR, *Memorial Ceremonies*, 9-10; "Decoration of the Graves of the Union Dead at Arlington Cemetery," *Daily National Intelligencer*, June 1, 1868; "Our Dead Soldiers: Decoration of Their Graves on Saturday Last." *Wheeling Daily Intelligencer*, June 2, 1868; William Shakespeare, *The Life of Henry the Fifth*, Project Guttenberg, accessed January 29, 2020, http://www.gutenberg.org/files/1521/1521-h/1521-h.htm.

underlying Arlington's burials, Garfield lamented that if the dead within could rise and speak of their final moments, it would tell the "whole story of the war." Garfield completed this section of his speech by, once again, emphasizing his divine interpretation of Union sacrifice. "The voices of these dead," he maintained, "will forever fill the land like holy benedictions."[114]

Interestingly, up this point in the commemorative program, neither Garfield nor Reverend Sunderland made note of Arlington's creation on the home of Robert E. Lee. An obvious irony to point out, Garfield used the final portion of his speech to address the appropriateness of dedicating a burial ground on a former slave plantation, and within sight of the national capital. "What other spot so fitting for their last resting place as this," he asked the assembled crowd, "under the shadow of the Capitol saved by their valor?" And what of the Lee connection to the land where the fallen are "entombed in the nation's love?" Garfield noted that "seven years ago, this was the home of one who lifted his sword against the life of his country, and who became the great Imperator of the rebellion." This statement clearly described Lee's actions as treasonous, threatening the very existence of the United States. Garfield continued with the strongest statement of his entire speech. Speaking from the front steps of the Custis Mansion, he reminded the assembled crowd that "the soil beneath our feet was watered by the tears of slaves, in whose hearts the sight of yonder proud Capitol awakened no pride, and inspired no

[114] GAR, *Memorial Ceremonies*, 10.

hope." In closing he thanked God that "this arena of rebellion and slavery is a scene of violence and crime no longer!"[115]

It is noteworthy that Garfield saved his strongest vitriol for the end of his speech and aimed it squarely at Robert E. Lee. Along with Jefferson Davis, Lee was the obvious representative of the rebellion, and with the ceremony taking place on the steps of his former home, the opportunity to place blame squarely on his shoulders was too good an opportunity to pass up. Garfield did not hesitate to accuse Lee of treason, dismissing any notion that he, or any other Confederates, fought with honor or simply to protect their homes. Lee, he reminded everyone, chose violence against the "life of his country." His choice was one of destruction, Garfield implied, not salvation. The only salvation accrued during the war was the eternal salvation reserved for those who fought to preserve the Union, and now lie under the ground "watered by the tears of slaves." Garfield's reference to the enslaved history of Arlington plantation reminded those assembled of the irrevocable link between the preservation of the nation and the destruction of slavery. Just as the US Army fought for those two principles, the Confederacy in general, and Robert E. Lee specifically, waged war to ensure the nation's destruction, and to preserve chattel slavery. How fitting it was then, Garfield emphasized, to consecrate Arlington as hallowed ground for the Union dead, when it formerly served as the home of America's principle traitor.

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[115] GAR, *Memorial Ceremonies*10-11; "Decoration of the Graves of the Union Dead at Arlington Cemetery," *Daily National Intelligencer*, June 1, 1868; "Our Dead Soldiers: Decoration of Their Graves on Saturday Last." *Wheeling Daily Intelligencer*, June 2, 1868.

Garfield's speech, while brief, encapsulated what many in the crowd felt. At this gathering to honor those brave souls who gave, as Abraham Lincoln stated, the "last full measure of devotion," there was only one side who deserved recognition. The valor of Union soldiers ensured, Garfield noted this was not a localized commemoration. At the same moment as Arlington's ceremony, similar remembrances occurred "in every State [sic] of the Union." This was the inaugural Decoration Day observance. Children gathered with garlands of flowers to "crown their victor fathers." Subsequent Decoration Days, Garfield believed, would remind the public of the virtue of the northern cause. Garfield's speech, praising Union soldiers and castigating the South, set the tone for subsequent commemorations, especially at Arlington. Given the opportunity to begin the long journey of national reconciliation and healing, Garfield instead chose to remind the nation that honor, remembrance, and righteousness belonged only to the North.[116]

After Garfield finished his address, the ceremony continued with a poem, read to the assembled crowd. The poem reinforced Garfield's story of heroism and honor, while at the same time using terms such as "tyranny" and "traitorous" to describe the rebel cause. Once again linking abolition with Union, the poet stated, "True manhood roused to break the bondman's chains…slavery is crushed!...our noble land is free!" Upon completion of the poem, a US Army infantry band played a funeral dirge while a procession formed to decorate the graves in the cemetery. Led by children of the Soldiers' and Sailors' Orphan Asylum, and accompanied by the Committee on

[116] Abraham Lincoln, *November 1863 Gettysburg Address: Hay Copy*, Manuscript/Mixed Material, LC, *Abraham Lincoln Papers: Series 3. General Correspondence. -1897: November, 1863*, https://www.loc.gov/item/mal4356600/ (accessed February 5, 2020); GAR, *Memorial Ceremonies*, 11.

Decorations and the remainder of the attendees, this solemn parade laid flowers on the graves surrounding the south side of the mansion's garden before marching to the Civil War Tomb of the Unknown Soldiers.[117]

Before decorating the sepulcher, Reverend Charles V. Kelly read a prayer. Unlike Rev. Sunderland's earlier entreaty, Rev. Kelly's prayer followed a more traditional form, praising the valor of the Union soldiers and asking for God's blessing upon the widows, mothers, and orphans left behind. Kelly almost completely made it through his prayer without addressing the southern dead and their chance of everlasting salvation, until, in the final sentences, he considered what he imagined to have happened when Jesus Christ stood in judgment over the war dead. For Union soldiers, the answer was, "Well done, thou good and faithful servant, enter thou into the joy of the Lord." Kelly failed to mention the fate of Confederate soldiers, but, if the Kingdom of God only welcomed Union veterans, the implication was that a much different fate awaited traitorous rebels. After the prayer concluded, orphans decorated the tomb, while a US Army band played Handel's *Dead March*. [118]

The sight of orphans leading the decorating procession, coupled with the solemn music and graveside prayer was, according to reporters attending the event, "most solemn and impressive." Choosing children of the dead to decorate the graves of the fallen reinforced the ultimate sacrifice of Union soldiers. The cost of the war included the destruction of marriage and fatherhood, as well as the loss of life. Families whose fathers and husbands never returned continued to suffer the consequences of southern treachery.

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[117] GAR, *Memorial Ceremonies*, 11-16.
[118] Ibid, 16-17.

For these orphans, reconciliation was impossible, and the organizers of the procession intentionally placed these boys and girls at the forefront, for maximum effect. The imagery was obvious. Is there anything more sympathetic than the sight of children decorating the graves of their heroic, dead fathers? After newspapers throughout the nation described the scene at Arlington, could there be any doubt about the superior morality of the northern soldier? For organizers of the commemoration and members of the GAR this procession not only honored the fallen, but strengthened their effort to set the post-war tone of remembrance.[119]

As the ceremony moved from the Tomb of the Unknown Soldiers into the cemetery proper, the orphans continued decorating thousands of graves, located in the largest portion of the burial ground. Attendees strolled throughout, as bands played music and a national salute fired from cannon located in front of the Custis mansion. Returning to the front of the house, Reverend C.B. Boynton, Chaplain of the US House of Representatives and first president of Howard University, offered a benediction, suggesting the divine intervention of heaven in ridding the nation of the "terrible curse of slavery, so that in the agony of war a nobler nation was born." As with Rev. Sunderland and Garfield prior, Boynton made explicit the irrevocable link between the honored Union dead, abolition, and divine approval. God blessed only one side during the war, Boynton suggested. And that side wore blue.[120]

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[119] "The Tribute to the Dead Union Soldiers," *Harper's Weekly*, June 20, 1868; "Decoration of the Graves of the Union Dead at Arlington Cemetery," *Daily National Intelligencer*, June 1, 1868; "Our Dead Soldiers: Decoration of Their Graves on Saturday Last." *Wheeling Daily Intelligencer*, June 2, 1868.
[120] GAR, *Memorial Ceremonies*, 19-20.

Sunderland, Garfield, and Boynton all captured the emotional state of many Northerners on that initial Decoration Day. Yet Arlington was not the first instance, even in 1868, of controversy over honoring the war dead. Illustrative of the difficulty in dealing with Union and Confederate interments in national cemeteries, and how to appropriately treat the burials, is a letter written by Pennsylvania Representative John Covode to New York Governor Reuben Fenton in January 1868. Rep. Covode wrote in response to Gov. Fenton's stated support for the reinterment of Confederate soldiers killed during the Battle of Antietam in the newly opened Antietam National Cemetery. [121]

Covode began by expressing "sorrow and astonishment" that Fenton could contemplate giving "honors to rebels who[se] invasion of the North was stopped by death." Covode then quoted extensively from Fenton's own letter which argued that although many near Antietam may hold an "indifference in regard to the Confederate dead," he believed most northern veterans did not bear a grudge. "It is impossible to believe," Fenton wrote, that they would disapprove of rebels being "laid to rest in the [Antietam] National Cemetery," alongside the Union dead. Covode, appalled by any attempt to confer this type of honor on Confederates, made his rebuttal in a moving response.[122]

Covode wrote that he could not condone Fenton's wishes because of the treatment of his sons during the war. He details how rebel soldiers shot his eldest son, Colonel George Covode, while he lay wounded and defenseless on the ground during a

[121] Gov. Fenton wrote a letter stating his support to John Jay, New York commissioner on the board of the Antietam National Cemetery on December 3, 1867.
[122] "National Honors to Rebel Dead," *Brookville Republican*, January 17, 1868.

battle in June 1864. The rebels then stripped George of his clothing, sword, and watch, leaving him naked to die. Covode then related the story of his other son, captured early in the war, and eventually sent to the "death pen of Andersonville," where he spent eighteen months of "starvation…cruelly planned by demons and executed by devils." To this day, Covode wrote, his son suffered physically and emotionally. "The energetic, intelligent, hopeful, self-reliant, brave boy," Covode lamented, "has not returned to me, and he never will return."[123]

While Covode's letter concerns burials at Antietam, and not Arlington, it is representative of the emotions many in the North felt at the mere mention of honoring both sides equally. Covode pleaded that there are "hundreds of loyal men, whose hearts yet bleed with wounds received in the wicked war the slaveholders waged against the nation's life." The families of Union soldiers at Antietam suffered the same as those who visited the graves at Arlington. Covode expressed shock and outrage by Fenton's "recommendation to do honor to the author of their sorrows and the workers of their country's woes," believing it to be a "heartless mistake." Covode argued that while it is custom to honor those in death "who won special honor by meritorious lives," it is madness to confer the same treatment to those "whose actions were infamous, and who perished in an ignoble cause." Covode asks one particularly poignant question, "Who would glorify the treason of Benedict Arnold with such monuments as have arisen to the memory of Washington?" Going even farther, he wonders who would "re-insult the loyal

[123] Ibid.

heart of this nation by proposing to lay side by side, in the same sepulcher, *the body of the assassin Booth and that of Abraham Lincoln?*"[124]

Covode closed his letter to Gov. Fenton by stating that requiring loyal states to construct cemeteries for their heroic dead and then placing rebels alongside, was a desecration, and repugnant to those who must bear the continual scars of the war. "Tender honor only to whom honor is due," he pleaded. It is a simple matter of recognizing that while one side defended the nation's liberty and integrity, another side pursued "treason against loyalty." Covode's continual use of "traitor," "treason," and "oppression," underscored what, for him, was a simply a matter of righteousness.[125]

Covode's perspective is clear. A grieving father of one son killed, perhaps even executed while wounded, with another son suffering the physical and mental damage caused while a prisoner of war. His emotional reaction to Confederate burials alongside Union soldiers is unsurprising, and understandable. Using language mirrored by Sunderland, Garfield, and Boynton at Arlington four months later, Covode understands the traitorous nature of the Confederacy as self-evident. "The cause of the Union was a holy one, while that which opposed it must have been its converse. To one side the glory belongs." Just as it will be at Arlington in May, reconciliation, or any acknowledgement of the service of dead rebels is abhorrent to Covode, and, he contends, to all northern lives affected by treasonous Southerners. Recognizing the strength of Covode's passionate response, numerous newspapers throughout the North reprinted his letter. It

[124] Ibid; emphasis mine.
[125] Ibid.

had the intended effect, as Antietam National Cemetery only contains the remains of Union soldiers.[126]

The reaction at Antietam proves precedent for what transpired later that year at Arlington. After the GAR's Decoration Day ceremony, numerous articles appeared in newspapers describing Arlington's commemoration. Northern newspapers depicted the event positively, stating that the observance paid appropriate tribute to the honored dead. Most southern newspapers ignored the event. Only one newspaper from a former Confederate state sent a correspondent to Arlington, to observe the commemoration. Perhaps unsurprisingly, the reporter's opinion of the ceremony was markedly different than any other account.

Writing for the *Wilmington* (North Carolina) *Morning Star*, the correspondent mocked the very purpose of the event, renaming the GAR the "Grand Army of Radical office seekers," whose "war-like politicians" were more intent on perpetuating power in the hand of the living than honoring the dead. Comparing, in his opinion, the farcical nature of the northern commemoration with the solemn, noble decoration of graves in the South by southern ladies, the reporter noted that at Arlington, "the managers were *politicians*, and the flowers were *bought*.[127] For the reporter, southern women voluntarily gathering to commemorate the dead with donated flowers from local gardens was a

[126] Ibid; Maryland, Board of Trustees of the Antietam National Cemetery, *History of Antietam National Cemetery, including a descriptive list of all the loyal soldiers buried therein: together with the ceremonies and address on the occasion of the dedication of the grounds* (Baltimore: J.W. Woods, 1869), 58-202; Maryland, Board of Trustees of the Antietam National Cemetery, *A descriptive list of the burial places of the remains of Confederate soldiers, who fell in the battles of Antietam, South Mountain, Monocacy, and other points in Washington and Frederick counties, in the state of Maryland* (Hagerstown, MD: Free Press, 1868); "The Tribute to the Dead Union Soldiers," *Harper's Weekly*, June 20, 1868; "Decoration of the Graves of the Union Dead at Arlington Cemetery," *Daily National Intelligencer*, June 1, 1868; "Our Dead Soldiers: Decoration of Their Graves on Saturday Last." *Wheeling Daily Intelligencer*, June 2, 1868.
[127] Emphasis in original.

genuine, honorable remembrance. Whereas the northern Decoration Day was a political gesture, full of arrogance, used by vengeful victors bent on retaining their hold on power.[128]

The correspondent's description of events at Arlington were so uncharacteristic compared to written reports from other newspapers, it is easy to dismiss the article as propaganda. He continued his story describing an incident that undoubtedly upset many readers in the South. As Arlington's visitors strolled through the cemetery decorating Union graves, the reporter described some southern women attempting to lay flowers on Confederate graves. He claimed that upon approaching the burials, the women "*found a guard stationed there*, prevent[ing] any display of affection for the stranger patriots…."[129] If true, this represented the strongest refutation of any notion of southern honor or sectional reconciliation. Speeches lamenting the treasonous nature of the South were predictable. The threat of armed violence for decorating rebel graves was not.[130]

This lone article, clearly written from a rebel perspective, is inconclusive at best, and pure fabrication at worst. None of the other newspaper accounts mention guards among the graves. It is possible but not probable that every other reporter missed the incident. In addition, the Wilmington reporter stated that "they" found a guard, indicating he may not have witnessed the incident first-hand but relied on the reporting of others, perhaps with ulterior motives. Regardless of the accuracy of the reporting, this would not be the only occurrence of this type. At Arlington, over the next few years, repudiation of

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[128] "Washington Letter: Federal Memorial Day in the Capital," *Wilmington Morning Star*, June 6, 1868.
[129] Emphasis in original.
[130] "Washington Letter: Federal Memorial Day in the Capital," *Wilmington Morning Star*, June 6, 1868.

Confederate service continued, including more reliable reports of armed guards preventing the decoration of rebel graves.[131]

Overall, this animosity toward Confederate burials at Arlington continued during the initial few years after the conclusion of the war. From 1864 to 1868 patterns began to develop concerning what type of service garnered continual honor and who deserved perpetual disdain. During the war, rebel burials at Arlington were a matter of convenience, a necessity forced upon the quartermaster general corps more concerned with maintaining a required rate of burial than the appropriateness of interment location. Furthermore, if burying Confederate soldiers at Arlington was temporary, with individual removal later by next of kin or in mass repatriation to southern states, interment segregation by army was unneeded and would be a manpower burden. Union soldiers, politicians, media, and the northern public during the war focused on their own survival, the fate of loved ones, and battlefield success. They paid little attention to rebel burials at Arlington.

Once the war ended, however, both sides began examining how to remember, honor, and commemorate their war dead. Animosity grew because Northerners and Southerners now had time to survey the total impact of the war and assign blame for the cause, holding the other side accountable. While the arguments may have manifested in political battles, the press, or popular literature, the GAR creation of Decoration Day at Arlington provided an annual, specific venue to address unresolved blame. Reinterments of Union dead from Bull Run and the Virginia countryside swelled Arlington's burial

[131] Ibid.

numbers to over 15,000. In the process, Decoration Day, established to honor the sacrifice of federal soldiers and remind the American public of the "true" meaning behind the war, began to establish the burial ground as the nation's premiere national cemetery. Decoration Day, beginning in 1868 and garnering the annual attendance of the president of the United States, members of Congress and numerous well-known Civil War officers, established the expectation for the treatment of Confederate burials in the cemetery. Without an annual event to decorate the graves of the loyal, there would be no opportunity to demonstrate northern contempt for the rebel dead on such a grand scale. The fact that the event merited attendance by the highest levels of government gave tacit approval to the GAR's belief that while Union veterans deserved praise for loyal, virtuous service, treasonous Confederate soldiers warranted perpetual scorn as traitors to the nation.

CHAPTER TWO

The "Right of Sepulture": Arlington's Federal and Confederate Burials, 1869-1871

1869 to 1871 proved to be the zenith of animosity over burial commemoration at Arlington National Cemetery. As Decoration Day grew in popularity and attendance, and as the Grand Army of the Republic (GAR) played an increasing role in northern commemorative practices and establishing appropriate remembrance parameters, Arlington's importance continued to develop. Each May 30th, the attention of the public, at least through newspaper reports, turned towards Arlington, as President Grant, military general officers, congressmen, and leadership of the GAR joined the Memorial Day ceremony. Speakers attending Arlington's commemoration took the annual opportunity to remind the public of Union veteran sacrifice and reinforce the morality of the northern cause. This included dismissing any notion of moral equivalency with southern war rationale or commemorating the Confederate dead. Armed guards stood watch over rebel graves during Decoration Day to ensure no one would adorn the headboards, drawing, intentionally or not, equal comparison between soldiers of each side. Many southern commentators complained, but northern acrimony continued unabated.

However, as intransigent as both sides appeared, patterns began to develop at Arlington over appropriate placement of the dead. As observed by prominent African American leaders at the time, including Frederick Douglass, white Union and

Confederate soldiers lay side-by-side in the most prominent burial space in the cemetery, while United States Colored Troops (USCT) remained segregated in the lower cemetery, with graves undecorated and ignored during Decoration Day. How could it be that treasonous Confederates remained in such a prominent location, even if their graves were unadorned each May 30? What does it say about reconciliation and rebel military service when traitors remained sepulchered in the glorified portion of Arlington, while those who made the ultimate sacrifice to protect the nation remained partitioned in the ignored portion of the burial ground, willfully dismissed and forgotten?

This chapter argues that, while enmity over commemoration at Arlington reached an apex from 1869 to 1871, decisions over burial practices during this period established precedents that eventually transformed the cemetery from a place honoring Union sacrifice to a location that would eventually celebrate Confederate "Lost Cause" ideology. The decision by the US Army and the War Department to continue white Union and rebel burials in the same, prominent location, while segregating USCT graves away from their fellow veterans, established a pattern--even if unintentional--that would eventually deem all white military service as honorable, ignoring the fact that one side committed treason in the process. Segregation of USCT allowed military, government officials, and the public to treat black service as an anomaly, "other" than honorable white service, and make the path toward sectional reconciliation amongst the white race easier. White Union and Confederate veterans eventually used the communal experience of military service as common ground, a sympathetic comparison and much simpler to reconcile than the continual problem of race relations and the true legacy of the war.

President Ulysses S. Grant's March 4, 1869, inaugural address began with a tone of reconciliation. Standing on the east steps of the US Capitol, he began by stating he accepted the responsibility thrust upon him and would endeavor to do his best, hopefully to the "satisfaction of the people." Grant, acknowledging what lay ahead, reminded spectators that his administration was unique because, emerging from rebellion, "many questions will come before it…which preceding Administrations [sic] have never had to deal with." Not least of these difficulties was binding the nation's wounds. Attempting to reassure both the North and the South, Grant pledged to conduct his administration "calmly, without prejudice, hate, or sectional pride, remembering that the greatest good to the greatest number is the object to be attained."[132]

Grant's speech, while attempting to encourage the long process of sectional reunification, did little to confront the realities extant between veterans of the war. While the president endeavored to speak for the American people, it was the GAR that continued its work representing Union soldiers and sailors, living and dead, as well as their widows and orphans. In the first GAR National Encampment since the establishment of Decoration Day at Arlington, this growing veteran's organization reiterated the importance of their work, stressing the righteousness of their cause, and specifically addressed the ceremony at Arlington. In the welcoming statement to the attendees at Hopkins' Hall in Cincinnati, Ohio, General W.H. Baldwin, a veteran who served under both Grant and William T. Sherman, stated the purpose of the GAR as

[132] Ulysses S. Grant, "Inaugural Address," March 4, 1869, Gerhard Peters and John T. Woolley, *The American Presidency Project*, https://www.presidency.ucsb.edu/node/203651 (accessed March 11, 2020).

threefold: taking care of the wounded and invalid, providing financial assistance for widows and orphans, and ensuring an honorable burial for those killed during the war and eventually, all Union veterans.[133]

It was important to emphasize these GAR decrees, Baldwin claimed, not only to honor their comrades, but also to ensure that in the future the nation "will never call in vain for volunteers to suppress rebellion or repel invasion." Here, in the opening address to the assembled attendees, Baldwin reminds all those present and those who will read the address in newspapers across the nation of the treasonous Confederate cause. Four years after the close of the war, with an opportunity to perhaps assuage sectional animosity, the GAR chose to reinforce the tone set at Arlington, emphasizing southern "rebellion" and "invasion" and disabusing any notion of honor among combatants.

Toward the end of his opening address, Baldwin acknowledged the third tenet of the GAR creed by praising members for their role in the creation of military cemeteries for the Union dead. However, even in this tribute to both private and federal government action, Baldwin cautioned that one of the primary reasons for the formation of federal burial grounds was to ensure veterans' remains were "protected from sacrilegious intrusion." At first glance, Baldwin's concern is surprising. Who would countenance an act as ghoulish and macabre as disturbing the mortal remains of fallen soldiers? Yet most Civil War national cemeteries existed in the South. Laying at rest throughout the region were members of a conquering army among a defeated foe. If animosity throughout the

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[133] Grand Army of the Republic [hereinafter GAR], *Proceedings of the National Encampment of the Grand Army of the Republic* (Washington, DC: Gibson Brothers, 1869), 4. This was the 3rd GAR National Encampment overall with the previous two taking place on November 20, 1866, and January 15, 1868; Robert Burns Beath, *History of the Grand Army of the Republic* (New York: Bryan, Taylor & Co., 1889), 207. Beath was GAR Commander-in-Chief from 1883-84.

nation remained elevated enough to disallow decoration of rebel graves at Arlington, Baldwin and many GAR members perhaps reasonably suspected Southerners might attempt to retaliate against federal occupation of the former confederacy by desecrating the very symbol of Union victory, the buried conquerors.[134]

Baldwin closed his welcoming address by praising the GAR's creation at Arlington of a formalized, annual day to perform "the sacred right of decorating with flowers the graves of your fallen comrades." He was confident this Decoration Day custom would continue in perpetuity, not only decorating the known graves of the loyal dead, but celebrating the virtues and memories of the "many thousand soldiers who rest in unknown graves…never having received the right of sepulture." As evidenced by his speech, this "right of sepulture" was an honor reserved exclusively for the Union dead.[135]

It fell to John Logan, Commander-in-Chief of the GAR, and author of General Orders No. 11 establishing a national Decoration Day, to give the keynote address at the two-day encampment. Logan, present at the inaugural ceremony at Arlington the previous May, focused his speech on two important points, a celebration of the defeat of the Confederacy, and the successful return of Union veterans to civilian life. Logan's rhetoric was direct. He began by congratulating GAR members, stating that they had fought against a "vast, well-organized army…making war against our government." Logan stated, unambiguously, that not only had the federal army defeated the rebels, but that the Confederacy had "been utterly crushed." Calling the assembled members

[134] GAR, *Proceedings of the National Encampment*, 4.
[135] Ibid, 5.

"conquerors," he complimented the success with which they all "retired to civil life," without causing undue stress to industry and labor.[136]

This was a valedictory speech and Logan painted a clear picture. By April 1865, "a fugitive traitor President was hiding among the pines of Georgia," he beseeched. "Scattered to the winds [were] the vast hordes that withstood our blows during four years of belligerent action." The remainder of the speech concerned the perpetuation of the GAR, as well as praise that the disbanded Union army faithfully, and peacefully, returned to civilian life, but the initial oratory made clear Logan's and the GAR's position on reconciliation in 1869. Pride in "conquering" and "crushing" a treasonous army, as well as labeling the leader of the rebellion "traitorous" and calling to question his southern manhood as he hid among the Georgia pines, Logan gave voice to thousands of GAR members who had no intention of joining hands with southern veterans in a spirit of reunion.[137]

Toward the end of the first day of the convention, the adjutant general of the GAR, in his report describing the achievements of the GAR for the previous year, detailed the importance of establishing an annual, national commemoration of the Union dead at Arlington, and around the nation. "Probably no one act," he argued, "…has done more to cement the brotherhood of our Order, and to remove any prejudice that might remain in the minds of the public against it, than the inauguration …of an annual commemoration to the memory of our departed comrades." Noting that almost all GAR posts around the nation took part in the ceremony, he stated that only the GAR, with

[136] Ibid, 6.
[137] Ibid, 6-8.

members in every state, could establish a "national memorial day [as] a sufficient reward to our comrades for all they have done." Congress, he contended, by authorizing the publication of the proceedings of the event at Arlington and closing government offices so federal employees could attend the ceremony, tacitly established a "national ceremonial day." Left unstated was that the presence, on that first Decoration Day, of federal government leadership (including General Grant) provided the inaugural event substantial legitimacy as well.[138]

The remainder of the two-day encampment primarily concerned GAR operational and procedural concerns including the creation of an official GAR badge, increasing national posts and membership numbers, maintaining strict accounting of finances, and establishment of life insurance policies. Yet Baldwin, Logan, and the adjutant general's addresses to the assembled veterans all touched on similar themes. First, they asserted the importance of caring, not only for Union veterans and families, but also for the proper commemoration of the loyal dead. Second, they celebrated the triumph of the federal army and navy over the traitorous Confederacy. And, third, they emphasized the importance of using commemoration and remembrance of the Union dead to remind the nation of the righteousness of their cause. The adjutant general's report reminded those in attendance that an established, annual Decoration Day commemoration would continue throughout the nation and be one day per year when the nation's attention would turn to the supremacy of Union sacrifice. Arlington, with its importance firmly established by the GAR and federal government officials on that first Memorial Day, would remain the

[138] Ibid, 19-20; GAR, *Proceedings of the National Encampment*.

principle ceremonial location and set the tone for honoring the dead in national cemeteries across that nation.

If the inaugural Decoration Day was reflective of northern intransigence towards southern treason, the subsequent Memorial Day in 1869 at Arlington proved just how far US veterans were willing to go to reinforce the virtue of Union valor. However, not everyone, even in the North, agreed that the commemoration's tenor should overemphasize Union righteousness. One *New York Times* editorial attempted to tone down the animosity inherent in the ceremony by emphasizing the solemnity of the occasion. While agreeing that the day was to "honor those who have died for the Union," the writer argued it should not take a vindictive form but be "tender and grateful" and allow the visitors to "bedeck the hallowed grounds where heroes sleep with the freshest flowers of spring." He hoped that this newly constituted "Decoration Day" would never become an occasion, like Independence Day, where the frivolity of self-righteous patriotism overtakes the *original purpose* of the remembrance.[139]

This "tender and grateful" tone advocated for by the commentator may have been possible at other national cemeteries, especially further South. US Army soldiers maintaining southern-located national cemeteries while living and interacting directly with former rebels would naturally incentivize moderation (eventually) in remembrance ceremonies for both sides in the conflict. Arlington though, was unique. As the ceremonial home of the first national Decoration Day, it represented something grander. The former home of a principle Confederate traitor, its prominence near the national

[139] Editorial, *New York Times*, May 31, 1869, emphasis in original.

capital, and the attendance of high-ranking federal government officials and leadership of the GAR each Memorial Day set Arlington apart from other national cemeteries. Commemoration at Arlington each year represented an opportunity for veterans and politicians to not only honor the Union dead, but for some to "wave the bloody shirt" to reinforce northern animosity for possible political advantage. This was an annual opportunity to remind the post-war public of the superior morality of the northern side.[140]

It did not take long, however, for southern voices of protest to push back, if not against northern triumphalism, then at least over alleged disparate treatment of dead at Arlington. Although the 1868 Decoration Day coverage included one story of rebel graves unadorned with flowers, Memorial Day 1869 proved more memorable. As reported, this time, by numerous newspapers, during the adornment of graves throughout the cemetery, posted guards prevented visitors from decorating Confederate interments. Outraged at this treatment, Alexander Y.P. Garnett, MD, wrote an article to complain in the local *Daily National Intelligencer*. Garnett, a former U.S Navy surgeon, physician to Robert E. Lee, members of Jefferson Davis's cabinet and the Confederate Congress, described the action at Arlington as a "studied insult…to the remains of our heroic brethren." He described how, during the ceremony, authorities not only refused to allow "the pious and Christian offerings" at southern graves, but claimed that those guarding the graves were "United States marines [sic], who are alone under the control of the Secretary of the Navy, and subject to the orders of no other military organization."

[140] Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 487-88. Historian Eric Foner defines the term, "waving the bloody shirt" as the Republican Party's practice of using the memory of the war to solidify electoral support. I use the term more generally, as an attempt to gain advantage over the South both politically and morally, reinforcing the belief of the "backward" nature of the South as opposed to the supposedly more advanced and progressive North.

Garnett argued that it was an outrage that marines "drove off persons and scourge[d] away innocent little children from those noted mounds of earth."[141]

Garnett apparently did not actually attend the ceremony, but instead relied on reports from others in his complaint. According to Garnett, other eyewitness accounts reported that the patrolling guard, comprised of four enlisted US Marines, one sergeant, and commanded by a lieutenant, routinely marched directly over, and not between, the graves of the Confederate dead. This same lieutenant at one point picked up a bouquet of flowers left by a woman on a rebel grave, threw it to the ground, stepped on them, and yelled at the gathering crowd, "D-n [sic] you, get away from here, every one of you, or I'll make you. Guards, come up here and disperse this crowd." This was not an isolated incident. Later, as attempts to decorate Confederate graves continued, the marines escorted rebel sympathizers out of the cemetery.[142]

Even if Dr. Garnett was astounded that the President, Secretary of the Navy, or Arlington officials condoned such action, it was clear that many members of the GAR approved. GAR Post No. 1, headquartered in Philadelphia, argued that "while we hold no malice against the dead who fell attempting to haul down our flag, and thereby endangered our nation, we will not divide the honors by decorating the Confederate graves, and thereby taint the character of those who sacrificed their lives 'that their country might live.'" More important than animosity or revenge against the rebels, Post No. 1 contended it was out of respect for the widows and orphans of the Union dead, as

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[141] Alexander Y.P. Garnett, MD, "Decoration of Graves of Soldiers-A Card from Mr. Garnett," *Daily National Intelligencer*, May 2, 1869.
[142] *National Intelligencer*, June 2, 1869; *Staunton Spectator*, June 8, 1869; *William* Blair, *Cities of the Dead: Contesting the Memory of the Civil War in the South, 1865-1914* (Chapel Hill: University of North Carolina Press, 2004), 73-74.

well as for their fallen comrades, that floral tributes should not appear on Confederate graves.[143]

Southern response to the treatment of rebel graves at Arlington was predictable. One southern newspaper wrote that the action was akin to "disgracing patriotism" and wondered if nationalism required such brutality. The GAR, the article continued, disgraced itself with this act and should be ashamed. Did the "tyranny of a majority," the article asked, continue into the "sacred domain of the grave?" The commentator wondered if "there is still freedom for a woman to go to the grave of her son or her lover and cast upon it a token of remembrance." If not, the writer queried, what is the difference between the Union and the brutal despots of Austria? Apparently lost on the commentator was the irony of a southerner newspaper, which previously advocated for a nation founded on slave labor, claiming that an emancipated United States was tyrannical.[144]

Southern complaints even took the form of poetry. James R. Randall, a southern poet and journalist who gained fame during the Civil War by writing the lyrics to "Maryland, My Maryland," a song protesting a riot between Union soldiers and citizens in Baltimore in 1861, composed an ode titled, *At Arlington*. In his poem, Randall described how death held no judgment on the righteousness of both sides, and that soldiers, both North and South, "slept like heroes of old Greece beneath the globe at Arlington." When "sweet May" came to decorate graves, he wrote, "she saw no difference in the signs that told who slept at Arlington." Randall's imagery became more

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[143] *Valley Virginian*, June 3, 1869
[144] "Let Us Have Peace," *Staunton Spectator*, June 8, 1869.

pointed toward the end of his poem. As women came to decorate the graves of both sides, he penned, "Between their pious thought and God stood files of men with brutal steel; the garlands placed on 'rebel sod' were trampled in the common clod…facing this triumph of the Hun, our Smokey Caesar gave no nod, to keep the peace at Arlington." Celebrating an apparent small victory, Randall concluding his poem by mentioning that divine intervention (via a thunderstorm occurring overnight after Decoration Day) blew some flowers from Union to Confederate graves. Notwithstanding Yankee treatment, "Our cause survives the tyrant's tread and sleeps to wake at Arlington"[145]

Randall's poetic imagery and intent is clear, propagandizing the event to infuriate readers. Not only were Confederate graves not decorated, he argued, but US Marines added insult to injury by intentionally marching across the remains of loyal rebels. The vision of bayonet wielding marines refusing widows and orphans the solemn right to adorn the graves of their loved-ones is in stark contrast to Randall's contention that Arlington contained both heroic northern and southern soldiers, and that both sides should be honored. Perhaps to bring a modicum of comfort to Southerners, Randall urged Southerners to take heart, that despite this dishonorable treatment their cause shall endure the tyrannical North. Like the previous commentator, who described the event at Arlington as "disgracing patriotism," Randall appeared immune to the irony of labeling

[145] James R. Randall, "At Arlington," *Staunton Spectator*, July 20, 1869; Maryland State Archives, "Maryland, My Maryland," State of Maryland, https://msa.maryland.gov/msa/mdmanual/01glance/html/symbols/song.html (accessed March 31, 2020). According to the Maryland State Archives, "The nine-stanza poem, 'Maryland, My Maryland,' was written by James Ryder Randall in April 1861. A native of Maryland, Randall was teaching in Louisiana in the early days of the Civil War, and he was outraged at the news of Union troops being marched through Baltimore. The poem articulated Randall's Confederate sympathies. Set to the traditional tune of 'Lauriger Horatius' ('O, Tannenbaum'), the song achieved wide popularity in Maryland and throughout the South, becoming Maryland's official state song in 1939. It is one of the only state songs calling for the overthrow of the federal government and includes the term "Northern scum" in its lyrics.

the federal government and Arlington authorities "tyrannical" while professing love for a cause founded on enslavement of fellow human beings.

Even greater indignation came from organizations that would take an increasingly important, if sporadic, role in post-war commemoration in the coming years, southern Ladies Memorial Associations (LMAs). Begun shortly after the end of the war, and created by like-minded southern women, these organizations honored the Confederate dead and perpetuated the "honorable" intentions of the fallen South. LMAs, each autonomous with minimal overarching regional structure, increased in popularity over the next thirty years with estimates between seventy and one hundred associations throughout the South. Until the turn of the century, these organizations conducted southern Memorial Day commemorations and raised Confederate monuments. Some historians even credit the tradition of decorating Civil War soldier graves to the efforts of LMAs.[146]

Far from being apolitical associations simply concerned with honoring fallen rebels, LMAs formed, in part, with ulterior motives. Persuasively argued by historian Caroline Janney, it was LMAs, and not confederate veterans, who initially organized to establish rebel reinterments in appropriate cemetery space, as well as organized "elaborate Memorial Day celebrations where they might gather to mourn their failed cause." These LMAs remade "military defeat into a political, social, and cultural victory

[146] Confederated Southern Memorial Association, *History of the Confederated Memorial Associations* (New Orleans: The Graham Press, 1904), 275-318; Frederic Morton, *The Story of Winchester in Virginia: The Oldest Town in the Shenandoah Valley* (Strasburg, VA: Shenandoah Valley Publishers, 1925), 247; Newspaper clipping, Winchester Confederate Memorial Day, Memorial Collection, Museum of the Confederacy, Richmond, VA; Caroline E. Janney, *Burying the Dead but Not the Past: Ladies Memorial Associations and the Lost Cause* (Chapel Hill: The University of North Carolina Press, 2008), 39; Bellware & Gardiner, *The Genesis of the Memorial Day Holiday*, 38.

for the white South." Most importantly, according to Janney, these groups laid "the postwar beginnings of the Lost Cause" mythology founded on white supremacy, and helped "Confederate nationalism and solidarity" emerge in the post-war years. LMAs also served an important role as a platform for elite and middle-class white women to take part and help craft southern nationalism. As nineteenth century gender roles in the United States assumed women were "uninterested in politics," Southerners hoped female participation in memorialization appeared unthreatening to Northerners, and thus not politically driven. At a time when Confederate veterans were unable to take part in remembrance discussions as involvement might constitute evidence of perpetuating their previous treason, women of the South found LMAs an important venue to influence southern mythology and commemoration.[147]

An article, appearing in *The Charleston Courier* and directed to the Ladies Memorial Association of the South, lambasted the incident at Arlington. This report took an entirely different tone than other complaints, aimed more at inciting reaction against the alleged hypocrisy of the North than simply protesting disparate treatment of the dead. The article began, like other pro-Confederate reports, by describing how troops walked "upon the graves," with the commanding officer offering "every insult and indignity his rage could invent" to those foolish enough to offer flowers. After setting the scene of the supposed atrocity, the article took a more propagandistic tone, claiming that when this

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[147] Janney, *Burying the Dead but Not the Past*, 2-5; Karen L. Cox, *Dixie's Daughters: The United Daughters of the Confederacy and the Preservation of Confederate Culture* (Gainesville: University of Florida Press, 2003), 1; Blair, *Cities of the Dead*, 6-7; David W. Blight, *Race and Reunion: The Civil War in American History* (Cambridge, MA: Harvard University Press, 2001), 6-30, 381-97; Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South* (New York: Oxford University Press, 1987), 163-98; Jane Turner Censer, *The Reconstruction of White Southern Womanhood, 1865-1895* (Baton Rouge, Louisiana State University Press, 2003), 191-203.

incident occurred, a "deep-felt thrill of pleasure" went through the South. This pleasure, according to the writer, occurred because it finally showed the "malice of our bitter enemies, the malice which, under the name of 'Loyalty to the Union and Constitution,' has devastated, *oppressed*, and sought to degrade the South for eight years."[148] Southerners must exalt, the article contends, because the incident at Arlington displayed Yankee "pitiful meanness to the scorn and contempt of the world, and we could but rejoice over it."[149]

The author, instead of treating the incident as one of animus caused by the burial of Union and Confederate side-by-side, and still raw emotions due to the relatively short amount of time since the end of the war, chose instead to link the treatment of rebel dead at Arlington with the alleged "oppression" of the honorable South for the past eight years, even predating the war. The tyrannical North's true war aim, the article contended, while couched under a misleading banner of "loyalty" and "Constitution," was to subjugate the southern people and their peculiar lifestyle. It is apparent, according the author, that the aim of this insult was broader than just those interred at Arlington. It was an indictment against the memory of all Confederate dead, wherever buried, who bravely defended their homeland and the "lost cause." Evidently for this author, the incident at Arlington was simply a case study exposing the dishonorable nature of all Yankees.[150]

Halfway through his paean to southern righteousness, the writer turned from lamenting the conduct of Northerners to proposing a necessary remedy. The only

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[148] Emphasis mine.
[149] "To the Ladies Memorial Association of the South," *The Charleston Courier, Tri-Weekly*, August 5, 1869.
[150] Ibid.

organization capable of rectifying the situation, according to the author, was the various southern LMAs, "which no tyranny can either intimidate or destroy." Only the LMAs, he contended, "can speak and act on this occasion for the South, and to these associations the South looks for the fitting response to the indignities offered its most cherished sentiments." The solution the LMAs must champion, he beseeched, was to publicly demand the return of rebel bodies from the North, remains the US government "have sought publicly to insult." The LMAs could then ensure the honorable burial of loyal Confederates and the erection of appropriate monuments and memorials "to tell the tale to our children, and proclaim that the South will never cease to revere the memories of those who fought beneath her banner and laid down their lives in vain for her liberty."[151]

Not content with merely calling for the removal of Confederate remains from the North, the commentator urged that this disinterment take place in as public a procession as possible when he argued, "the honors we will pay should not be in private when the insults were public." Going further, he implored that LMAs should not shrink from potential controversy or ill-will aroused in the North, but instead "the application for authority to remove the insulted remains should expressly state that we honor them more for being so hated by the [northern] people…our conquerors and oppressors." The author's position is without a downside, he contended, because it was in accordance with the "public sentiment of the world," and even if the US government refused the LMAs request, it would "endorse afresh the dishonoring of the graves" by the North, and "will be a far better vindication of the memories of our dead." The writer ended his plea by

[151] Ibid.

stating that if the LMAs take on this cause, as only they can, it will prove "we still have a unified South."[152]

This article, loaded with invective against the supposed dishonorable and oppressive nature of the North, is an important early example of Lost Cause mythology celebrating the honorable Confederate defense of the southern way of life.[153] It also represented the symbolic use of Arlington, by both the North and the South, as an avenue for larger arguments over the legacy of the war. Decoration Day commemorations at Arlington, especially with the presence of important dignitaries and politicians, allowed the GAR to refocus attention on the "true" history of the war and honor those who fought against treason. The South took advantage of this opportunity as well. Instead of simply complaining of the behavior of soldiers guarding rebel graves, the author of this article used an incident of Yankee hostility to rally LMAs specifically, and all Southerners generally, to remain unified and push back against northern domination. Actions of this type at other national cemeteries would fail to garner as much attention, or provide as powerful an opportunity for southern advocacy. It was the continued presence at Arlington's Decoration Day ceremony of high-ranking officials that increased its prominence and would eventually transform it into the symbolic flagship of all national cemeteries. The attendance of the President of the United States, senators, congressmen, and leadership of the GAR on each Memorial Day concentrated national attention on Arlington, and gave both regions of the nation an opportunity to reevaluate and promote

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[152] Ibid.

[153] Edward A. Pollard, *The Lost Cause: A New Southern History of the War of the Confederates* (New York: E.B. Treat & Co., 1866); Gary W. Gallagher, Alan T. Nolan, eds., *The Myth of the Lost Cause and Civil War History* (Bloomington: Indiana University Press, 2000), 1-9, 27-29; Rollin G. Osterweis, *The Myth of the Lost Cause, 1865–1900* (Hamden, CT: Shoestring Press, 1973), ix.

separate ideologies. The author of the *Charleston Courier* article took the opportunity to urge LMAs, and all Southerners, to assert their own mythology.

As indignant as many in the South were over rebel treatment at Arlington, Northerners made a clear distinction between their ability to forgive their fallen brethren and the act of remembrance and commemoration of comrades at national cemeteries. One writer explicitly detailed this view to Chief Justice of the Supreme Court, Salmon P. Chase, who was sympathetic to reconciliation with the South. The writer attempted to convince Chase why disallowing Confederate grave decoration at Arlington was fitting. "We strew flowers" on Decoration Day, the author argued, "on the graves of our comrades and prevent their being strewn in the National Cemeteries at the same time on the graves of such Rebel dead as may be buried therein, not because we cherish any feelings of hate or desire to triumph over individual foes…" For Northern veterans, the writer suggested, personal animus or hatred toward southern soldiers was not the basis for preventing the decoration of rebel graves.[154]

Instead, the author continued, Union veterans disapproved of the adornment of Confederate graves "because we seek to mark in this distinction & manner the feelings within which the Nation regards freedom and slavery, loyalty & treason, republican principles and those of a slaveholding oligarchy." Northern veterans, capable of pardoning wayward rebels, wanted a distinction made between forgiving and forgetting. The writer's argument to Chase was direct and unequivocal regarding what should occur on future Decoration Days. "We will never consent by public national tribute to obliterate

[154] J.E. Williams to Salmon P. Chase, June 4, 1869, *Salmon P. Chase Papers: General Correspondence, 1810-1898*, frames 756-57, reel 38, Library of Congress (hereinafter LC), Washington, DC.

the wide gulf which lies between the objects, motives and principles for which we fought, and our comrades died, and those for which the rebel armies banded together, and for which their dead now lie in numerous graves." Undoubtedly representing the conviction of many northern veterans, the writer suggested that forgiveness would come in time, but honoring treasonous participants in the conflict would never be appropriate at national cemeteries, next to the graves of the loyal dead, especially at Arlington.[155]

Up to this point, northern and the southern indignance, at least concerning burial practices at national cemeteries, appeared intractable. As one former Confederate cavalry officer stated in a speech, "If they be heroes who fell at Manassas and are now gathered in the National Cemetery [Arlington], surely they who drove them in flight, who captured their artillery, and crushed their resistance, must also be heroes…I utter what I believe [is] the universal feeling of the South: never will the graves of our dead be left undecorated by us until a common government and a united people treat all dead alike." Southerners pushed for an admission of the honorable nature of Confederate service and concurrent treatment of their dead, while Union veterans objected to any effort to commemorate those who attempted, by treasonous design, to destroy the United States.[156]

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[155] Ibid; Blair, *Cities of the Dead*, 74-75.

[156] William C.P. Breckinridge, *Addresses in Memory of the Confederate Dead* (Lexington, KY: Lexington Observer & Reporter, 1869), Southern Pamphlets No. 373, Perkins Library, Duke University, Durham, NC.; James C. Klotter, *The Breckinridges of Kentucky* (Lexington: University Press of Kentucky, 2006), 139-152; William C.P. Breckinridge, the author of this speech, represents an interesting character in the history of regional reconciliation. A native of Maryland, he joined the Confederacy in 1861 against the wishes of his father, a Kentucky minister and pro-Union politician, while his brother joined the US Army. A first cousin of Confederate Secretary of War John C. Breckinridge, William rose to the rank of Colonel and served as a body guard to Jefferson Davis after he fled Richmond, VA in April 1865. Considering his cited speech, after the war he surprisingly renounced white supremacy and advocated for racial equality, even while a Democratic member of the US House of Representatives.

With each side seemingly committed to their respective obstinate views, surprisingly, the 1870 Memorial Day commemoration at Arlington produced no apparent controversy. Newspapers covered the ceremony, again with the GAR presiding, and President Grant, among other dignitaries, in attendance. GAR Commander-in-Chief John Logan gave a subdued address, and the decoration of graves occurred as usual. Remarkably, there were no reports of US soldiers guarding Confederate graves, nor noted instances of visitors attempting to decorate rebel interments. Perhaps the assembled guests, many of whom undoubtedly attended prior Arlington Decoration Days, remembered the 1869 incident and wished to avoid confrontation. Alternatively, perhaps previously chastised Southerners simply refused to attend the ceremony as a form of protest. Whatever the reason, the Arlington ceremony proceeded in 1870 without accounts of confrontation or aggression.[157]

Even though Decoration Day proceeded without dispute, the GAR continued advocating for proper treatment of their fallen comrades. During their fourth annual encampment, this time held across the Potomac River from Arlington in Washington, DC, they maintained efforts to push Congress to establish Memorial Day as a national holiday, succeeding with a vote of "singular unanimity" in the House of Representatives, but expressing less hope of passage in the Senate, as all the former Confederate states were readmitted to Congress by July 1870.[158] Undaunted by this potential failure, John

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[157] GAR, *Proceedings of the National Encampment of the Grand Army of the Republic* (Washington, DC: Press of the Grand Army Journal, 1870), 3-5.

[158] The GAR's efforts to make Memorial Day an annual tradition in federal law were unsuccessful. While every northern state enacted the holiday into state law by 1890, it would take until 1971 for Memorial Day to become a nationwide, federal holiday. See *An Act to provide for uniform annual observances of certain*

Logan underscored the importance of commemoration in his speech. "While the Grand Army of the Republic exists," he commanded, "let the duty of honoring the memory of our departed comrades be held sacred."[159]

On the second and last day of the encampment, the GAR passed numerous unanimous resolutions, one specifically addressing Logan's call to honor the loyal dead. "Resolved," it began, "that the memory of those who died that the nation might live should be kept green in the hearts of the people of the United States by the sacred observance of the 30th of May as a day dedicated to the decoration of their graves…" The resolution continued that under war power, it was the federal government's sacred duty to tend to those "hallowed resting places of our departed comrades as are in that section of country which they bravely aided in conquering, and *not ask the permission of the conquered, that the soil thus consecrated may be the nation's forever*."[160] In addition to addressing Memorial Day and national government obligations to maintain national cemeteries, GAR resolutions also "recognize[d] the equality of all [Union] soldiers," and, significantly, called for equal treatment of "colored veterans."[161]

These resolutions stake out positions of importance to the fraternal organization, and Arlington continued to be a battleground for federal responsibility for the dead in perpetuity, as well as concerns over equal treatment of both white and black veterans. Eventually, disparate racial treatment became more important, and contentious than equal care for interment of those loyal to the Union and their traitorous foes. For now, in May

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legal public holidays on Mondays, and for other purposes, Pubic Law 90–363, 90th Cong., 2d sess. (June 28, 1968), 250-51.

[159] GAR, *Proceedings of the National Encampment*, 5, 19

[160] Emphasis mine.

[161] Ibid, 22-23.

1870, Logan and the GAR emphasized the importance of establishing national cemeteries, especially in the South, as sovereign pieces of federal soil, with title secured by the conquering US Army. Due to southern forfeiture of rights by act of treason, he argued, permission for cemetery acquisition was unneeded. With seventy-three national cemeteries housing the remains of nearly 300,000 Union soldiers established by 1870, anxiety over the perpetual care and ownership of the burial grounds may appear unfounded. Yet the GAR deemed it important enough to place in a formal resolution. For members of the organization, securing the sacred nature of national cemeteries, especially those located in the South, like Arlington, required both continual federal government maintenance and the eternal vigilance of the GAR.

The October 1870 death of Robert E. Lee is an example of GAR apprehension in practice. Lee's death created an enormous outpouring of grief, remembrance, and obstinance throughout the South. Parades, plans for monuments, flags at half-mast and buildings draped in black occurred in every former Confederate state.[162] Throughout the South, speeches praised Lee's honor and valor and admired his exemplification of "Lost Cause" ideology. These speeches undoubtedly caused concern for GAR members. If Southerners reverted to old habits, what would become of loyal soldiers buried in southern soil? Upon witnessing displays of fervent adoration towards Lee, Frederick Douglass, undeniably channeling the thoughts of many Union veterans, wrote, "Is it not about time that this bombastic laudation of the rebel chief should cease?" Incredulous at the continued adoration, and more to the point, Douglass stated, "He was a traitor and can

[162] Border states as well. Flags flew at half-mast in Baltimore.

be made nothing else." This incredulity ran through many Union veterans and their representative organization. Realizing their inability to influence southern beliefs, the GAR continually fought to ensure national cemeteries, even in the heart of the Confederacy, remained sacrosanct. Even if southern views remained intractable, national cemeteries remained refuges for northern righteousness.[163]

The GAR's role in setting expectations concerning war remembrance and commemoration continued throughout the 1870s, in particular at Arlington. In 1871, controversy concerning treatment of Confederate dead at the cemetery continued, and demands regarding African American burials became a heated topic of discussion. In addition, concerns arose over the potential for Americans to willfully forget the virtues of the Union cause, ignoring the treasonous underpinnings of the Confederate cause in an effort to promote reconciliation with the South. As the nation grappled with resolving these issues, Arlington, and its Decoration Day ceremony, remained a source of national attention.

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[163] National Cemetery, Arlington, VA, December 31st, 1870, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA; O.O Howard to Montgomery Meigs, September 21, 1870, National Cemetery, Arlington, VA, December 31st, 1870, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA; National Cemetery Administration, *History and Development of the National Cemetery Administration*, US Department of Veterans Affairs, https://www.cem.va.gov/cem/docs/factsheets/history.pdf (accessed April 8, 2020), 1-4; Elle Goode, "Reminisces of Oakland Cemetery," unknown newspaper clipping, National Cemetery, Arlington, VA, December 31st, 1870, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA; "The Late Robert E. Lee," *New York Times*, October 15, 1870; Frederick Douglass, "Bombast," *New National Era*, November 10, 1870; Frederick Douglass, *New National Era*, January 19, 1871. Douglass also stated in his October 15, 1870 article that if it was true, as Jefferson Davis claimed, that Lee died of a broken heart, it was the "liberation of four millions of slaves and their elevation to manhood, and to the enjoyment of their civil and political rights" that broke Lee's heart "and so he died!"

One example of the larger popular understanding of Arlington occurred in an 1871 edition of *Harper's Weekly*. *Harper's*, arguably "the most important of American periodical magazines" in the second half of the nineteenth century, established its reputation and vast readership with extensive coverage of the Civil War and New York City corruption in the 1870s. In addition to its reporting, the magazine included the popular illustrations of caricaturist and political cartoonist Thomas Nast. A Nast cartoon appeared in the January 14, 1871, issue, evoking the solemn importance of Arlington as both a final resting place of loyal heroes, and as a vanguard against potential future insurrection or treason.[164]

Nast's illustration depicts the ghostly apparition of an old federal soldier, walking his post, guarding the graves along "Arlington Heights." Depicted are numerous graves surrounded by tall, thin trees in the darkness, and scraggly bushes reaching out of the soil like skeletal fingers. Across the Potomac River, silhouetted by the light of a fog-covered moon, the US Capitol building and a half-completed Washington Monument appear. One prominent headstone, inscribed, "Died for the Union," contains an epitaph reading, "Blessed be the man that spares these stones. And curst be he that moves my bones." Nast casts a somber, supernatural tone that evokes a silent, eternal sentinel forever guarding the dead and keeping watch over the national capital.[165]

The cartoon, "Die Wacht Am Potomac," (in German, "he watches over the Potomac"), intentionally draws a link to "Die Wacht am Rhein," a German nationalist

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[164] David S. Heidler and Jeanne T. Heidler, eds., *Encyclopedia of the American Civil War: A Political, Social, and Military History* (New York, W.W. Norton & Company, 2000), 931-33; Thomas Nast, "Die Wacht Am Potomac," *Harper's Weekly*, January 14, 1871, 36. *Harper's* circulation during the war reached 120,000. After the war, it reached approximately 500,000 during coverage of Tammany Hall corruption.
[165] Nast, "Die Wacht Am Potomac."

anthem popular during the Franco-Prussian War, which was then nearing its end. The song envisioned German youths patriotically gathering to defend the Rhine River from invading hordes. For Nast, a native German whose family emigrated to the United States in 1846, the association of Union soldiers with German youth is unambiguous. In each instance--native Germans protecting their homes against foreign invaders and loyal Americans dying to end treasonous insurrection--the heroes sacrifice to protect the nation.[166] And, to reinforce the belief that the Union cause continued the work of the founding generation, Nast's sketch includes only one structure visible in the District of Columbia: the Washington Monument. By including this memorial, Nast indicated that those ghostly soldiers on perpetual patrol at Arlington did so under the watchful eye of General Washington.[167]

Nast's somewhat chilling image underscores Arlington's growing importance in the national consciousness. Many veterans welcomed illustrations of this type, in heavily circulated formats, to remind the public of their enormous sacrifice year round. Illustrations and articles of this type, whether reminding the public of Union soldier martyrdom, advocating for federal pensions for disabled service members, or pushing for the support to veterans' asylums, served the important purpose of presenting these

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[166] The unification of Germany occurred in 1871 with the Treaty of Frankfurt, at the end of the Franco-Prussian War.

[167] Piet van der Hem, *Die Wacht am Rhein*, color lithograph, Amsterdam, Netherlands: De Nieuwe Amsterdammer, 1918, Prints and Photographs Division, LC; Albert Bigelow Paine, *Th. Nast: His Period and his Pictures* (New York: The Macmillan Company, 1904), 1, 7, 12-13. The Franco-Prussian War lasted from July 19, 1870 until France and the North German Confederation signed an armistice on January 28, 1871, just two weeks after the publication of Nast's drawing. According to the Library of Congress, *Die Wacht am Rhein* was originally "a poem written by Max Schneckenberg in 1840 during the Rhine crisis of 1840. The 1854 setting of the text to music by Karl Wilhelm became popular in Germany during the Franco-Prussian war in 1870-1871 and during World War I. The tune was popular and well known throughout Europe."

arguments--and reminders--to the public writ large. Coupled with the increasingly vociferous lobbying of the GAR, reporters and illustrators like Nast attempted to persuade the public, while the GAR, with its large membership and prominent position as the de facto representative of Union veterans, worked to influence local, state, and federal government policies.[168]

Just prior to a contentious 1871 Decoration Day at Arlington, the GAR met again for their national encampment, this time in Boston, Massachusetts. Once again, Commander-in-Chief John Logan, in his opening address, reiterated that the chief objective of the GAR remained to "keep constantly before the mind the cost of liberty, and the price paid for the suppression of rebellion…to keep forever green the hallowed memory of the heroic dead, who had fallen to save their country from disunion and dishonor." He continued, addressing his pleasure at the overall public support for Memorial Day. "When the order went forth," he contended, "setting apart the 30th of May as sacred to the memory of our fallen comrades, in which we should manifest our appreciation of their services by strewing their graves with flowers,-throughout…the land there was an universal response from all true and loyal hearts" Logan happily described how "millions" across the nation decorated the graves of those who died in defense of the nation. For Logan and the GAR, Decoration Day was "but an external expression of one of the great principles of our Order," that is, "condemn[ing] treason to our Government."[169]

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[168] Stuart McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865-1900* (Chapel Hill: University of North Carolina Press, 1992), xiii-xv.
[169] GAR, *Proceedings of the Fifth Annual Meeting of the National Encampment* (New York: E.S. Dodge & Co., 1871), 6-7.

Logan's speech reflected his continuing desire to focus the GAR around unifying principles: Support for widows and orphans of the fallen, continual commemoration of the dead, and the moral superiority of the Union against the traitorous Confederacy. Keeping the memory of the loyal dead alive benefitted both the living and the deceased, which Logan annually reminded GAR members by emphasizing the importance of Memorial Day. 1871 was the final opportunity for Logan, as GAR Commander-in-Chief, to stress his belief in the importance of Decoration Day as a focus of Union commemoration. Toward the end of his address, he announced that after three terms in command, "having no desire for the position any longer," he would not accept a fourth term. As "one of the most popular and well-known figures of his time," for three years Logan's personality and influence shaped the focus of the GAR. It was Logan's order that established Memorial Day as a time of commemoration, remembrance, and advocacy. And, by choosing to hold the national Decoration Day ceremony at Arlington, with presidents and high-ranking public officials annually in attendance, Logan set that graveyard on a path of national prominence, establishing the example for other national cemeteries across the nation, in terms of both commemoration and the potential for reconciliation. Logan's GAR successor, Ambrose Burnside, voted on and approved at the encampment, pledged to continue Logan's efforts. If any at the convention worried about Burnside's commitment to the righteousness of the Union cause, his short speech on the dais included the reassuring phrase, "the only political views that I want expressed and understood are, that I do hate and despise a man disloyal to our Government." In 1871 the

GAR changed commanders, but the work of the organization, and its rejection of reconciliationist sentiment, continued.[170]

A little over two weeks after the GAR encampment, Arlington's Decoration Day ceremony provided an opportunity to reinforce Logan's speech and GAR principles. As banal as the 1870 Memorial Day ceremony was, 1871 proved to be the opposite. Citing divine approval, one reporter stated that, "Providence seemed to favor the patriotic purpose," as "thousands…participate[d] in the exercises." With the closure of all public, municipal, and federal offices, attendees gathered around the Custis mansion for the ceremony, including the President, various senators, congressmen, foreign ministers, and over 10,000 attendees. This made Arlington, as described by one reporter, the "central point of attraction." As with previous commemorations, the orphans from Soldiers' and Sailors' Asylum led the flower-strewing procession. Once again, a "company of marines from the Navy Yard were also upon the ground for guard duty," ensuring rebel graves remained unadorned.[171]

Similar to previous years, the ceremony proceeded with prayers and speeches, before guests dispersed throughout the cemetery to decorate the graves. As was the custom, dignitaries progressed to the Tomb of the Unknown Soldier for a solemn ceremony including a short speech by Frederick Douglass. This was the first address

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[170] McConnell, *Glorious Contentment*, 9, 25-28, 183, 193-96; James Pickett Jones, *John A. Logan: Stalwart Republican from Illinois* (Tallahassee: Florida State University Press, 1982), 227; GAR, *Proceedings of the Fifth Annual Meeting*, 41-42, 47. In addition to Logan's service in the Mexican-American War and Civil War, he served as US Representative, Senator, and as a candidate for Vice President with James G. Blaine in the election of 1884. Upon his death in 1886, he lay in state in the US Capitol. The GAR, once again, passed a resolution calling on all members to promote legislation, in "State and National Legislative bodies…to procure such legislation as shall be necessary for the care, protection and preservation of the graves of our dead comrades, in the different National Cemeteries."

[171] "Memorial Day: The Union Dead, Loyal to the End," *Evening Star*, May 30, 1871; "Decoration Day at Arlington," *Daily State Journal*, June 2, 1871; *Richmond Daily Enquirer*, June 2, 1871.

given on Memorial Day at Arlington by an African American, and Douglass, in a passionate and poignant talk, took the opportunity to place the commemoration in context, and correct what he perceived was a growing effort by many in both the North and the South to gloss over the true meaning of the war.

Douglass began by recognizing Arlington's importance to the nation. "There is," he spoke at the Tomb, "in the very air of this resting-ground of the unknown dead, a silent, subtle, and all-pervading eloquence…" Each soul interred within, he continued, hears "lessons of all that is most precious and priceless." These lessons which Arlington provided are not only for the deceased, Douglass explained, but also "alike to the patriot soldiers dead and their noble comrades who still live" because "the loyal soldiers who periled all for country and freedom, are one and inseparable." Douglass made little distinction between the living and the dead because both deserved the accolades of those faithful to the nation, in a just cause. The thousands of unknown, interred in the ossuary or laying throughout the cemetery, deserve celebration, he contended, because they reached "that last highest point of nobleness…they died for their country." Douglass, without prevarication, interpreted those who served and perished in defense of the Union as heroes, deserving perpetual praise and honor.[172]

And what of those who served the Confederate States of America? Douglass laid out in stark contrast the differences between the two sides. "When the dark and vengeful

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[172] Frederick Douglass, *Address at the Graves of the Unknown Dead at Arlington, Va 1871*, LC, Manuscripts Division, https://www.loc.gov/item/mfd.22021/ (accessed April 15, 2020); Frederick Douglass, "The Unknown Dead: An Address Delivered in Arlington, Virginia, on 30 May 1871," *Frederick Douglass Papers, Series One: Speeches, Debates, and Interviews, Volume 4: 1864-1880* (New Haven: Yale University Press, 1991), 289-92; *Evening Star*, May 30, 1871; *Daily Morning Chronicle*, May 31, 1871; *New National Era*, June 1, 1871; Frederick Douglass, *The Life and Times of Frederick Douglass: From 1817-1882*, (London: Christian Age Office, 1882), 364-65.

spirit of slavery," he began, "preferring to rule in hell than to serve in heaven, fired the Southern heart and stirred the malign elements of discord…when the union…was torn and rent asunder…when a gigantic rebellion came forth with broad blades and bloody hands to destroy the very foundation of American society…the unknown braves…in these graves flung themselves into the yawning chasm." Completing this section of his speech with what one reporter described as "eloquence and feeling" the crowd listened "with the most profound attention," Douglass stressed that only one side, "died for their country!"[173]

Douglass' made it clear to the assembled gathering where blame for the dead lay. He conjured imagery with his rhetoric, linking slavery akin to "ruling in hell,"[174] and argued that Southerners preferred to destroy not only the nation, but American civilization itself. According to Douglass, but for the bravery of Union soldiers who voluntarily threw themselves "where cannon roared and bullets whistled," there would no longer be "hope and freedom." There was no debate, Douglass implied, over right and wrong in this instance. One side defended the nation from "hell," while the other side attempted to continue hell on earth.[175]

While Douglass' convictions remained resolute, he was concerned with what he perceived were exertions, in both the North and the South, to ignore the true history and meaning of the war, seen by many as a roadblock toward reunifying the nation. He

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[173] Douglass, "The Unknown Dead," 290; *Daily State Journal*, June 2, 1871
[174] Adding to the supernatural imagery of Douglass' speech, according to the editors of Douglass, "The Unknown Dead: An Address Delivered in Arlington, Virginia, on 30 May 1871," *Frederick Douglass Papers, Series One: Speeches, Debates, and Interviews, Volume 4: 1864-1880* (New Haven: Yale University Press, 1991), the sentence "preferring to rule in hell than to serve in heaven," is a paraphrased statement by Satan in John Milton, *Paradise Lost*, Book 1, lines 261-63.
[175] Douglass, "The Unknown Dead," 290.

lamented that "we are sometimes asked, in the name of patriotism, to forget the merits of this fearful struggle, and to remember with equal admiration those who struck at the nation's life, and those who struck to save it-those who fought for slavery, and those who fought for liberty and justice." This logic was anathema to Douglass. One side attempted to destroy the nation, and its justification was protection of chattel slavery. How could the public, he wondered, ignore the principle reason so many of her citizens now rested at Arlington and other national cemeteries? Douglass did not wish to disparage the southern dead or hold continual malice toward those who would never return home. Yet his conviction was firm. Graphically illustrating his repugnance toward this willful ignorance, he stated, "May my right hand forget its cunning, and my tongue cleave to the roof of my mouth, if I forget the difference between the parties to that terrible, protracted, and bloody conflict." For Douglass, remembering the dead of both sides was tolerable, but creating moral equivalence between Union and Confederate motivation was repugnant.[176]

Douglass continued with graphic descriptions of the "armless, legless, maimed, and mutilated…stumps of men," created by the war. He bemoaned the orphans and widows who now "filled our land" as the war "swept uncounted thousands of men into bloody graves." If the 1868 Arlington speech by James Garfield and John Logan's numerous addresses set the tone for the limits of reconciliation at national cemeteries, Douglass made a clarion call to the nation. Focusing on any effort to palliate southern responsibility, Douglass wondered, "if this war is to be forgotten, I ask, in the name of all

[176] Ibid.

things sacred, what shall men remember?" Douglass' formidable rhetoric reminded attendees that Union sacrifice was in pursuance of a thoroughly righteous cause, the liberation of a race from bondage. Shall the nation now tell the orphan, widow, and mutilated Union veteran that the Confederate cause deserved the same acknowledgement and respect in some misguided effort to ignore the truth and pacify the people?[177]

Douglass agreed that both Union and Confederate soldiers displayed bravery in battle. If that were the purpose of the commemoration at Arlington, he contended, "we should find enough to kindle admiration on both sides." Yet Douglass disagreed with any notion of celebrating rebel bravery as "we are here to applaud manly courage only as it has been displayed in a noble cause." There was no cause, according the Douglass, with less noble justification than the Confederacy. He made this contention clear stating, "We must never forget that victory to the rebellion meant death to the Republic." Nobility only comes from virtue, and Douglass reminded the crowd of the immorality of the South.[178]

Douglass saved the final portion of his speech to give context to the Union victory, and lay praise on those resting at Arlington, including the unknown entombed before him. "We must never forget," he pleaded, "that the loyal soldiers who rest beneath this sod flung themselves between the nation and the nation's destroyers." Placing the war in the broadest possible terms, Douglass saw the Confederacy as an existential threat to the very survival of the nation. He then addressed what could have been, had the Confederacy succeeded. "If now we have a united country no longer cursed by the hell-black system of human bondage; if the star-spangled banner floats only over free

[177] Ibid, 290-91.
[178] Ibid, 291.

American citizens…we are indebted to the unselfish devotion of the noble army which rests in these honored graves all around us."[179]

Overall, Douglass' speech provided him with an opportunity to give credit for the very survival of the United States with those Union dead interred at Arlington, and loyal federal soldiers everywhere. With formidable oratory, he took the opportunity to denounce any hint of ignoring the nobility of the Union cause in an effort to reimagine the objectives of the Confederacy. Douglass knew what was at stake, and, after his Arlington speech continued to rail against national reconciliation based on misrepresenting history or in support of white supremacy.

Douglass pointed out to his audience what was obvious to him. Any effort to overlook southern rationale for fighting the war dishonored the memory of those who fought to preserve the Union. While he understood the need to acknowledge the bravery of individual soldiers on both sides, he warned against tolerating this praise if it misrepresented the true history of the war and what each side hoped to achieve, union and freedom, or national destruction and growth of slavery. Douglass' speech at Arlington's Civil War ossuary provided him the opportunity to address his concerns over remembrance and reconciliation. Fortunately, his advocacy did not stop once the speech concluded. He next turned his attention to Arlington's disparate treatment of USCT buried in the cemetery.

While the decoration of graves in the main portion of the cemetery continued, a procession of mourners including members of the Thomas R. Hawkins Post, No. 14

[179] Ibid.

GAR, a brass band, and a troop of Zouaves[180] proceeded to the lower cemetery, to the graves of the African American Union veterans of the war. The group was surprised to find that this section of the cemetery was untouched by the Memorial Day ceremony. The area also lacked a podium or grandstand to conduct any type of prayer or ceremony. Most infuriating of all, the graves of the 343 USCT soldiers remained unadorned. It appeared to all present that the nation wished to forget the nearly 180,000 loyal African American soldiers who died in defense of their county. One report of the event noted, "Deep was the indignation and disappointment of the people." Attempting to quickly rectify the situation, and perform a solemn remembrance of the USCT veterans, members of the procession conducted an impromptu commemoration ceremony honoring the dead.[181]

In addition to praying for the souls of the interred, the leaders of the procession took it upon themselves to rectify the unequal treatment of their fallen comrades, producing a resolution to the "proper authorities to cause the removal of the remains of all the loyal soldiers now interred in the north end of the Arlington cemetery, among paupers and rebels, to the main body of the grounds at the earliest possible moment." Unanimously adopted, the attendees formed a committee to present the resolution to the

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[180] Martin K. Gordon, "The Black Militia in the District of Columbia, 1867-1898," *Records of the Columbia Historical Society, Washington, DC* 71/72 (1971/1972): 412; These troops were known as the "Butler Zouaves," an African American militia unit stationed in DC and named after Gen. Benjamin F. Butler. Of note, according to historian Martin K. Gordon, the Butler Zouaves became the Fifth Battalion upon integration into the National Guard of the District of Columbia in 1887.

[181] Report of Superintendent Harner, January 31, 1871, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I; "Decoration Day and Hypocrisy," *The Weekly Louisianan*, June 15, 1871; *Burial Records 1871, Arlington National Cemetery*, Arlington National Cemetery History Office (hereinafter ANCHO); Edwin Harner, *Monthly Report of the Condition of the National Cemetery at Arlington, Va., for the Month of September 1871*, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I; William A. Gladstone, *United States Colored Troops, 1863–1867* (Gettysburg, PA: Thomas Publications, 1996), 120.

US Army. Among those appointed to "proffer our request and to take such further action in the matter as may be deemed necessary," was Frederick Douglass.[182]

The hypocrisy of praising the service of white Union soldiers in one part of the cemetery while ignoring the sacrifice of USCT soldiers in another angered many, especially in the black community. The *Weekly Louisianan*, an African American newspaper based in New Orleans, pointed out the double standard, stating there was not an instance that displayed more "disgraceful neglect," than the behavior of "union whites" ignoring USCT graves at Arlington. Decoration Day, the newspaper argued, was nothing more than a competition between the North and the South defending "Unionism and Secession" with "ostentatious parade[s] of floral wealth…and competition in extravagant eulogy," all while ignoring the loyal service of black soldiers to the United States.[183]

Attendees at Arlington's lower cemetery and African American newspapers argued that USCT troops deserved the same recognition in death as their white, Union comrades. Interestingly, black commentators appeared unconcerned with the 3,757 African American civilians buried in the same section, as they were paupers, and not veterans of the war. This plea was for those who served in uniform, and sacrificed all to save the Union, not those who, although mainly employed by the US Army as civilian laborers, teamsters, cooks, and launderers, had not served in combat. In addition, the speakers that day acknowledged the presence of rebel graves located in the main portion

[182] "Decoration Day and Hypocrisy," *Weekly Louisianan*, June 15, 1871.
[183] Ibid.

of the cemetery, alongside white, Union soldiers.[184] How could it be, they indicated, that traitorous, rebel soldiers lay at rest in the primary burial section, alongside loyal Union troops, while USCT soldiers remained forgotten in an intentionally ignored area of Arlington Heights? Even if Confederate graves remained unadorned throughout the cemetery, it appeared their very location garnered more respect than black defenders of the nation, deliberately isolated away from other Union veterans in the "colored" graveyard.[185]

Three members of the African American committee appointed that Memorial Day contacted Secretary of War W.W. Belknap asking for a meeting to discuss moving Arlington's USCT remains. Belknap, who would make the final decision, requested guidance from Quartermaster General Montgomery Meigs, the man most responsible for the creation and development of Arlington. The prospect of Meigs providing Belknap guidance undoubtedly pleased committee members. It was Meigs who pushed for the creation of a national cemetery on land belonging to the wife of Robert E. Lee, and who ordered officer burials, and the tomb of the unknown, near the Custis Mansion to ensure the property remained a government burial ground in perpetuity. Meigs also ordered that most of the enlisted burials be located just south of the home, even surrounding the

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[184] At the time of this ceremony, a few Confederate grave were still located amongst the African American burials in the lower cemetery. These rebel graves date to the first month of ANC's creation (May 13, 1864-June 15, 1864). All subsequent Confederate burials took place in the main portion of the cemetery. All remaining rebel burials in the lower cemetery were disinterred and reinterred in the new Confederate burial section (today Section 16) between 1900 and 1901.

[185] Ibid; *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; *Burial Records 1871, Arlington National Cemetery*, ANCHO; Edwin Harner, *Monthly Report of the Condition of the National Cemetery at Arlington, Va., for the Month of September 1871*, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I; Quartermaster General Report, November 15, 1871, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 7, Entry 576, NM-81, RG 92, RQG, NARA I.

graves of George Washington Parke Custis and his wife. Meigs' animosity towards the Confederacy was well known, and committee members, including Frederick Douglass, probably hoped his involvement meant a favorable decision.[186]

Meigs response soon proved disappointing. His response to Secretary Belknap explained that Arlington's original burials, including white soldiers, USCT, and black civilians, all took place in the northeast section, against his initial design. Eventually, he explained, all subsequent white burials, beginning on May 15, 1864, occurred in a new burial ground, south of the mansion. Ensuing African American burials, whether USCT or "colored refugees…[many] in employment of the Dept. [US Army] as teamsters or laborers," continued in what became known as the lower cemetery. Meigs stated that many of the original white burials in the lower cemetery were eventually "removed to repose with their comrades" near the mansion. He then wrote that it was intentional to leave black burials in the lower cemetery as "the colored soldiers…have been left where so large a number of their own race had been interred, and thus part of the ground was generally devoted to the colored people, soldiers and refugees."[187]

Meigs then gave his opinion of the possibility of moving USCT remains to the main portion of the cemetery stating, "I think that there are objections to it in sentiment as well as in the expense." He claimed to understand why the committee wished to relocate the graves as "all care for the dead is for the sake of the living." Nonetheless, in a

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[186] F.G. Barbadoes, et. al. to W.W. Belknap, August 2, 1871, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I.

[187] M.C. Meigs to W.W. Belknap, August 5, 1871, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I.

statement heavy with derision, he declared that "if the colored people generally prefer to have their comrades, who fought for them, taken up again and scattered among the whites, - it can be done." The notion that the graves would be "scattered" in the cemetery probably struck the committee as surprising. If a mass disinterment of USCT remains occurred all within a reasonable amount of time, and with plenty of burial space still available throughout the main burial section near the mansion, the graves could be reinterred together, thus creating an area of 343 African American graves amongst their white comrades. Meigs' misguided assertion that USCT graves would be "scattered," and by implication lost or forgotten, clearly demonstrated he thought moving black graves foolish.[188]

Meigs next continued his defense of leaving African American graves undisturbed by turning to sentimentality. "I always regret to move a body once interred in the National Cemetery [sic]," he claimed. This statement was disingenuous at best. It directly contradicts his statement, made earlier in the letter, that he removed many of the original white burials in the lower cemetery "to repose with their comrades" in the main cemetery. In fact, according to Arlington's burial records, movement of bodies routinely occurred, whether to remove white soldiers out of the lower cemetery, move officer graves around the mansion's rose garden, or simply to relocate remains due to spacing concerns. Disinterments and reinterment occurred periodically with little regard for the sentimental notion that "the dead once decently buried should have rest."[189]

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[188] Ibid; *Burial Records 1871, Arlington National Cemetery*, ANCHO.
[189] Ibid.

He then closed with his strongest case for denying any attempt to relocate USCT remains. The lower cemetery was the proper location for African American graves, he maintained. "These are buried among their own people," he wrote, "victims of the strife which brought freedom to their race in this country." Arguing for posterity, Meigs reasoned, "I believe that hereafter it will be more grateful to their descendants to be able to visit and point out the collected graves of these persons, than to find them scattered through a large cemetery and intermingled with *another race*.[190] Meigs logic was faulty. To remedy concern for scattering of graves, the US Army could easily carve out a portion of the main cemetery, currently unused, for the reinterments of USCT remains. That would both satisfy the committee by locating the graves in the same section as other Union soldiers, as well as keep African American veteran graves generally grouped together for ease of identification by family and visitors. In addition, a committee of prominent African Americans, requesting relocation of USCT graves, undoubtedly understood the wishes of the black community better than Meigs. Meigs' assumption that he had a better understanding of the wishes of the black community speaks to his arrogance and assumed superiority. His interpretation of the desires of family and friends of fallen USCT were probably based on nothing more than his desire to keep white and black graves separate.[191]

Meigs' true intention, as shown by his concern for USCT graves "intermingled with another race," was to ensure Arlington's main burial section, the "Field of the

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[190] Emphasis mine.
[191] M.C. Meigs to W.W. Belknap, August 5, 1871, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I.

Dead," remained racially pure, segregated from other US Army soldiers who happened to be black. Remarkable about this policy, and most relevant in analyzing the treatment of Confederate burials at Arlington, is that by implementing a burial system where rebel remains remained alongside Union soldiers, and excluding faithful black soldiers from the same burial honors as their comrades, race therefore trumped loyalty to the nation. Meigs, whose disdain for the Confederate cause was well known, deemed it more appropriate for traitorous, disloyal rebels to lay alongside Union soldiers they fought against, than for African Americans, who loyally defended the nation from Confederate tyranny, to receive the same burial honor of interment in the principle portion of the cemetery, amongst other US Army soldiers.

This is not to argue that Arlington's Confederate burials, at least by 1871, received anything akin to honored remembrance. At best, they received standard treatment, simply ignored for most of the year other than routine mowing and maintenance. At worst, armed guards prevented adornment and commemoration during Decoration Day. Yet for all the scorn administered on the Confederacy from Arlington (Garfield's 1868 Decoration Day address, Frederick Douglass' 1871 potent speech at the Civil War Tomb of the Unknown, and the routine stationing of guards alongside rebel graves during Memorial Day), the location of rebel graves within the cemetery was never in dispute. Not one commentator, reporter, politician, military or government official questioned the legitimacy of placing the dishonored next to the honored. After June 15, 1864, when all subsequent white burials took place in the main section of the cemetery, the US Army had the option of continuing to inter ensuing Confederate remains in the

lower cemetery, or creating another area for rebels, away from loyal Union soldiers, both white and black. Instead, Army officials, led by Montgomery Meigs, concluded that disloyalty and treason to the nation was of secondary concern. The race of individuals, whether loyalist or traitor, was the primary determinant of burial location.

Meigs' recommendation to Secretary of War Belknap proved persuasive. USCT graves remained in the lower cemetery, and all subsequent African American burials occurred in segregated sections.[192] For black veterans, full burial honors in Arlington's most prominent section remained elusive. Although Arlington's Confederates remained uncommemorated, and guards still prevented visitors from adorning the graves during Decoration Day, in comparison to USCT burials, their location next to other white, Union soldiers was undisputed. This dichotomy, ignoring honorable service and based solely on white supremacy, continued prevalent nineteenth century racial disparity and helped establish USCT veterans as something "other" than loyal soldiers of the nation. African Americans remained a separate category from honored white federal soldiers and rebels who, while part of a dishonorable cause, remained closer akin to their northern, white cousins, than black veterans.

As thousands of guests continued to visit Arlington National Cemetery each year, this demarcation was noticeable. One section reserved for Union and Confederate burials, and another "colored" section located as far away from the main burial ground as possible. If the federal and rebel burials remained, as one, in the most prominent area of

[192] Executive Order 9981, July 26, 1948, General Records of the United States Government, RG 11, NARA; Burial segregation based on race continued in all national cemeteries until President Truman ordered the desegregation of the armed forces in 1948.

the cemetery, and black burials continued in a remote, unadorned section, as time moved on past 1865 and inevitably dampened animosity between northern and southern veterans, Arlington's Confederate graves could be reevaluated. The possibility of relocating USCT remains next to Union and Confederate graves proved a step too far for the US government and the white ruling class. Regardless of the prominent role of USCT veterans in defending the nation, racial supremacy was the first consideration for burial location at Arlington National Cemetery and virtue of cause, secondary.[193]

This racial disparity greatly influenced Arlington's future. By the end of 1871, the Department of the Army clearly established two distinct policies concerning burial placement. First, interment of white veterans, both Union and Confederate, would remain in the main cemetery, just southwest of the Custis mansion, the area of most prominence during Decoration Day. In addition, as periodic discovery of remains in the region continued, new burials took place, often backfilling plots made vacant by disinterment of the dead back to family members for reinterment elsewhere. Second, all African American burials, including USCT, remained in the lower cemetery with any subsequent

[193] Quartermaster General's Office Report, November 15, 1871, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 7, Entry 576, NM-81, RG 92, RQG, NARA I; *Monthly Reports, January-September 1871, Arlington National Cemetery*, ANCHO; *Monthly Report, October 1871, Arlington National Cemetery,* General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I; *Monthly Report, November 1871, Arlington National Cemetery,* General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I; *Monthly Report, December 1871, Arlington National Cemetery,* General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Records Relating to Functions: Cemeterial, 1828-1929, Box 6, Entry 576, NM-81, RG 92, RQG, NARA I; Arlington averaged over 2,700 visitors per year, separate from the Memorial Day commemoration each May. By the end of 1871 there were 15,585 burials, both Union and Confederate, including 3,757 contrabands or refugees, and 343 USCT.

discovery of black remains continuing in this area, as far away from white interments as geographically possible.[194]

Animosity over the treatment of Arlington's Confederate burials continued through the early 1870s, and few Northerners, led by the GAR, acknowledged any moral equivalency between their cause and southern war aims. Southern graves remained undecorated, and Decoration Day speeches continued to lambast the Confederacy for treason. Yet as intransigent as the GAR and many Northerners remained toward commemoration of the rebel dead during 1869-1871, this period also witnessed the initial, if unacknowledged foundation of regional reconciliation and Arlington's eventual praise of Confederate service and acceptance of "Lost Cause" mythology. Allowing the rebel dead to lie in the main cemetery, in Arlington's most honored location, while loyal USCT remained in the ignored lower cemetery subtly implied that white veterans, regardless of side, belonged together, while African Americans, regardless of service, deserved separate, and certainly unequal treatment.

While the GAR and Decoration Day visitors refused to decorate the graves of the rebel dead, or countenance any discussion of war causes other than northern virtuosity, their treatment of USCT burials was a debacle. Intentionally ignoring an entire section of loyal US Army soldiers because of race, many of whom perhaps died in combat defending the nation from the very same traitorous rebels now located in the main cemetery, insulted their service and memory. Allowing rebel remains to lay alongside

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[194] *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; *Burial Records 1871, Arlington National Cemetery*, ANCHO; ANC's burial records contain numerous annotations, written in ink, showing disinterment and reinterments continuing throughout the second half of the 19th century.

Union soldiers while segregating black graves out of sight from most cemetery visitors, created a distinct demarcation between those the nation should remember, and those the nation should forget. White soldiers, the choice implied, even if the motivation of many was for an immoral cause, deserved placement of honor in death, while black soldiers deserved placement out of sight.

Opportunities occurred for the US Army to segregate Confederate burials, as they had USCT graves. By creating separate burial sections for one group, and not the other, government officials tacitly approved white superiority over notions of morality. Separating USCT form Union and Confederate graves allowed Southerners to reinforce white supremacy, as prevalent in the North as the South, as a national bond unifying both regions, at the expense of race relations. Decisions made by army leadership both during and shortly after the war, some intentional and others forced by necessity, eventually provided southern apologists a post-war opportunity to reinforce racial stereotypes of the era, acknowledging the honorable service of all white soldiers on one side with USCT service as an ignored "other."

The zenith of animosity over burial commemoration at Arlington occurred from 1869 to 1871. Northerners, led by the GAR, refused the decoration of rebel graves or arguments about the morality of the Confederate cause. Southerners, appalled at the "disrespect" shown their dead, began to push back, demanding that all military service deserved recognition. This argument, while unpersuasive to the North in 1871, held the seeds of Arlington's transformation from a national cemetery commemorating Union sacrifice to a location that ultimately praised Confederates as well as loyal

servicemembers. As sectional reconciliation proved easier and more comfortable for the American white population than racial progress, there was less resistance to simply ignoring African American service than continual battles over the meaning of the conflict. Ultimately, at Arlington, honoring treason proved much more palatable than confronting the unresolved racial tensions of the Civil War.

CHAPTER THREE

"A Brave, Open Enemy May Be Respected": Arlington Submits to the South, 1872-1877

Sectional animosity at Arlington National Cemetery (ANC), reached a peak during the first years of the 1870s. Northerners, led by the Grand Army of the Republic (GAR), used various methods to actively dissuade any remembrance of Confederate prisoners of war buried at the cemetery during the conflict. At Arlington, loyal Union veterans refused to countenance any discussion on the merits of secession, or even the honor and bravery of the rebel soldier. Arlington, continuing as the birthplace and national focus of the annually observed Memorial Day ceremony, retained its importance as the nation's premiere national cemetery, influencing remembrance practices throughout the national cemetery system. For those attending Memorial Day at Arlington, forgiveness and charity towards the former Confederacy appeared doubtful, reinforced by pro-Union Memorial Day speeches and lack of attention given to the cemetery's rebel graves.

Yet, as repellent as loyal veterans visiting ANC found southern moral justification for secession, within a surprisingly brief period in the 1870s Arlington's memorialization practices significantly changed, from lambasting Confederate service to praising rebel soldiers on par with Union commemoration of the loyal dead. Beginning with an initial disdain for Confederate burials, in just over five years ANC and War Department

leadership along with Union veterans, began a begrudging acknowledgement of individual rebel soldier valor, eventually praising their heroism and honor while emphasizing the shared experience of military service and degradations of combat. How and why did this happen? How did this relatively swift change over time reflect national reconciliation efforts, and why would the GAR consent to the use of national cemeteries as sites of national reunion? How could any loyal northerner approve of Arlington, the final resting place of thousands of federal soldiers dead due to southern treason, as a venue to rehabilitate the reputation of traitors? Eventually, southern interpretation and Civil War mythology became successful and persuasive throughout the nation, but all trends have a beginning. When did former Confederates begin making inroads into northern war memory, and how were they able to initiate this transformation? Shunned by the North after the war, how were national cemeteries, and Arlington in particular, used to instigate a southern reinterpretation of Confederate valor, bravery, and honor, without alarming Northerners who, directly after the war, were alert to any public attempt at moral justification between the sides? When and where could Southerners begin influencing the northern public by slowly exerting sympathy for the Confederacy?

One avenue of approach for the South concerned remembrance of the war dead. While sectional relations underwent fundamental changes, commemoration of the casualties of the Civil War changed as well, especially during 1872-77. With Arlington National Cemetery continuing to establish standards of practice observed throughout the nation, rebel burials, once shunned as undeserving of remembrance, began receiving initial recognition as worthy of decoration, at least during national commemorative

ceremonies. Eventually, as both Union and Confederate veterans began emphasizing shared experiences such as the familiar hardships of military life, the horrific nature of combat, and the general comradeship of arms, each side found common cause and used shared experiences as an avenue for reconciliation. This is not to argue that all Union veterans accepted Confederate war aims as legitimate or approved of Lost Cause mythology during this five-year period. While northern veterans eventually acknowledged the courage and bravery of the Confederate soldier was on a par with US Army soldiers, they routinely emphasized that the southern cause was unjust and treasonous.

Eventually, the commemoration of rebel soldiers at Arlington grew from decorating graves on Memorial Day to the approved use of the cemetery's memorial amphitheater for separate, grand celebrations of what amounted to a "Confederate Memorial Day." What was once an empathetic northern effort to honor the bravery of rebel soldiers as equivalent to themselves led, over time, to an increasing acceptance of Confederate legitimacy and made many Northerners susceptible to Lost Cause propaganda. Arlington's ultimate approval of the decoration of rebel graves and the commemoration of a separate commemorative ceremony for traitorous soldiers set a national precedence. Over the short period of 1872 to 1877, rebel graves, once spurned, became honored with decoration and praise. The Confederate veteran, once condemned as treasonous from Arlington's amphitheater, became accepted and celebrated from the same venue.

This chapter argues that from 1872 to 1877, while the nation grappled with sectional reconciliation and the end of Reconstruction, commemoration of the Civil War dead at ANC reflected this evolving transformation. At the begging of the period the War Department, cemetery administration, and federal veterans merely tolerated Arlington's Confederate burials and continued to argue against the legitimacy of the southern cause. However, by 1877 these groups not only honored rebel service alongside the loyal Union dead, but also began accepting the initial outreach of southern reinterpretation of the war. Based on recognizing the shared experiences of soldiers from the North and the South, federal veterans decorated rebel graves, praising southern heroism and bravery as virtues common with their own US Army comrades. While Union veterans were careful not to conflate the morality of the Union cause with Confederate treason, this accommodating remembrance allowed Southerners to justify the virtue of their rebel dead and created an opening to further vindicate secession.

Eventually, Northerners and organizations such as the GAR increasingly turned their attention away from arguing the merits of the war and toward more immediate concerns such as the expansion of Union veteran pensions, greater federal care for disabled and indigent veterans, continued care for orphans and widows of the Union dead, and an increasing, if unacknowledged role in politics. This northern focus on practical issues allowed Southerners, initially women, to step in and begin reinterpreting Confederate valor. Much southern propaganda, which eventually proved exceedingly influential in the both the North and the South, began by honoring the Confederate dead, and then slowly, over many years, arguing that if both sides agreed that all soldiers died

with honor, rebel casualties must therefore be martyrs to a legitimate cause. As Arlington continued to grow in reputation after the war, it sustained its outsized influence on national commemorative practices through its annual Memorial Day commemoration. This change over time at Arlington, from guarding the burials of the rebel dead, ensuring their graves remained unadorned, to beginning to legitimate Confederate valor and ideology on cemetery grounds, happened gradually, as the nation debated the overall meaning and true legacy of the Civil War.

The Sixth National Encampment of the Grand Army of the Republic (GAR) opened on May 8, 1872 in Cleveland, Ohio as had its five predecessors, with the commander-in-chief calling his fellow comrades to order and delivering his annual address. This year, Ambrose E. Burnside, former commander of the Army of the Potomac, former Governor of Rhode Island, and future United States Senator, began his speech similarly to his predecessors. Praising his GAR comrades and emphasizing how honored he felt as their leader, Burnside also informed the assembled of his efforts to lobby Congress on behalf of the membership. Issues such as "homes for the orphans of soldiers and sailors," and the possibility of government provided land in the west for Union veterans encompassed most of his speech. Burnside also spoke, as had all previous commanders, of his comrade's sacrifice during the war. He praised his fellow veterans as "representatives of an organization composed of men who survived the struggle which was made by the loyal people of our country, for the preservation of our national

government," while retelling the "great anxiety, trial and suffering" they experienced during the war.[195]

While most of Burnside's speech mainly addressed practical matters, toward the end of his talk he took the opportunity to set the tone for the two-day encampment. Reminding his comrades of their mutual bond he stated that they were "representatives of a band of brothers…who…stood shoulder to shoulder in opposition to the rebellion which was organized to obliterate the fairest form of government that man ever devised." Burnside pledged the GAR continued to be "utterly in opposition to any doctrine which would tend in the slightest degree to revive the heresy of secession." Yet as unequivocal as Burnside sounded, he also opened the door for GAR reconciliation with their former enemy. Stating that treatment of former rebels must be based on "Christian virtue," he argued that members should "declare our charity towards those of our late enemies…who have now recognized…the great wrong they have done to our country." He went further, urging members to forgive the former Confederates, "granting to them all the amnesty which the wisdom of our representatives in Congress may deem right and proper." He reminded his fellow veterans that, "A brave, open enemy may be respected." For Burnside, it was time for the GAR to treat former rebels with magnanimity, while at the same time never tolerating any legitimacy in secessionist rationale.[196]

As GAR Commander-in-Chief, Burnside's speech was representative of the changing relationship between northern and southern veterans of the war. While

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[195] Grand Army of the Republic [hereinafter GAR], *Proceedings of the Sixth Annual Meeting of the National Encampment of the Grand Army of the Republic* (New York: E.S. Dodge & Co., 1872), 3, 8-9.
[196] Ibid, 9-10.

lambasting any notion of equivalence between Union war aims and the southern "heresy of secession," he made a specific distinction between the virtue of each opposing army and the bravery exhibited by soldiers on both sides. Burnside's call for Union veterans to be charitable toward their former enemy opened the door for survivors to continue to focus on their shared experiences of the war instead of larger political and social concerns of the Reconstruction era. Over the next few decades, this emphasis on the brotherhood of arms in lieu of the virtue of each sides' motivation allowed former Confederates an exploitable reconciliationist foothold in national political and social discourse. Once emphasis began moving from competing wartime morality to the nostalgia of warfare and military life, Southerners could eventually claim that if they exhibited the same bravery and honor on the battlefield as Union soldiers, their overall involvement in the southern cause must have been chivalrous and brave.

Eventually, it became harder to argue about the immorality of the southern cause as the virtue of Confederate soldiers became an accepted belief nationwide. Openings such as Burnside's speech allowed former rebels to argue that, if southern soldiers exhibited the same virtue and bravery as federals, how could the southern cause be truly unpardonable? Lost Cause ideology, with its emphasis on states' rights and federal overreach, became an acceptable substitute for the actual causes of secession. The Lost Cause fit better with notions of rebel bravery. The rationale of a defense of states' rights and repelling a northern invasion was a much more palatable explanation for secession, in both the North and the South, than fighting to continue the enslavement of humans.

Burnside's speech was not the first time GAR leadership emphasized forgiveness and understanding, although its emphasis in the commander-in-chief's keynote address was notable. It began a slow transformation in the GAR, as well as much of the North, over the next quarter century, into acceptance of southern war aims as, although perhaps misguided and never entirely justifiable, eventually accepted as honorable and equivalent to Union righteousness. An overemphasis on Burnside's speech as a root cause is incorrect, as this process was a slow accretion, more of an acceptable change in focus, away from the political arguments of both sides, and towards the shared experience of northern and southern combat veterans. Burnside's intention in the speech was probably multifaceted. First, while the GAR was a nation-wide organization, not surprisingly membership continually lagged in the South, often with attempts to form departments by Union veterans met with scorn, ridicule, and hostility by citizens of former Confederate states. Burnside's conciliatory message may have been an attempt to forge better relationships with rebel veterans by focusing on shared military experiences in an effort to make the expansion of GAR departments in Dixie more palatable.[197]

Secondly, the GAR since its founding in 1866, was transforming from a veterans' organization created to honor and commemorate fallen comrades and the virtue of the Union cause, into an institution principally concerned with lobbying Congress for the expansion of benefits to US military veterans and families. By 1872 the GAR was already emphasizing the increasing need for pensions, continued care for indigent and disabled veterans, and the nation's responsibility for orphans and spouses of the Union

[197] GAR, *Proceedings of the Sixth Annual Meeting*, 28-30, 41-43.

dead. This emphasis grew over the next decades. Burnside, knowing many northern newspapers would publish his speech as they had the previous addresses of the GAR commanders-in-chief, possibly believed a pro-veteran homily, emphasizing the bravery and honor of soldiers across the nation, would manifest the maximum amount of sympathy in the North and the South for the goals of the GAR. While many in the North undoubtedly held grudges against secessionists, Burnside's speech, advocating for the GAR to focus on the bravery of soldiers from both sides, helped focus attention on national shared experiences rather than points of political and social animosity.

Finally, while perhaps simplistic, it is possible that Burnside's well-known genial nature contributed to the impact of his speech. Known during and after the war as pleasant, good natured, self-deprecating, and modest, his emphasis on "Christian virtue," and "charity" towards his former foe was in keeping with his reputation. He believed the GAR should reject any attempt to justify secession, but at the same time forgive Confederates and treat them with respect as vanquished foes who fought valiantly for their beliefs, even if those beliefs were treasonous.[198]

Burnside's actions were in keeping with the changing tone of reconciliation occurring throughout the nation as many national leaders called for a reassessment of relations between the North and South. In December 1872, Senator Charles Sumner, once brutally attacked on the Senate floor for his anti-slavery views, proposed a resolution that

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[198] Robert Garth Scott, ed., *Fallen Leaves: The Civil War Letters of Major Henry Livermore Abbott* (Kent, OH: Kent State University Press, 1991), 163; George Meade, *The Life and Letters of George Gordon Meade* (1913; repr., Baltimore: Butternut and Blue, 1994), 351; Jeffery D. Wert, *The Sword of Lincoln: The Army of the Potomac* (New York: Simon & Schuster, 2005), 217; Bruce Catton, *Mr. Lincoln's Army* (Garden City, NY: Doubleday and Company, 1951), 256-57; GAR, *Proceedings of the Sixth Annual Meeting*, 9-10.

banned the US Army from listing Civil War battle names as honors on regimental flags. Sumner believed listing battles would keep alive animosity between the regions and hinder military recruitment from the South in the future. In addition, President Grant, in his 1873 inaugural speech claimed, "The states lately at war with the general government are now happily rehabilitated," and during his second term stated his "efforts…will be directed to the restoration of good feelings between the different sections of our common country." Of course, not everyone was convinced by these acts. The influential *Harper's Weekly* acerbically asked Senator Sumner if, in addition to "strik[ing] the names of the late battles of the Union from its flag," the nation should also "obliterate the site of Sumter…raze the soldiers' monuments, and plow up Arlington and the national cemeteries?" Many Union veterans felt insulted as well.[199]

Considering the reaction of *Harper's Weekly* and Senator Sumner's subsequent censure by the Massachusetts legislature, it is difficult to determine the influence of his proposed resolution on the American public. Determining the impact of most presidential inaugural speeches on ordinary citizens is problematic as well. As challenging as it is to ascertain the overall impression, it is nonetheless significant that the nation's most anti-slavery senator, who nearly died in Congress for his advocacy, and the former general

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[199] Edward L. Pierce, ed. *Memoirs and Letters of Charles Sumner* (Boston: Roberts Brothers, 1894), 549-55; United States Senate, "The Caning of Senator Charles Sumner," https://www.senate.gov/artandhistory/history/minute/The_Caning_of_Senator_Charles_Sumner.htm (accessed January 5, 2021); Ulysses S. Grant, "Inaugural Address," March 4, 1873, online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, http://www.presidency.ucsb.edu/ws/?pid=25821 (accessed January 5, 2021); Editorial, "Liberalism," *Harper's Weekly*, December 28, 1872. On May 22, 1856 Rep. Preston Brooks (D-SC) attacked Sumner (R-MA) for his denouncing the Kansas-Nebraska Act and accusing the "slave power" of attempting a "rape of virgin territory." Sumner also verbally accused the Act's authors, Senators Stephen A. Douglas (D-IL) and Andrew Butler (D-SC). Of Butler, Sumner claimed he had "chosen a mistress…the harlot, slavery." Preston Brooks, Butler's first cousin, considered challenging Sumner to a duel, but instead attacked him with his cane on the Senate floor, causing severe injuries Sumner suffered from for the rest of his life.

most responsible for ending the war, were both now calling for reconciliation and "good feelings" between the North and South. If the most prominent Radical Republican in Congress and the President of the United States called for an end to animosity, the GAR, who needed the support of prominent legislators and the president to advance their agenda, could no longer simply dismiss Southerners as traitors and secessionists. The rhetoric of Senator Sumner and President Grant, as leaders of the Republican Party, remained influential, pushing the GAR towards the increasing recognition of former Confederates as valiant warriors deserving individual forgiveness.

In conjunction with Sumner and Grant's attempt to soothe relations between regions was an effort by Congress to transform national cemeteries. The goal of Congress was to change these cemeteries from burial grounds for those killed in service to their country, to more inclusive graveyards providing sepulcher for all Union veterans of the war. On March 3, 1873 Congress passed an amendment to the National Cemetery Act of 1867 that expanded burial eligibility and permitted "the interment of honorably discharged Soldiers, Sailors, and Marines" in national cemeteries. Among the results of this legislation was the creation of forty-seven new cemeteries, replacement of wooden grave markers with new, more durable marble headstones, and an emphasis on landscape development to make national cemeteries more aesthetically pleasing. This amendment, lobbied for by the GAR, was the largest transformation of national cemeteries since their creation in 1862. These changes were, once again, led by Army Quartermaster General

Montgomery Meigs, with suggestions provided by landscape architect Frederick Law Olmstead.[200]

While seemingly an innocuous statute meant to provide government-furnished burial space for northern veterans of the war, this expansion, while positively transforming national cemeteries, also had future unintended consequences. Prior to this amendment, Union veterans visiting these cemeteries encountered only one type of burial, comrades and some civilians who had died during the war. Undoubtedly the experience of visiting these graves reminded veterans of those with whom they served, their fellow soldiers and friends who died horrifically on the battlefield, whether by shot, shell or bayonet, or, more commonly, wasting away from disease. For federal veterans who visited a national cemetery up to 1873, each trip was a reminder of the horror of warfare, without happy conclusions or triumphant returns home. Surrounded by the dead of 1861-65, each visit must have transported many surviving veterans back to the battlefield, reopening emotional wounds and potentially reinforcing animosity toward the South.

Now, with this legislation, national cemeteries expanded to include veterans, many of whom returned home and experienced a rich, full life. Eventually, as veteran burials outnumbered the war dead, visits to national cemeteries took on additional meaning. No longer only a resting place for war casualties, these burial grounds, especially Arlington, contained those fortunate enough to survive the war, who possibly experienced post-war career success, raised a family, or, at minimum simply had the

[200] 14 Stat. 399, Ch. 61(1867); 17 Stat. 605, Ch. 276 (1873).

opportunity to live beyond the conflict. This is not to argue these veterans after 1873 no longer experienced powerful emotions concerning their military service. Many veterans suffered undiagnosed psychological damage and disability from wounds and disease, and never recovered from their wartime experience. However, as Arlington continued to expand with veteran burials starting in 1873, veterans potentially found solace in observing that many of the burials represented comrades who survived the war. Each headstone no longer only represented the war dead, but also veterans, like themselves, who were lucky enough to endure. And, knowing they now had the option of interment next to those who died defending the Union and comrades who bore the horror of combat, possibly gave solace and comfort in their advanced years.

Walking through Arlington prior to 1873 was a reminder to all federal veterans of the tragedy of war; of lives lost in the most appalling conditions and grisly combat, and especially of the Southerners whose secession caused the death of their comrades. The presence of rebel graves undoubtedly caused distress to many Union veterans, reminding them of who took them away from their families, employment, and lives, and caused the demise of their fellow soldiers. Gazing upon a Confederate grave, Union veterans probably wondered if it this rebel soldier killed a loyal northerner. As Arlington began to grow after 1873, with veteran burials diluting the number of war dead throughout the cemetery, perhaps it became possible for northern survivors to focus less on the those killed in battle, and more on a brotherhood of arms. As veteran graves proliferated over the next thirty years, each headstone encountered in a national cemetery would not necessarily remind northern veterans of lost comrades and warfare's horrors, but possibly

of the overall shared sacrifice and experience of soldiers in military service, whether in the Union or Confederate army. What were originally cemeteries permeated with a sense of loss and tragedy, would eventually become commemorative burial grounds expounding the shared sacrifice of all servicemembers.

The opening of national cemeteries for veteran burials was obviously of great importance to the GAR. Increasing the number of graves under the perpetual care of the US government and free burials for Union veterans was an attractive option for former soldiers, sailors, and marines, as it would lessen the financial burden on many families, and ensure proper care and upkeep of the graves of those loyal to the nation. In 1873, the GAR identified another group they felt were deserving of more appropriate treatment, at least at Arlington National Cemetery (ANC), a group whose burials previously identified as neglected, the graves of United States Colored Troops (USCT) located in the lower cemetery, ANC's original burial ground.

Since the initial Decoration Day commemoration at ANC in 1868, various African Americans had petitioned the US Army to remove USCT graves and reinter the remains in the main cemetery. Over the years, prominent black veterans rightly complained that USCT graves often remained unadorned on Decoration Day, and that loyal soldiers who died defending the nation deserved an honored place of rest beside their white comrades in the main, and more prominent portion of the cemetery. Yet it was not until 1873 that the GAR sent a formal appeal to the Quartermaster General of the Army (QMG) to address the issue, requesting, "that if in his power, the bodies of all

white and colored union soldiers, now buried in the lower or colored cemetery at Arlington, be removed from hence and buried in the cemetery proper."[201]

This request, occurring in anticipation of the upcoming Memorial Day commemoration, was one of several efforts by various GAR posts to conduct more inclusive ceremonies at national cemeteries, honoring both white Union soldiers as well as USCT. While animosity, harassment, and occasionally outright violence by the southern population influenced the success of Memorial Day commemorations in the deeper South, Arlington was one of the few places where the GAR argued for the integration of all loyal soldier burials, to correct the inappropriate decision to create a separate "colored" section in the lower cemetery. Due to the racial mores of the period it is likely GAR members did not universally agree with integrating African American burials in national cemeteries. However, many GAR posts routinely honored black members and recognized greater black equality than the rest of society as their membership in the organization was a reminder of the communal sacrifice of warfare, and the causes that led to Union victory.[202]

Unfortunately for the GAR, the man with the direct authority to make changes at ANC was Montgomery Meigs, the same QMG who directed the ANC's initial

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[201] G.E. Forson, Secretary, Executive Committee, Headquarters Department of the Potomac, GAR to Quartermaster General of the Army Montgomery Meigs, April 9, 1873, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA.

[202] "Elizabeth City, N.C.," *New York Age*, June 13, 1891; "Memorial Day," *Kent News* (Maryland), June 1, 1889; "Memorial Day Services," *New York Age*, May 23, 1907; "Memorial Day," *Philadelphia Public Ledger*, May 31, 1890; "All About Steeltown," *Harrisburg Patriot*, May 30, 1891; Barbara A. Gannon, *The Won Cause: Black and White Comradeship in the Grand Army of the Republic* (Chapel Hill: University of North Carolina Press, 2011), 5-6, 74-75. Barbara Gannon's book, *The Won Cause: Black and White Comradeship in the Grand Army of the Republic* is the most comprehensive scholarship on the relationship between black and white GAR members.

interments, and determined the lower cemetery would contain the "colored" burial section. Meigs had not changed his mind in the ensuing years, claiming, as he had only a few years prior, that the only reason burials began in the lower portion of cemetery grounds was due to soldiers stationed in the Custis mansion at the time desiring for interments as far away from their living quarters as possible. Upon discovering this mistake, Meigs ordered burials near the mansion with all subsequent USCT and black civilian burials in the lower cemetery. In a letter to Secretary of War William Belknap, Meigs continued the disingenuous claim that, "soldiers once buried within the limits of the National Military Cemetery at Arlington should not be disturbed." Ignoring, as he had in 1871, the fact that thousands of soldier's remains were removed to Arlington from various locations in Virginia after the war, and that disinterment and reinterment was a common practice at ANC, Meigs argued as justification for USCT graves where they lay that, "the whole enclosure is a National Cemetery, and the colored soldiers buried now together give evidence of the death of many of their race in the struggle for their freedom, while scattered among the white soldiers their number being small comparatively, they would be comparatively unnoticed."[203]

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[203] War Department Memorandum, Quartermaster General's Office, April 12, 1873, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA; Montgomery Meigs to the Secretary of War, April 12, 1873, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA; Montgomery Meigs to the Secretary of War, April 14, 1873, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA; *Burial Records 1864-66, Arlington National Cemetery*, ANCHO; *Burial Records 1871, Arlington National Cemetery*, ANCHO; Secretary of War William W. Belknap is buried at ANC under an elaborate gravestone and memorial in Section 1, grave 132. ANC's original burial records contain numerous annotations noting disinterments and reinterments throughout the cemetery. Reasons for the movement of remains are not given, but, according to the ANC History Office, they could include backfilling burials to make rows more complete, moving interments due to ground

In the same letter to Secretary Belknap, Meigs included the current number of ANC's interments, broken down by category. The list included 404 "colored Union soldiers," and 347 "Rebel Prisoners of War." Meigs' argument that moving the USCT to the main portion of the cemetery would dilute their importance and make them "unnoticed" is specious at best. Relatives and friends of black soldiers would have an easier time finding graves of their loved-ones in the main cemetery as it did not suffer from poor drainage and inferior roads, as had plagued the lower cemetery since its creation. In addition, visitors to USCT graves undoubtedly were more concerned with paying respect to their family members and friends than having a separate section of the cemetery, especially as cemetery leadership routinely ignored and neglected the lower cemetery. More plausible it that African American families would appreciate the complete integration of black graves throughout the main cemetery as a recognition that their loved-ones were not just USCT, but, like their white comrades, fully US Army soldiers. Finally, Meigs acknowledgement of 347 "Rebel Prisoners of War" burials combat his assertion that scattered graves would go unnoticed. These Confederate graves, scattered throughout the cemetery, including in the lower cemetery, certainly were not forgotten or overlooked. Just a few years earlier guards prevented decoration of these graves as animosity over treatment of treasonous rebels ran high. Why would cemetery visitors still be acutely aware of Confederate graves, scattered throughout the cemetery, but somehow overlook African American graves residing the in the main portion of

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settling, drainage issues, or due to landscaping and construction needs, road improvements, or, if next of kin requested removal of remains for burial at other locations.

ANC, especially when the headstones of all black soldiers contained the marking "USCT?"[204]

Meigs likely had various reasons to leave all USCT burials in the lower cemetery. One was certainly logistical. While reinterments occurred on a somewhat routine basis at ANC, moving 404 graves would be challenging, especially with the reduced size of the army and the quartermaster corps in the 1870s. In addition, as Meigs stated in his letter to Secretary Belknap, the lower cemetery also contained over 1,000 white soldiers and citizens, originally interred before Meigs ordered all subsequent burials near the Custis mansion in 1864. Removal of USCT graves could cause pressure to remove the white burials as well. Meigs would then need to disinter and reinter almost 1,500 sets of remains. However, as difficult as these problems appeared, they were nothing compared to the logistical challenges Meigs overcame during and shortly after the war. It is possible Meigs' truly believed keeping USCT graves together and segregated from the main cemetery would be a more impactful representation of their service to the Union army. More likely is that Meigs was a product of his time, and large-scale integration of black and white burials was a step he could not countenance. In both the North and the South integrated cemeteries remained rare, and remained that way well into the 20th century. National cemeteries reflected social dynamics of the day, and Meigs hardened his original decision to keep USCT burials in the lower cemetery.[205]

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[204] Montgomery Meigs to the Secretary of War, April 14, 1873, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA.

[205] Wilbur Zelinsky, *The Enigma of Ethnicity: Another American Dilemma* (Iowa City: University of Iowa Press, 2001), 76; Arlington's burials remained segregated by race until President Truman desegregated the military in 1948.

What is surprising is that while Meigs had little concern with keeping loyal USCT soldiers in the most neglected part of ANC, he allowed treasonous Confederate soldiers to remain alongside white Union graves in the main portion of the cemetery. Meigs, who, upon the death of his son during the war offered a $1,000 reward for information concerning the "murderer," and who once stated that, "The rebels are all murderers of my son and the sons of hundreds of thousands…Justice seems not satisfied [if] they escape judicial trial & execution...by the government which they have betrayed [&] attacked & whose people loyal & disloyal they have slaughtered," refused to move loyal black soldiers, and failed to raise any objection to the prominent location of rebel graves at Arlington. Whatever the reason, Meigs, as he had during and shortly after the war, found the idea of Confederate and Union graves comingled more palatable than loyal USCT soldiers next to their white US military counterparts. Meigs' rejection of the GAR request to locate all loyal soldiers together continued the precedent of comingling white soldier graves, friend and foe alike, and helped normalize treatment of white interments, even at the expense of black soldiers who died defending the nation.[206]

The controversy over the proper respect due fallen soldiers at Arlington continued during Memorial Day. As stated by numerous newspaper accounts of the holiday, Arlington remained the "principle point of attraction" and continued its role as standard-

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[206] P.H. Sheridan, *Personal Memoirs of P.H. Sheridan*, vol. 1, (New York: Charles L. Webster & Company, 1888), 308; Montgomery C. Meigs, Pocket Diary, October 3-7,1864, Montgomery C. Meigs Papers: Diaries, Journals, and Notebooks, -1891; Diaries; Pocket; 1864, Manuscript Division, LC, Washington, DC; Montgomery C. Meigs Papers, (18,202.1), reel 6, 0217, April 11, 1865, Manuscript Division, LC, Washington, DC; David W. Miller, *Second Only to Grant: Quartermaster General Montgomery C. Meigs* (Shippensburg, PA: White Mane Books, 2000), 241-42, 261; Robert O'Harrow Jr. *The Quartermaster: Montgomery C. Meigs: Lincoln's General, Master Builder of the Union Army* (New York: Simon & Schuster, 2016), 215-17; Russell F. Weigley, *Quartermaster General of the Union Army: A Biography of M.C. Meigs* (New York: Columbia University Press, 1959), 306-09, 342.

bearer for national commemoration. The 1873 Memorial Day marked a noted change in official recognition of Confederate graves in the cemetery. For the first time in ANC's history, the War Department allowed decoration and recognition of the rebel soldiers *on the same day* [emphasis added] as the Union dead. Memorial Day, known since 1868 as the day "chosen for the tribute to the loyal dead," would now recognize both sides in the conflict. Many commentators in the North objected to the selection of the same day to honor Confederate dead alongside loyal Union soldiers. As one editorial read, "the mere act of decorating the rebel graves…is not objected to, but the exceeding bad taste, not to say the insult, involved in selecting the same day, is too gross to be quietly overlooked."[207]

Predictably, southern newspapers reacted differently to the War Department decision. The editor of the *Atlanta Daily Sun* argued that although Memorial Day honored comrades of the GAR "who fell fighting nobly and bravely for the cause of the Union," there was no reason why "Confederate soldier in Arlington cemetery should be treated with less respect than the Union graves…in…Southern cemeteries." The editorial contended that because Union graves in the South were unmolested, Memorial Day at Arlington should include a recognition of rebel graves. Further enforcing his argument, the commentator claimed that it was not the "lost cause that they would commemorate…no ostentatious displays, no speeches" would take place. In fact, he continued, decorating Arlington's Confederate was important for two specific reasons. First, many Southerners wished to attend the commemoration to decorate Union graves,

[207] "Ceremonies, Orations, and Flowers in Washington and Throughout the Country," *New York Times*, May 31, 1873; "Washington: Decoration Day at Arlington," *New York Times*, May 20, 1873.

"and while there to decorate those of the Confederate dead," and, secondly, "to test the question of the rights of American citizens to peaceably assemble in the conscientious discharge of a high moral duty."[208]

While undoubtedly persuasive to many of his southern readers, the editor of the *Atlanta Daily Sun* based his argument of multiple fallacies. First, that since Union graves in the South remained "unmolested" by Southerners, Arlington's Confederate dead deserved the same treatment. As examined in previous chapters, the claim of universal respect for southern-located Union graves is demonstrably false. Many national cemeteries in the South experienced harassment and hostility, often on Memorial Day, and routinely when African Americans attempted to take part in the commemoration. While there were undoubtedly instances of Southerners decorating both Union and Confederate graves in the South, to claim all Union graves in southern national cemeteries remained "unmolested" out of a sense of respect is dubious. Union cemeteries in the South did experience harassment, and the degree and instances of provocation was more likely due to federal government control of national cemeteries, and, at least in 1873, of the continued presence of the Union army in many of the ex-Confederate states.[209]

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[208] "The 'Grey' and the 'Blue'," *The Atlanta Daily Sun*, May 30, 1873.
[209] GAR, *Proceedings of the Seventh Annual Meeting of the National Encampment, Grand Army of the Republic* (Boston: Doane & Greenough, 1873), 52-53. At the 1873 GAR National Encampment, the Georgia Department Commander sent a request to GAR delegates asking for assistance in decorating the graves at two national cemeteries in the state, one at Marietta and the other at Andersonville. In total, these cemeteries held almost 24,000 Union dead. The commander complained that since his department was "in the midst of a people antagonistic to us and our interests," and since it was considered by the people of Georgia to be "evidence of degradation to have been a defender of the Union," his post did not have the resources (manpower, money, flowers and flags) and help from other departments was needed to properly decorate the graves in Georgia's national cemeteries.

The next of the editor's claims, that it was not the "lost cause that they would commemorate…no ostentatious displays, no speeches," although proved true in 1873, was simply a practical concession to the GAR and the North and less than a genuine defense. Had Confederate sympathizers intended to attend Arlington's Memorial Day ceremony and praise southern righteousness or the tenants of the Lost Cause, condemnation from the GAR and most of the North would be swift and merciless. In addition, although the editor attempted to make a distinction between the brave sacrifice of rebel soldiers and secession rationale, it is always difficult to remove the soldier for the overall political merits of the cause they died to defend. As would eventually transpire, the editor possible anticipated that once praise of the valor of Confederate soldiers occurred in conjunction with honoring the Union dead, positive comparisons were possible, proving an affirmative step toward rehabilitating the southern cause in the eyes of the North.

Of the editor's two stated reasons Arlington's southern visitors should decorate rebel graves on Memorial Day, each fails on the merits of the argument. First, the editor's claim that "there are many of us who desire to be present at the ceremonies of decorating Union graves, and while there to decorate those of the Confederate dead," treats the adornment of rebel graves as an afterthought, as if the main purpose of the visit by Southerners was to take part in the ceremony for the Union dead. The editor probably used this argument to make southern visitors more palatable to the GAR, professing the decoration of Confederate graves as only a partial reason for attendance and squarely in conjunction with praising federal casualties. Finally, the editor's ridiculous claim that

southern attendance at Arlington would "test the question of the rights of American citizens to peaceably assemble" is the weakest point in his article. Suggesting decorating rebel graves was a constitutional First Amendment check on the government, the editor never acknowledged that, since guards no longer patrolled Confederate burials on Memorial Day, anyone was free to attend the commemoration and place flowers on any graves throughout the cemetery. After 1871, there are no reports of any attempt to dissuade or prevent individuals from decorating Confederate graves on any day of the year. In adherence to the First Amendment to the Constitution, Southerners had every right to "peacefully assemble" at ANC, even on Memorial Day. What they did not have the right to demand was a recognition by the US government or the GAR that soldiers who committed treason against the nation deserved any formal recognition, whether for valorous conduct, and certainly not for the righteousness of their cause.[210]

As fallacious as the *Atlanta Daily Sun* editorial appeared, Memorial Day 1873 witnessed the first adornment of Arlington's Confederate graves as part of the overall decoration of the main burial ground. This incident passed without notice, after all the editorial handwringing over the priority of acknowledging rebel burials. Attended by over 15,000 visitors, and presided over by President Grant, ANC's commemoration took place in a newly completed amphitheater, built to accommodate nearly 4,000 guests and to house the annual ceremony. Decoration of the new amphitheater, Custis mansion, cemetery entrances, and two large pyramids, constructed and adorned to represent the army and navy, highlighted the day. Once again, led by President Grant and war orphans,

[210] "The 'Grey' and the 'Blue'," *The Atlanta Daily Sun*, May 30, 1873;

visitors placed flowers and American flags on each of the graves in the main section of the cemetery, including rebel graves.[211] This adornment of Confederate graves as part of the overall ceremony established the procedure for subsequent Memorial Days. No longer would the commemoration include separate treatment of graves.[212]

The 1873 adornment of Confederate graves during Memorial Day marked an important indicator, not only for North-South relations, but also for the continued disparate treatment of ANC's African American graves. The "order of exercises" for ANC's commemoration established a well-defined procedure for the day, a directive that explained everything from the arrangement of prayers, hymns, and speeches, to the method of decorating each section of the cemetery. Of note, the order specifically notes the use of flowers and flags "for the purpose of decorating the *main* body of the cemetery" [emphasis added]. The procedure outlines GAR members facilitating adornment of all rows of burials down from the amphitheater. This order, along with instructions for dignitaries selected to decorate officer burials near the amphitheater, indicates all graves in the main section of the cemetery obtained decoration. The entire "order of exercise" fails to mention decoration of USCT graves, or even acknowledge the existent of the lower "colored" cemetery.[213]

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[211] There is no record if Confederate graves received flowers and American flags, or only flowers. However, since many of those decorating the graves were unaware of the location of rebel interments, it is likely the graves received both.

[212] "Memorial Day: Order of Exercises at Arlington," *National Republican*, May 30, 1873; "Ceremonies, Orations, and Flowers in Washington and Throughout the Country," *New York Times*, May 31, 1873. In 2014, the 1873 amphitheater was named the James Tanner Amphitheater. Tanner was a Union Civil War veteran who lost both legs at the Second Battle of Bull Run and was Commander-in-Chief of the Grand Army of the Republic from 1905-1906.

[213] "Memorial Day: Order of Exercises at Arlington," *National Republican*, May 30, 1873

This failure of Arlington leadership, the GAR, and the War Department, indicates an intentional decision to solely focus on burials in the main cemetery, containing the remains of white soldiers, and further continue the disparate treatment of loyal African American servicemembers as separate and unequal of full recognition of their sacrifice and valor. The intentional disregard of black soldiers in the lower cemetery disrespected faithful service to the nation. Now, to further flout USCT participation in the war, the African American community witnessed the integration of ANC's Confederate burials into the Memorial Day ceremony. Since 1864 treasonous rebels remained buried alongside white Union soldiers in the most prominent cemetery location, while USCT graves remained away from their comrades, in an ignored section prone to flooding. Beginning in 1873, to add insult to injury, every Decoration Day commemoration of the Union war dead now included adornment, and de facto remembrance, of Confederates, while USCT graves remained barren and ignored, at least in the eyes of the GAR, ANC, and the US government.

Black voices registering complaint of this change to Arlington's Memorial Day procedures were mainly unheard. Perhaps dismayed by Montgomery Meigs continued refusal to remove USCT graves to the honored section of the cemetery, the decoration of rebel graves on Memorial Day simply reinforced African American disillusionment with growing calls for reconciliation with the South. More likely, the lack of public black protest was due to a dearth of regional or national forums in which African American could raise concerns. Although in the coming decades black-owned newspapers took on this role as an important voice for the African American community, these newspapers,

such as the *Washington Bee* and the *Richmond Planet* (both founded in 1882) were not in existence in 1873. Without a robust publishing industry sympathetic to African American voices, grievances against ANC burial policies and criticism of efforts to honor the valor of white soldiers at the expense of martyred USCT remained unnoticed in the main-stream press, or intentionally ignored by those uninterested in debates over racial reconciliation.[214]

1873 proved to be an important year in the treatment of the Civil War dead at Arlington. Although some members of the GAR still believed any recognition of Confederate dead amounted to an insult toward their deceased comrades, GAR leadership slowly began emphasizing the need to recognize the valor of all Civil War soldiers based on the communal experience of warfare shared by both sides. Whether GAR leadership encouraged this change to placate the South and thus make the growth of GAR posts in the region more palatable, or because they truly believed this was the appropriate action to help heal the nation, it created an odd partnership with southern advocates eager to emphasize the valor of the southern soldier as on par with Union sacrifice. Eventually, this change of focus away from the immorality of the southern cause toward the honored remembrance of all soldiers throughout the nation provided an opening for the inculcation of Lost Cause ideology across the regions. 1873 was one small step in this direction, more of an opening of a door for the South, as evidenced on Memorial Day at

[214] Although numerous African American newspapers existed prior to the Civil War, i.e. *Freedom`s Journal* (1827-1829), *The Colored American* (1837-1842), *The North Star* (1847-1851, edited by Frederick Douglass), *The National Era* (1847-1860), *Frederick Douglass' Paper* (1851-1863), *Douglass Monthly* (1859-1863), and *The Christian Recorder* (1854-present), most of these were short-lived and out of existence by the end of the conflict. It would take until the last quarter of the 19th century through the first half of the 20th century for African American newspapers to proliferate in the United States.

Arlington. The War Department's laissez-faire decision to allow decoration of southern graves as part of the Memorial Day ceremony, and the GAR's lack of formal protest, reflected the slow, methodical process that occurred over the quarter century after the war in which white supremacy and privilege continued as the common bond between the North and the South. Sadly, for the African American community and those USCT who lay at rest in the Arlington's lower cemetery, this North-South racial bond proved more important to the reconciliation of the nation than the difficult process of prosecuting the underlying cause of the war, honoring those who gave their lives in defense of the Union, and, most importantly, holding traitors accountable for the attempted destruction of the nation.

This is not to argue that there was universal acceptance of including the decoration of Confederate graves in Arlington's Memorial Day commemoration. At the next GAR National Encampment, right after approving a resolution thanking Montgomery Meigs for construction of Arlington's amphitheater used for the first time in 1873, the commander of the GAR's Department of the Potomac (whose territory included ANC) introduced a resolution "prohibiting Posts of the Grand Army from decorating Confederate graves." Press reports indicated two GAR departments intended to adorn Arlington's rebel graves on Memorial Day, and this resolution sought to prohibit the action. Members raised objections over the importance of the resolution, with the published proceedings noting that one comrade claimed the GAR "should not be behind

the Confederate soldiers in generosity," and "citing cases where they had decorated Union graves."[215]

The debate continued into the afternoon, with the Committee on Resolutions unanimously recommending the resolution to prohibit decorating rebel graves be "indefinitely postponed," as Memorial Day, according to Article XIV, Chapter V, of the GAR's Rules and Regulations, already "proscribes a Memorial Day for the commemoration of the deeds of our fallen comrades only." GAR members reacted forcefully against the committee, with one member arguing that although "he had none but the kindest feelings toward those who fought against us…Memorial Day is the day on which we commemorate the memory of our fallen comrades, and let it be forever understood that we distinguish between loyalty and disloyalty; the latter is the *treason* against which we fought…" Comrade Sprague, the member who introduced the resolution prohibiting rebel grave adornment made his feelings clear, "Honor disloyal dead," he remarked, "and you dishonor the loyal dead…Put no stumbling-blocks in the way of the Confederates, if they wish to decorate upon the same day, but show the country that we mean to do right."[216]

Other members rose in defense of the committee's opinion that there was no need to approve the anti-Confederate resolution. A member from the Department of Pennsylvania reported that it was the custom of many posts in the state to decorate both Union and rebel graves, and to change procedure now, "would alienate us." Furthermore,

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[215] GAR, *Proceedings of the Eighth Annual Meeting of the National Encampment, Grand Army of the Republic* (Boston: Doane & Greenough, 1874), 46-48.
[216] Ibid, 48-50.

he contended, if the GAR intended to remain a national organization, "we should try to make it so by every means in our power," and decorating Confederate graves in national cemeteries, (or in Confederate burial grounds located near national cemeteries), was an act of magnanimity sure to encourage national good will toward the GAR.[217] After the speech by the Pennsylvania member, the resolution to prohibit GAR decoration of rebel graves failed.

The failure of the resolution was unsurprising. In his keynote address at the beginning of the encampment, Commander-in-Chief Charles Devens reiterated the priorities of the GAR, stating, "Our meeting is emphatically a business one." Reaching out, once again, to the greater public at large, including the South, Devens reminded his comrades that "the objects of our Association are such as should commend themselves not only to all those who have fought under the flag of Union, but to all good citizens…" While reserving one line of his speech to "cherish the memory of those of our comrades who have passed away," the majority of his speech, and the proceedings over the two-day convention, concerned practical matters such as advocating for Union veteran pensions, back pay for nurses who served the army during the war, continued care of war-widows and orphans, and emphasizing the need for increased funding of Union soldiers' homes as a refuge of last resort for severely disabled and indigent veterans.[218]

The position of GAR leadership, as indicated by Devens address and the report concerning decoration of Confederate graves, was apparent. The adornment of rebel graves, and the symbolism of honoring their former enemy that action potentially

[217] Ibid, 50-51
[218] Ibid, 10, 12.

implied, was of less concern than the "business" of the GAR. By 1874 the GAR was in its eighth year, with steady membership growth and an increasing influence within the federal government.[219] National encampments now resembled business conventions more than veteran or political rallies. As the importance of lobbying the federal government on behalf of Union veterans grew, and the interaction between the GAR and Congress increased, encampments became more bureaucratic, and less focused on reminding and persuading the nation of the true meaning of the war. Without an organized Confederate organization of at least regional influence, by 1874 the GAR dominated national discussion of the righteousness of the Union cause.[220] Although southern belief in the virtue of secession continued to influence national politics, without a robust, energetic organization focusing and promoting Confederate ideology, the GAR easily dismissed or simply ignored these claims. By its actions, the GAR determined battling the South over the memory of the war was either unnecessary, as it was their understanding that the northern interpretation of the causes of the conflict was a settled matter of agreement in most of the nation, or was less important than their advocacy on behalf of Union veterans. Given a choice of where to turn their attention, the GAR focused on Congress and the loyal, northern states, while the South, now beginning to come under less scrutiny from the largest Union veterans' organization in the nation, continued its quest to change

[219] Ibid, 13-14; Stuart McConnel, *Glorious Contentment: The Grand Army of the Republic, 1865-1900* (Chapel Hill: University of North Carolina Press, 1992), 15, 141-42, 149, 164-65.
[220] The United Confederate Veterans was not established until 1889. Their influence will be discussed later in this dissertation.

the conversation from secession legitimacy, to propagation of an alternative version of southern history.[221]

The GAR's increasing turn towards advocacy may have invoked unintended consequences within the federal government, specifically the War Department. As the 1874 Memorial Day commemoration approached, the issue of Confederate grave decoration at Arlington was, once again, an issue. In a letter to Secretary of War Belknap, US Senator John Patterson, a Republican from South Carolina, asked if, on Memorial Day, the War Department would continue the practice of ordering the grounds of Arlington under the exclusive control of the GAR? In his response, Belknap carefully explained to Senator Patterson that previous War Department orders did not give complete control of Arlington to the GAR, but "simply prohibited interference with an association [the GAR] to whom had been previously especially assigned the control of the grounds of Arlington Cemetery on Decoration Day." This distinction is misleading, as any order "prohibiting interference" clearly authorized US soldiers (or marines, as witnessed in 1869 and 1871) to take such action to stop the interference. And, since the GAR controlled the Memorial Day ceremony, they had the ability to define "interfering," such as the attempted adornment of Confederate graves.[222]

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[221] From the end of the war until the 1890s, it was southern women who often first promoted the virtue of southern ideology, decorated the graves of and commemorated Confederate dead, and used new opportunities to increase self-reliance and independence from southern patriarchy and antebellum gender constraints. Jane Turner Censer's book, *The Reconstruction of Southern Womanhood, 1865-1895* (Baton Rouge: Louisiana State University Press, 2003) provides an in-depth examination of this transformation of elite, white women in the South in the post-war era.

[222] Senator John J. Patterson to Secretary of War William W. Belknap, May 25, 1874, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA.

Regardless of the level of control given over Arlington to the GAR, Belknap admitted that this was the procedure in years past, but then made a subtle change to War Department policy, stating that a similar order would no longer be issued, and that "the grounds of the cemetery will on that day [Memorial Day] be opened to all orderly persons who desire to decorate any of the gravesites within that enclosure." This new distinction, that the GAR would no longer have exclusive control of Arlington on Memorial Day, while still maintaining authority over the ceremony, proved significant. Previously, the GAR retained government authorization to enforce strict protocols on Memorial Day, including the prohibition on adornment of Confederate headstones. And, while 1873 witnessed the first instance of decorating rebel graves as part of the commemorative activities, Belknap's change of policy allowed southern visitors more freedom to determine how they wanted to commemorate Arlington's Confederate dead. While the rebel graves continued to receive adornment on Memorial Day as part of the commemoration, southern sympathizers, at least officially, could now fully participate in the ceremony. No longer could the GAR singularly determine what was "interfering" with the commemoration, or strictly enforce appropriate protocols. Southerners could attend the ceremony at the amphitheater, or simply ignore it and decorate rebel graves as they wished, before, during, or after the commemoration. The GAR continued their role as master of the Memorial Day ceremony, but relinquished greater authority over the entire cemetery.[223]

[223] Ibid.

Why would Belknap seek to remove some control over ANC from the GAR, an organization in which he was a member? Just four years earlier in a keynote address at the 1870 reunion of the Iowa Department of the GAR he emphasized the importance of the war's memory stating, "History will tell of the deeds of those days. Artists will sketch in colors the memorable actions which will to all ages illustrate the art and science of war. Songs will recount the heroic labors of the Union's brave; but soon of those whom the Nation honored there will be only a memory left." Possibly Belknap was simply being practical, as was the GAR. As the GAR increased its focus on pensions and legislation, and as commemoration remained important, but not the overarching purpose of the organization as it was for the first few years after the war, Belknap simply reflected the shifting priorities of the GAR and the War Department. This is not to contend that commemoration of the Union war dead and Memorial Day lacked passion or importance with the GAR. It would continue for many years to be the defining day and ceremony of the veterans' organization. However, as many GAR members now firmly believed in the legitimacy of the Union war effort and probably assumed most of the nation agreed,[224] Belknap possibly determined the need for the GAR's continued elevated level of control of Arlington on Memorial Day was moot.[225]

Another possibility concerned political pressure. As a Republican in the South, Senator Patterson's political future was precarious. As a native of Pennsylvania, former member of the Pennsylvania House of Representatives and a Union army veteran, many

[224] By "most" of the nation I mean the northern, midwestern, and western states.
[225] William Belknap, "Address of General Wm. W. Belknap Secretary of War at the Re-union of Iowa Soldiers, Des Moines, Iowa," August 31, 1870, 3-4; Peter Bautz, "The Memory of Battle Surrounds You Once Again: Iowa Grand Army of the Republic Reunions and the Formation of a Pro-Union Nationalism, 1886-1949," *The Gettysburg College Journal of the Civil War Era* 5 (2015): 55.

of his constituents considered him a "carpetbagger." If Belknap could pacify white South Carolina voters by failing to issue an order that he deemed was unneeded anyway, why not help a fellow Republican? Retaining Republican senators, especially from the South, was in the best interest of the Grant administration, and this consideration probably crossed the mind of the Secretary of War.[226]

Whatever Belknap's reasons for downgrading GAR authority during Decoration Day, the change caused minimal reaction from the veterans' organization. At the 1875 national encampment, the next opportunity for the GAR as a whole to formally address issues of organizational concern after Belknap's decision, there was no acknowledgement of a change of status on Memorial Day at Arlington. In fact, other than perfunctory statements reporting a successful observation of the day in numerous national cemeteries, discussions of Memorial Day, were negligible. GAR Commander-in-Chief Charles Devens made explicit the focus of the encampment when he noted, in his keynote speech, that it was no longer the organization's desire to "keep alive any ill feelings which has been engendered during the war of rebellion," and, "While by the services of Memorial Day we would pay due honor to the brave dead, the brave living are equally worthy of our regard, and the past year has been one in which the demand upon our charity funds have been heavy and constant. It has been a year of much depression in business, and in many places the sums expended have been very large, considering the means at our command." Business, and the raising of funds for the living were priorities now. The

[226] Yates Snowden, ed., *History of South Carolina* (Chicago: The Lewis Publishing Company, 1920) 2: 913; "The Carolina Vultures: How Honest John Patterson Was Elected Senator," *The Sun* (New York), December 16, 1872. Patterson's position was indeed precarious as he only served one term as a US Senator (1873-1879).

popularity of Decoration Day throughout most of the nation allowed the GAR to shift attention toward economics, without having to worry about the continued success of the annual commemoration.[227]

Concentrating on the practicalities of increasing funds for widows and orphans, and continued pursuit of pensions and benefits for disabled veterans undoubtedly influenced the GAR's lack of response to Belknap's decision to lessen GAR authority at Arlington. Another reason was the nature of the decision. Contained in a letter from the Secretary of War to a US Senator, Belknap's change of policy was not public knowledge. No order emanated from the War Department, as his decision was to simply not issue a directive reauthorizing the GAR's extensive control over Memorial Day. With no affirmative correspondence coming from the War Department, it is possible that GAR leadership was unaware of the change. And, as there were no reported incidents or confrontations over grave decorations at Arlington during the 1874 Memorial Day ceremony, an opportunity for the GAR to exert their now dormant authority failed to materialize. Without notice of the policy change, and without a confrontation to provoke GAR control beyond mastering the commemoration, there lacked a practical opportunity for the organization to comprehend their diminished authority.

While the GAR's involvement at Arlington on Memorial Day remained consistent over the decades, if now a little less commanding, for the other days of the year the organization was mainly a bystander at national cemeteries, especially as its concentration turned toward advocating on behalf of surviving veterans and families.

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[227] GAR, *Proceedings of the Ninth Annual Meeting of the National Encampment, Grand Army of the Republic* (Boston: Doane & Greenough, 1875), 12-14.

This lack of cemeterial focus for most of the year created an opening for Southerners, especially southern women, to begin identifying opportunities to honor and remember the Confederate dead at Arlington, not as part of a larger, Union-focused commemoration but as a separate remembrance. The initial instance occurred when Mrs. C.P. Culver, of Richmond, Virginia wrote to her congressman, Eppa Hunton, and to the Secretary of War, asking permission to enhance Arlington's Confederate graves by "building walks, planting trees, shrubbery, and flowers, and supplementing for the wood head boards, now rapidly decaying…" And, lest her request seem too ostentatious, Culver assured Secretary Belknap that the work was "to be done in keeping with the rest of the grounds, and under the supervision of the Inspector of National Cemeteries."[228]

The request by Mrs. Culver, forwarded through her congressional representative was unnecessary. As was War Department and ANC policy, all graves at Arlington received identical care, including mowing and maintenance of headboards. The treatment of each burial, whether rebel or Union, was equal, with no reports to the contrary. In addition, although perhaps not known by Mrs. Culver, the 1873 amendment to the

[228] Mrs. C.P. Culver to Secretary of War William Belknap, January 9, 1875, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA; Colonel Oscar Mack to Honorable Eppa Hunton, December 19, 1874, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA. Eppa Hunton to William Belknap, January 11, 1895, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA. Minimal is known of Mrs. C.P. Culver other than that in 1863 her husband addressed the Confederate Congress with a plan to improve the financial condition of the rebel government. His scheme included issuing Confederate real estate mortgage bonds backed by the mandatory loan of 25% of all privately held land in the South to the government. The plan was not adopted by the Confederate Congress., see C.P. Culver, *A Scheme for the Relief of the Financial Embarrassments of the Confederate States, Based Upon Real Estate* (Richmond: Geo. P. Evans & Co., 1863), 1-4. Eppa Hunton was an attorney and former Confederate general. He served in the US House of Representatives from 1873-1881, and as a US Senator from Virginia from 1892-1895.

National Cemetery Act of 1867 mandated the replacement of all headboards in national cemeteries with more durable headstones. The process was underway at Arlington, as well as at all national cemeteries. As both Confederate and Union graves received the exact same level of care, there was no need for additional treatment by Mrs. Culver, or any southerner concerned about unequal maintenance. Secretary Belknap in response could have easily informed Mrs. Culver and Rep. Hunton of this fact, and dismissed the request as unneeded. Besides, why would the War Department allow an individual to "build walks," plant trees, and replace the wooden headboards? This type of undertaking would potentially require substantial labor and potentially interfere with daily cemetery operations. How would someone create a walking path to a specific set of graves or create landscaping without disrupting the surrounding graves, most of which contained the remains of Union soldiers? Practically, the request appeared unreasonable and logistically impossible.[229]

Astonishingly, and clearly ignoring any practical considerations, on January 18, 1875 the War Department granted permission to Mrs. Culver. "You will be permitted to fit up," the order stated, "in the manner proposed…where the Confederate soldiers are buried by themselves-and also to erect suitable head-stones at those graves, and also at the graves of the other Confederate soldiers buried elsewhere in the grounds…"[230] The only caveat was that the work must "be in harmony with the surroundings and to be under

[229] Assistant Quartermaster in Charge of National Cemeteries to C.P. Culver, May 11, 1875, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA; C.P. Culver to Montgomery Meigs, May 5, 1875, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA.
[230] Parenthesis in original.

the control and supervision of the Quartermaster in charge of the cemetery." The War Department's permission was unusual, being the first granting of authority to an individual to maintain and care for graves in a national cemetery. While decoration of burials occurred with frequency, permission to install headstones and construct pathways was extraordinary. And, unlike Secretary Belknap's prior decision to lessen GAR authority at Arlington on Memorial Day, this pronouncement received coverage throughout the nation, albeit with very little negative commentary. Why would the US government give authorization to anyone, but especially a southerner, to take control of graves, when care and maintenance of all burials in national cemeteries remained the responsibility of the War Department?[231]

One possible explanation is the practical considerations associated with maintaining graves at Arlington. While burial decorations could be simple, and thus inexpensive, replacement of headboards with more durable headstones, construction of pathways and more robust landscaping (planting of trees, bushes, etc.) was undoubtedly expensive. With 357 Confederates interments at Arlington in 1875, maintenance of all rebel burials by one individual was probably cost prohibitive. In addition, with many of the rebel graves intermingled with Union burials, the potential to disturb nearby graves during the renovations was a risk. With the War Department retaining overall authority over the Confederate graves by stipulating that all changes were "under the control and

[231] Major Oscar A. Mack, War Department, to Mrs. C.P. Culver, January 18, 1875, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA; "The Confederate Dead at Arlington," *New York Times*, January 29, 1875; "The Confederate Dead at Arlington," *Daily Evening Bulletin* (San Francisco), February 9, 1875.

supervision of the Quartermaster in charge of the cemetery," any efforts by Mrs. Culver beyond simple decoration could be rejected as not "in harmony with the surroundings."[232]

The War Department, knowing that all ANC headboards would eventually be replaced by headstones, and with the ability to simply reject any serious changes to Arlington's Confederate graves, such as installation of new footpaths and trees, possibly determined granting a southern woman permission to maintain rebel graves was of minimal risk. All graves, both Union and Confederate, would receive new, resilient headstones to replace rotting, decayed headboards, thus improving the most visible aspect of military burials. This change aesthetically enhanced Arlington's entire burial ground. Beyond this addition to the cemetery, the quartermaster in charge retained the ability to simply dismiss any substantial changes to rebel graves. Consequently, the War Department's decision pleased Rep. Hutton's constituent and pacified the congressman all the while retaining overall control of all of ANC's graves. The War Department possibly felt vindicated as there is no known evidence of Mrs. Culver or any other Confederate sympathizer ever attempting to create pathways, replace headboards, or further enhance landscaping at Arlington. While her request may have been heartfelt and genuine, the lack of follow-on correspondence or newspaper accounts describing changes to ANC's rebel graves suggests Mrs. Culver's appeal, routed as it was through her congressman, was as much an attempt to test government tolerance for increased

[232] Major Oscar A. Mack, War Department, to Mrs. C.P. Culver, January 18, 1875, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA; "Classified Statements of Interments in the Arlington, VA National Cemetery, June 30, 1875," Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA.

attention to Arlington's Confederate burials as it was an honest appeal to correct nonexistent neglect by cemetery authorities.

As with other decisions made at Arlington, the War Department's increasing toleration of honoring rebel burials at ANC came with unintended, and unanticipated consequences, even effecting Arlington's most solemn occasion, Memorial Day. 1875 saw the second occurrence of the decoration of Arlington's Confederate graves as part of the official ceremony. This came without surprise, as the commemoration order of procession included decoration of all the graves in the cemetery, apart from USCT and black civilian burials. New this year was a request by the local Ladies Memorial Association (LMA) to hold a separate ceremony, honoring Arlington's Confederate dead a few days after the GAR-led Memorial Day. As most of the South refused to recognize Memorial Day, the decoration of rebel graves on a different occasion was common occurrence throughout the former Confederacy. Even at Arlington, Southerners often met in the week following Memorial Day to conduct their own decorative observance. 1875 proved distinctive as the War Department not only allowed the adornment of Confederate graves on June 1, as they had in the past, but granted the LMA "liberty to use the grand stand for the exercises, including an address…"[233]

This decision, as was granting Mrs. Culver permission to care for Arlington's rebel dead, proved another small victory for southern sympathizers wishing to honor Confederate service at the nation's premiere national cemetery. While prior decoration of Confederate graves undoubtedly included prayers, hymns, and possibly a short speech on

[233] "A Memorial Day: An Era of Good Feeling Between the North and South: Preparations for Memorial Day," *Milwaukee Daily Sentinel*, May 25, 1875.

the occasion, these had all occurred within the burial ground, amongst the graves. Adornment of Confederate graves, up to now, were small, quiet occasions, without pomp or any type of formal keynote address. Allowing the LMA use of the new amphitheater, specifically constructed to house the GAR's Memorial Day ceremony, gave southern sympathizers and Lost Cause propagandist a platform, literally and figuratively, to further compare and equivalize Confederate and Union service. The use of Arlington's amphitheater for an "address" to honor former Confederates, while at the same time continuing to ignore and disregard the loyal service of USCT buried in the same cemetery, provided an annual opportunity to reinforce rebel arguments of moral equivalency between northern and southern war aims.

Allowing this newly established Confederate Memorial Day, at Arlington, with a separate commemorative ceremony including keynote address held at the grand amphitheater, lent legitimacy to southern propaganda. Arlington's Confederate Memorial Day was not the first commemoration of rebel dead in the South, nor was it the largest. Its presence, however, at the birthplace of, and on the same stage as the northern Memorial Day commemoration, and its federal government sanctioning influenced relations between war veterans. A federal government authorized Confederate ceremony at Arlington with use of the amphitheater podium not only gave credence to the bravery and honor of rebel dead, but also allowed Southerners a national platform to eventually promote Lost Cause ideology. Arlington's capitulation in allowing a southern commemorative program helped legitimize a Confederate interpretation of the war by placing each Memorial Day ceremony on somewhat equal footing, as now both

commemorations were worthy of the cemetery's official ceremonial venue. This War Department decision was another step toward the outright honoring of southern treason at the nation's premiere national cemetery.

To the modern eye, submission by the US government to southern requests may appear surprising. However, this was not the only, or even most extreme example of Union-Confederate public reconciliation taking place in 1875. In an article subtitled, "An Era of Good Feeling Between the North and South," the *Milwaukee Daily Sentinel* reported another memorial commemoration, this one taking place in Memphis, Tennessee. This pro-Confederate ceremony, described as the "largest ever seen here," included veterans of both sides, as "Ex-Federal soldiers have, almost to a man, turned out, and in the ranks are seen tattered battle flags of both Federal and Confederate armies." To reinforce the subtitle of the article, the author claimed, "At no time since the close of the war has there been such genuine intermingling of the blue and gray as presented here to-day [sic]." The ceremony included a parade, headed by former Confederate general Nathan Bedford Forest, Union veterans, "about 100, representing every state in the Union," as well as "two large flags, a Federal and a Confederate, made entirely out of flowers." Both rebel and federal officers gave speeches, and the ceremony was a success, as the newspaper claimed that, "The general impression prevails that nothing since the war has occurred to so completely break down the barrier between the North and the South and unite the whole people."[234]

[234] Ibid; "Decoration Day," *Inter Ocean* (Chicago), May 25, 1875.

If Memphis' Confederate Memorial Day commemoration contained former enemies marching side-by-side under the flag of the United States and the Confederacy, with orators proclaiming the honor of both regions, perhaps the use of Arlington's amphitheater by southern sympathizers should not come as a surprise. The GAR, the organization who primarily used the amphitheater, made no official comment on Confederate commemoration at Arlington, nor protested that the use of the structure was inappropriate and disrespectful to their fallen comrades. In both the 1874 and 1875 national encampments, GAR governance reemphasized forgiveness and charity toward the South, stating it was not the organization's "desire to keep alive any ill feeling which has been engendered during the war of the rebellion." In an effort to focus on repairing the relationship between former foes and downplay animosity throughout the nation, GAR leadership urged members to personally "do your share towards effecting a true reconciliation between the sections of our common country, and to advance every effort that will unite with you our late foes, in promoting the prosperity of our country…" Thus, the use of Arlington's amphitheater, and the approval of a separate Confederate Memorial Day at the cemetery, was perhaps just a natural progression towards the reconciliation taking place throughout the nation. As one commentator noted, when approving of the decoration of Confederate graves at the cemetery, "Thus the tragedies of war and the glories of peace blend at Arlington."[235]

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[235] GAR, *Proceedings of the Ninth Annual Meeting of the National Encampment, Grand Army of the Republic* (Boston: Doane & Greenough, 1875), 12; GAR, *Proceedings of the Tenth Annual Meeting of the National Encampment, Grand Army of the Republic* (Philadelphia: Merrihew & Son, 1876), 12; Robert Graves, "A City of the Dead," *The North American* (Philadelphia), May 25, 1892.

If then, no newspapers, organizations, or federal government agencies objected to Arlington's use as a scene of commemorating a failed insurrection, the opportunity fell to Frederick Douglass to explain why the growing sense of national reconciliation was not only unjust, and a threat to African Americans nationwide, but perhaps also inevitable. In an address delivered in Washington, DC during an Independence Day celebration, Douglass refrained from honoring the "heroes of the American Revolution," but instead chose to discuss the more pressing concerns of "the colored people of our whole country." Beginning by reminding the audience of black involvement in "almost everything of vital importance in the life and progress of this great country," he emphasized that the "colored people…have never forsaken the white man in any great emergency, and never expect to forsake him." Douglass asserted to the assembled group that although the black race had made great strides over the past decade, they should never forget that it was because "the white people of this country quarreled and came to blows, and it was our lot to be on the side of the victorious party." Douglass, seeking to lay the foundation for the precarious position of the black community in the future stated, "our progress and present position are due to causes almost wholly outside of our own will and our own exertions. We did not make or control the issues of our destiny."[236]

While some in the audience (USCT veterans at a minimum) may have taken issue with Douglass' claim of less than full agency in emancipation and the defeat of the Confederacy, his goal was not to determine how much credit African Americans

[236] Frederick Douglass, "The Color Question: An Address Delivered in Washington, DC, on 5 July 1875," *Frederick Douglass Papers, Series One: Speeches, Debates, and Interviews, Volume 4: 1864-1880* (New Haven: Yale University Press, 1991), 415-16.

deserved for their post-war political and social status, but to explain how precarious all improvements in civil rights remained. Douglass' expounded that the greatest benefits to the black community occurred only because the nation was at war, and now that the war was over, and more importantly now that the white people of the nation were tiring of regional quarrelling, African American rights were under threat. "Men cannot, ought not and will not quarrel and fight forever," he spoke, "even though outside parties may be benefited by such quarreling and fighting." More to the point concerning the American Civil War, Douglass contended, "This is true even of contentions of men of different races, and much more true where men are of the same race." And, as Douglass reminded the audience, "The American people are essentially of the same race. They are of the same color. United by blood, by a common origin, by a common language, by a common literature, by a common glory, and by the same grand historic associations and achievements." The threat to the continued advancement of African Americans, according to Douglass, was that white Northerners and Southerners would unite once again, at the expense of blacks nationwide, but especially in the former Confederacy.[237]

Douglass feared that the ties that bound whites throughout the Union would eventually reassert white supremacy throughout the land. Of this, Douglass had little doubt. "So sure as the stars shine in the heavens, and the rives run to the sea," he spoke, "so sure will the white people North and South abandon their quarrel and become friends." The celebration of the nation's centennial year was less than a year away, and, Douglass predicted, the nation "will lift to the sky its million voices in the grand

[237] Ibid, 417.

Centennial hosanna of peace and good will to all the white race of this country." Unstated by Douglass but implied was that the upcoming centennial celebration would come at the expense of black Americans.[238]

Douglass wondered what the near future held for African Americans. What was to become of the black community "when this great white race has renewed its vows of patriotism and flowed back into its accustomed channels?" He asked the assembled crowd the simple question, "in what position will this stupendous reconciliation leave the colored people?" He hoped that justice and equality had deep enough roots to weather the storm. Praising the Grant administration's enforcement of Reconstruction policies, Douglass hoped these policies to have a strong foundation that would endure. Yet he doubted the outcome. Douglass lamented that, "The signs of the times are not all in our favor." Even the Republican Party, he claimed, were abandoning African Americans, attempting to "shake off the negro and accept the master's class." Douglass concluded his speech by lamenting the shortage of leadership in the black community, and, more importantly the lack of a black-controlled national organization that could lobby on behalf of African Americans. He acknowledged that having to rely solely on the federal government, and white-controlled benevolent organizations who were increasingly interested in appeasement with Southerners, hampered the future of reconstruction policies.[239]

Commentators at the time assumed Douglass intended his critique of benevolent societies specifically at the American Missionary Association, whose efforts to provide

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[238] Ibid.
[239] Ibid, 418-19.

religious and educational instruction for African Americans in the South were increasingly reliant on reconciliation with Southerners as the Democratic Party regained political control of the region.[240] Yet the symbolism of his complaint, taking place in Washington, DC at an Independence Day celebration, suggests another possible target, one of the nation's largest benevolent organizations, the GAR. Douglass never stated which society he was targeting, but the GAR's consistent presence, especially at patriotic celebrations and commemorations like Independence Day and Memorial Day, made it a logical focus, even if his intention was to cast blame more broadly. In his speech, Douglass is clearly more concerned with the overall potential failure of Reconstruction, and not specifically addressing conciliation to southern desires at Arlington. However, his objection to relying on white-controlled benevolent organizations, coupled with his belief that the North and South cannot fight forever and will put their grievances behind them to reestablish national white supremacy, focused attention on the GAR's increasing abandonment of stressing the moral depravity of the southern cause. Arlington's growing use as a location to honor its Confederate dead and now as a venue to hold a

[240] The American Missionary Association (AMA) was a religious organization founded in 1846 with the goal of abolishing slavery. After the Civil War, the AMA founded numerous schools and colleges in the South for the education of African Americans. Although the AMA's goals were laudable, increasingly they came under scrutiny for attempting to use bible classes and teaching to "inveigh against heathenish habits such as shouting and unchristian behavior…" This attempt to influence and change African American culture and behavior was seen by many, Douglass included, as evidence of increasing northern (teachers in AMA schools typically were from the North) disenchantment with what they perceived was the inferior intelligence and morality of black Southerners. Interestingly, the AMA assumed Douglass' speech referred to their organization and responded negatively. Douglass denied the accusation, stating he did not wish to disparage any specific organization. See Augustus Field Beard, *A Crusade of Brotherhood: A History of the American Missionary Association* (Boston: Pilgrim Press, 1909), 31-32, 145-50; Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988), 91; Joe M. Richardson, "The Failure of the American Missionary Association to Expand Congregationalism Among Southern Blacks, *Southern Studies: An Interdisciplinary Journal of the South* 18, no. 1 (Spring 1979), 51-70; William Gillette, *Retreat from Reconstruction 1869-1879* (Baton Rouge: Louisiana State University Press, 1979), 253; *New York Times*, November 4, 1874; *New York Times*, October 15, 1874; *New York Times*, November 25, 1874.

commemorative ceremony potentially proselytizing the nobility of the southern cause, is a clear example of Douglass' concern over national reconciliation. The GAR's lack of anxiety, or even notice, of Southerners using Arlington to remember Confederates and now to potentially celebrate and praise the Confederacy, illustrated Douglass' apprehension that Whites in the North will continue to become increasingly interested in appeasement with the South, at the expense of African Americans.

Unfortunately, Douglass' trepidations concerning racial progress and regional reconciliation proved true, as the next two years after his speech marked the death knell for Reconstruction. 1876, the centennial of the signing of the Declaration of Independence, passed at Arlington as any other year. On Memorial Day, adornment of graves in the main cemetery occurred, including small American flags (on both Union and Confederate interments) and flowers. In the Lower Cemetery, USCT graves received, for the first time, small American flags, but were unadorned with flowers, and black "contraband" graves remained ignored. Who made the decision to place flags on USCT graves is unknown, but perhaps the hypocrisy of decorating treasonous Confederate soldier graves with the US ensign and ignoring loyal African American veteran burials was too hypocritical, even for the War Department and ANC officials. This was not be the only day in which rebel graves received attention. Continuing the precedent established a year prior, the War Department once again granted permission for a

separate Confederate commemoration on June 1, complete with decoration of rebel burials, and a ceremony at the amphitheater.[241]

Although the annual Memorial Day commemoration and Confederate remembrance ceremony continued Arlington's status as an example of the changing nature of regional relations, the shifting character of remembrance at the cemetery merely reflected a national trend. The contested 1876 presidential election and subsequent removal of federal soldiers from the South effectively ended Reconstruction, thus damaging any hope for the permanence of civil rights advancements. In addition, the absence of the US Army in the South limited the federal government's ability to enforce civil rights legislation and potentially push back against southern war remembrance ideology. The impact of the contested 1876 election on federal government policies in the South is well known, However, an analysis of the 1876 Republican National Convention helps illustrate how the Republican Party's retreat from Reconstruction reflected national trends that eventually influenced Arlington's commemorative practices.[242]

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[241] "Decoration Day," *Washington Chronicle*, May 30, 1876, Arlington, VA Folder, Consolidated Correspondence File, 1794-1915, Arkansas Frontier to Arlington Cemetery, Box 49, Entry 225, NM-81, RG 92, NARA; Capt. A. Rockwell to C.P. Culver, May 22, 1876, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA.

[242] W.E.B. Du Bois, *Black Reconstruction in America* (New York: Free Press, 1998), 691-92; David Quigley, *Second Founding: New York City, Reconstruction, and the Making of American Democracy* (New York: Hill and Wang, 2004), 138-40; Richard White, *The Republic for Which It Stands: The United States During Reconstruction and the Gilded Age, 1865-1896* (New York: Oxford University Press, 2017), 326-37; Foner, *Reconstruction*, 510, 567-80; Gillette, *Retreat from Reconstruction*, 252-54; Brenda Wineapple, *Ecstatic Nation: Confidence, Crisis, and Compromise, 1848-1877* (New York: Harper Perennial, 2013), 578-82; for an extensive analysis of the election of 1876 see Michael F. Holt, *By One Vote: The Disputed Presidential Election of 1876* (Lawrence: University Press of Kansas, 2008).

While discussions at the convention covered such political topics as the return of specie payment by the federal government,[243] consideration of limiting a presidential term to one, six-year period, and the ongoing deliberations over civil service reform, the meeting also included speeches by prominent Republicans, some advocating for a more progressive political agenda, and others reflecting the current state of party unity. The first to represent the former was Senator John A. Logan of Illinois. Logan, the past GAR national commander who issued the order creating the Memorial Day holiday at Arlington, addressed the attendees with the same passion he had once advocated for the righteousness of the Union cause. Logan warned the convention that they were at the defensive vanguard of a new war waged by the same political party who "failed of success in overturning this government by force of arms." This time, Logan continued, instead of violence, the Democratic Party sought national ruin "by capturing the government, and then nullifying every law and every amendment to the constitution [sic] that gives that protection to our citizens that we ourselves said they should have when they were battling to preserve the nation." Clearly speaking of ever-increasing violence

[243] In 1861 the US government, to raise revenue for the war effort, authorized a suspension of specie payments (payments in gold or silver in exchange for paper currency). On January 14, 1875, in a lame-duck session of Congress after Democrats regained control of the House of Representative in the November 1874 election, Congress passed the Specie Payment Resumption Act, requiring the federal government to reimburse previously unbacked greenbacks. This act was controversial, with many southern and western agrarian and labor interests arguing the suspension of specie payments lowered interest rates and promoted growth. On the other side of the debate were creditors who wanted a return to specie payments to cover losses incurred by dollar depreciation since 1861. Many historians agree a return to specie payment may have contributed to the ongoing Depression of 1873-79. Henry Carey Baird, *The Results of the Resumption of Specie Payments in England, 1819-1823: A Lesson and a Warning to the People of the United States* (Philadelphia: Henry Carey Baird & Co., 1875), 11-12; Richard H. Timberlake, *Monetary Policy in the United States: An Intellectual and Institutional History* (Chicago: University of Chicago Press, 1993), 103, 108, 112; James K. Kindahl, "Economic Factors in Specie Resumption: The United States 1865–1879" *Journal of Political Economy* 69, no. 1 (February 1961), 45-46; Irwin Unger, *The Greenback Era: A Social and Political History of American Finance, 1865-1879* (Princeton University Press, 1964), 191.

and intimidation of African Americans in the South, and his party's lack of appetite for further enforcement of Reconstruction, Logan pleaded with his colleagues to create another "bold movement on this enemy." According to Logan, the Democratic Party continued to try and "disintegrate and destroy the Republican Party" by "assailing and attacking every man that has been a prominent man within its ranks."[244]

Logan's answer to fighting back against a resurgent Democratic Party was a plea to the delegates to create a robust republican platform, including candidates for president and vice president, who could "stand firm and boldly vindicate the rights of the people, the principles of Republicanism…" so that "the rights of the people [can] be guarded as well as they have been granted." For Logan, finding the right man to represent the Republican Party, and thus reinforce the advances made by the war, especially those improvements in the political lives of southern African Americans, was vital. With as much emphasis as Logan placed on finding the right candidates, it is curious that he then pledged to refrain from taking part in any effort to choose those individuals. Logan instructed his audience to "name them yourselves. I have naught to do with that. The man you name is my man." Why would Logan, if, according to him, the fate of the nation potentially rested on the selection of the right republican candidates, abscond from influencing, or even giving an opinion on whom that person should be? Perhaps he was confident all the potential candidates possessed the qualifications needed. Or, more likely, Logan believed whomever won the nomination would stick to what had been republican orthodoxy almost since the end of the war, and reinforce the reconstruction

[244] M.A. Clancy, *Proceedings of the Republican National Convention, Held at Cincinnati, Ohio, June 14, 15, 16, 1876* (Concord, NH: Republican Press Association, 1876), 20.

policies of the Grant administration. Whatever Logan's rationale, his forceful address to his colleagues served notice that there were some republicans who were wary of pacifying the former Confederacy, whether to promote national reconciliation, or as a political calculation to attract more white southern voters.[245]

Logan's plea was one of two speeches warning the Republican Party of a resurgent South and cautioning against reconciliation and compromise at any cost. Later that same day, Frederick Douglass took to the platform. Thanking the delegates for allowing him the opportunity to address the party, he wasted little time outlining what was at stake in the upcoming presidential election. Perhaps feeling that the developing party platform lacked focus on what was truly important, he told the assembled audience he understood why they were focusing on anti-corruption, the resumption of specie payments, and civil service reform, but urged them to remember what he felt was truly in the deepest interest of the country. This was "the principles involved in the contest which carried your sons and brothers to the battlefield." Why, Douglass wondered, did we have Northern churches draped "with the weeds of mourning?" Why are our towns now filled with the "armless, legless, maimed, and mutilated?" Why did the North "pour out their blood" and "pile a debt for after-coming generations higher than a mountain of gold?" Douglass' imagery was palpable. Other political issues were important, he acknowledged, but what was most important were the foundational principles of the Union war effort, "those interests involved in that tremendous contest," he stressed,

[245] Ibid, 20-21; By 1876 it was clear even the Grant administration was tiring of Reconstruction. By the time of the 1876 presidential election, reconstruction policies in general were only being enforced to some degree in South Carolina, Florida and Louisiana.

"ought to be dearer to the American people, in the great political struggle now upon them, than any other principles we have."[246]

If anyone at the convention needed a reminder of the principles Douglass meant, his short speeches provided a recap, with important questions for the present. He reminded, and thanked the Republican Party for emancipation and enfranchisement, in his view, the true foundation and legacy of the war. However, in a warning of what was continually occurring in the South because of the North's Reconstruction fatigue and the Republican Party's increasing openness to reconciliation, he asked the audience, "What does it all amount to, if the black man, after having been made free by the letter of the law, is unable to exercise that freedom?" Douglass cautioned that although the North deserves credit for black emancipation and enfranchisement, the Republican Party now risked losing all they fought for if, "after having been freed from the slaveholder's lash, [we are] subject to the slaveholder's shotgun." Douglass finished his speech by asking the delegates a simple, direct question: "Do you mean to make good to us the promises in your constitution [sic]?" The Republican Party must, Douglass pleaded, remember the principles for which the Union fought, safeguarding equal treatment of blacks in the South, assuring they can "walk to the ballot-box in safety." Finance, administrative reform and other political issues must be secondary, Douglass argued, to upholding the underlying legacy of the war, both to African Americans as well as all who fought, died, and suffered in defense of the Union.[247]

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[246] Clancy, *Proceedings of the Republican National Convention*, 26.
[247] Ibid, 26-27.

Neither Logan nor Douglass specifically mentioned Arlington National Cemetery in their speeches. The proper remembrance of both loyal and treasonous soldiers in national cemeteries was not part of their appeal to the republican delegates, and undoubtedly was not one of their immediate concerns. However, It is important to note that they represent two of the most important individuals in the history of the cemetery and since 1868 their words bore an influence, on commemoration practices at ANC. Logan, most responsible for beginning Arlington's Decoration Day tradition of honoring the virtuous service of martyred Union soldiers, and Douglass, who spoke on more than one occasion at Arlington, reminding the public of the true nature, meaning, and legacy of the war. These two men, more responsible than most for establishing a remembrance tradition and focusing the commemoration on Union victory and southern treason, were a formidable pair appearing before the convention. Logan was a former GAR commander, a sitting US senator and future republican vice-presidential candidate, and Douglass' reputation as the foremost African American spokesman of the age would surely persuade the delegates to retrain some of their focus back to honoring the meaning behind the war.

If Logan and Douglass truly believed they could persuade Republican leadership to acquiesce to their wishes, they were sorely mistaken. The delegates disregarded both men. As later convention speeches of eventual vice-presidential candidate William Wheeler and presidential candidate Rutherford B. Hayes illuminated, the Republican Party had already determined the northern public would no longer support further federal intervention in the South. Logan's wish to find candidates to "stand firm and boldly

vindicate the rights of the people" failed when Hayes and Wheeler, after the seventh ballot, accepted the republican nomination. The candidates themselves overwhelming spoke of restoring peace and prosperity to the South. Hayes wrote in his letter of acceptance, that "what the South most needs is peace." And, while acknowledging that this peace depended "on the supremacy of law," he emphasized that "the condition of the Southern states attracts the attention and commands the sympathy of the people of the whole Union." Hayes did reinforce respect for the Constitution, and that the "moral and national prosperity of the Southern [sic] states can be most effectually advanced by a hearty and generous recognition of the rights of all by all," but his statement lacked conviction as anything more than political posturing. Both Hayes and the Republican Party were more concerned with their increasing loss of influence and votes in the South with a resurgent Democratic Party and suppression of black votes.[248]

As the new leader of the party, and the man now responsible for reversing republican losses in the South, Hayes advocated for the "progressive recovery" of the former Confederacy, and worried of a "division of political parties resting merely upon sectional lines," something that his party was unconcerned with previously, when republicans controlled the House of Representatives. In his first attempt to reverse this trend, Hayes directly addressed former Confederates, assuring them of his sincerity in promoting the interests of both white and black Southerners. "Let me assure my countrymen of the Southern [sic] states," he began, "that if I shall be charged with the duty of organizing an administration, it will be one which will regard and cherish their

[248] Clancy, *Proceedings of the Republican National Convention*, 117; Foner, *Reconstruction*, 567.

truest interests, the interests of the white and of the colored people both, and equally." Hayes insisted that, if elected, the primary goal of his administration would be to "wipe out forever the distinction between North and South in our common country." This statement, while on the surface promoted the interest of both black and white Southerners, served as an indication to the former Confederacy that the Republican Party would begin taking their interests under consideration.[249]

Whereas the party, since the end of the war, had mainly concerned itself with enforcing black rights and enfranchisement to grow political power, as white supremacy once again took hold of the former Confederacy, republicans adjusted their focus as white Northerners grew increasingly tired of federal enforcement of civil rights in the South. Republican political calculation changed with Democratic Party control of the House of Representatives in 1874 and the increasing suppression of black enfranchisement in the South. The new republican political calculus emphasized pacification of and reconciliation with the white South, even at the expense of civil rights and protection of African Americans. Even Hayes, who was known before the Civil War as staunch abolitionist and often worked as an attorney on behalf of fugitive slaves, and by all accounts "sincerely believed in the importance of protecting civil rights for African Americans," succumbed to the political realities of the day. This capitulation to political expedience was most evident with the Compromise of 1877, which, in March 1877 awarded Hayes the presidency in return for the removal of all federal troops from the

[249] Ibid; Foner, *Reconstruction*, 580-81.

South. With this ejection of a federal enforcement mechanism in the South, any hope of continuing Reconstruction policies in the former Confederacy expired.[250]

The republican change in policy instituted at the 1876 national convention did not address national cemeteries, Arlington, Memorial Day, or commemorative practices. Rarely do national political platforms include discussions of procedure concerning remembrance of the dead. Nevertheless, policies put forth by the convention further solidified the changing nature of commemoration of the war at Arlington and throughout the nation. Two of the most influential and well-known individuals in the nation pleaded with the Republican Party to remember and honor the meaning and legacy of the war. John Logan's GAR order created Decoration Day as an annual opportunity for national leaders to visit Arlington and reinforce the virtue of Union sacrifice. And Frederick Douglass' lengthy service as one of the primary advocates for African American rights, and an outspoken critic of national reconciliation at the expense of those rights had already established his reputation throughout the nation. If these two individuals were unable to influence republican delegates to avoid capitulation to southern interests and confront emergent white supremacy in the former Confederacy, it was doubtful anyone could change the trajectory of the Grand Old Party.

If the Republican Party began turning away from further enforcement of civil rights in the South, and abandoned Reconstruction altogether based on northern fatigue and an unwillingness to continue federal intervention in the former Confederacy,

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[250] Rutherford B. Hayes Presidential Library & Museums, "The Disputed Election of 1876," Rutherford B. Hayes Presidential Library & Museums, https://www.rbhayes.org/hayes/disputed-election-of-1876/ (accessed February 2, 2021); University of Virginia Miller Center, "Disputed Election of 1876: The Death Knell of the Republican Dream," University of Virginia, https://millercenter.org/the-presidency/educational-resources/disputed-election-1876 (accessed February 2, 2021).

memorial commemorations at Arlington were a symptom of this malaise. Since 1864 Arlington burial practices often reflected the attitude of the North. During the war it acted out of necessity and shortly after the war concluded it reflected animosity and anger toward rebels. As the years went on and memories cooled, toleration and acceptance of the Confederate dead eventually morphed into a belief in the bravery of soldiers on both sides of the conflict, including the allowance of a separate, southern commemoration on cemetery grounds. Now, with the Republican Party beginning to focus on reconciliation at all costs, Arlington simply reflected this adjustment. With the party of Lincoln losing power, and turning toward more tolerable issues than black civil rights, and with a noticeably silent GAR either ignoring or perhaps not perceiving this slow, gradual change, is it any wonder Arlington no longer remained the upholder of Union virtue and Memorial Day focused more on the bravery of combatants and less on the righteousness of the northern cause?[251]

1877 at Arlington supported decisions made the previous year. Both Union and Confederate graves received adornment on Memorial Day with President Hayes attending the remembrance ceremony. Confederate sympathizers remembered their dead in a separate ceremony in June, once again with the use of the amphitheater and full approval of the War Department. The GAR remained in charge of commemoration on Memorial Day and, as was now common, speeches lauded the heroism of soldiers, and avoided judgments on the causes of the war. So milquetoast had the ceremony become, that most newspaper discontinued printing the speeches, and instead simply listed the order of

[251] GAR, *Proceedings of the Tenth Annual Meeting of the National Encampment of the Grand Army of the Republic* (Philadelphia: Merrihew & Sons, 1876).

procession and names of prominent attendees. One newspaper mourned this proforma observance of Memorial Day and the growing lack of respect by the American public over the commemoration. "Ten years dulls even personal sorrow for the dead," a commentator wrote. "In a good many places," he continued, "Decoration Day is already observed not as an anniversary of tender sorrow, but of general jubilation." The reporter complained of unremarkable ceremonies, lackluster attendance, and alleged that the day was now more prone to "yacht races, parades, speech-making and more drinking today all over the country," than actual visits to national cemeteries. The writer did observe the oddity that, for many, the most sublime moment of solace during the commemoration often occurred when Northerners laid flowers on rebel graves. He passed no judgement however, writing that it was predictable that Confederates now received as much honor and attention as the Union dead since "it is only natural and proper that it [adorning rebel graves] should express the changes in popular feeling about the war, and popular feeling just now dictates that it shall be put out of sight as far as possible."[252]

Arlington National Cemetery, once a stronghold of northern righteousness with the GAR in full control of commemoration on Memorial Day, was now a venue for remembrance and sectional reconciliation. In their 1877 national encampment, the GAR continued a remarkable transformation from an organization unwilling to countenance any discussion of moral equivalence between the northern and southern cause during the war. Words such as "traitor" and "treason" riddle GAR speeches from earlier

[252] "Decoration Day," *Milwaukee Daily Sentinel*, May 31, 1877; "Confederate Graves," *New York Tribune*, May 28, 1877.

conventions. By 1877 these words rarely appeared.[253] In his annual address Commander-in-Chief John F. Hartranft, the current governor of Pennsylvania, former Union officer, Medal of Honor recipient, and former commander of the Old Capitol Prison during the trial and execution of the Lincoln conspirators, summed up GAR policy concerning their former enemy. Addressing the increasing unrest, intimidation, violence, and unease in the South, Hartranft claimed it was southern non-combatants to blame for trouble in the region. Hartranft went so far as to claim, "The Soldiers of the South, who know the cost of disloyalty and the futility of principles, have…been the better citizens of that section." These men, Hartranft claimed, the GAR's fellow comrades-in-arms, "promptly moulded their swords into pruning hooks," and returned to their farms, businesses, and families. According to Hartranft, former Confederate soldiers were not to blame for the treatment of African Americans in the South, but rather "the professed men of peace fanned the embers of hate and have labored to keep alive the passions and prejudices of the past." Hartranft, speaking on behalf of the GAR, argued that it was time to put aside constraints placed on the South. He told the delegates, "we would impose no restrictions, which freemen ought not to endure, or ask any submission which freemen ought not to give." And in return for removing all federal restrictions on the South, Hartranft, and the GAR, only required in return the goodwill of their former foes, "we simply ask that they give up the pistol and the lash, concede free speech, a free press and free votes, and submit to the decision of the ballot."[254]

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[253] The proceedings of the 1877 encampment, which includes all speeches, reports, letters, notices, and organizational motions does not contain the word traitor, and only includes "treason" once.
[254] GAR, *Proceedings of the Eleventh Annual Meeting of the National Encampment of the Grand Army of the Republic* (Philadelphia: Samuel P. Towns, 1877), 445-46; Heidler, David S. and Jeanne, eds.,

With Hartranft's speech, the transformation in GAR attitude concerning remembrance was stark. Less than ten years prior, the GAR routinely condemned any effort at sectional reconciliation without an acknowledgement of the righteousness of the Union cause, the treason committed by Southerners, and the traitorous nature of Confederate leadership and rebel soldiers. GAR members regularly denounced any legitimacy in the southern cause, and refused to countenance any moral equivalency between the two sides. Even Confederate soldiers buried at Arlington at best received a begrudging acknowledgement of existence. For the GAR to now simply "ask" the South to adhere to constitutional requirements, treat the ballot as sacred, and refrain from violence against African Americans represented a capitulation of the most powerful special interest group of the 19th century.

As surprising as this transformation may appear, the GAR only mirrored the overall change in Civil War remembrance and commemoration throughout the North during the pivotal years of 1872-77. From the height of sectional animosity, at least at ANC, to the end of Reconstruction, the northern public grew tired of continual federal interference in southern affairs, especially as many came to believe it only benefited African Americans. Even two of the largest national organizations and staunchest defenders of the Union, the Republican Party and the GAR, gradually lost interest in continuing to pursue debates over the morality of the war, eventually using the shared experience of warfare of both sides as a bridge towards reconciliation. By focusing on the communal experience of combat, white veterans in both regions increasingly created a

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Encyclopedia of the American Civil War: A Political, Social, and Military History (New York: W.W. Norton, 2000), 941-42.

common bond, one that rarely included African Americans and USCT. And, while the GAR did include USCT veterans in their organization, and occasionally advocated for equal treatment by the federal government, these efforts had mixed success, as evidenced by the refusal of the War Department to relocate Arlington's USCT graves to the main cemetery section amongst their loyal white comrades. The hypocrisy of USCT remains resting in a separate, less regarded section of the cemetery while treasonous Confederates lay next to white Union soldiers was appalling to some, but seen as appropriate to many, including the federal government. For men like Montgomery Meigs and ANC leadership, black graves in the lower cemetery was separate, but equal.

The Republican Party over the same period gradually contained more moderate members in Congress. These members were less prone to sanctioning further punishment of the South in league with Radical Republicans, and more interested in retaining national political power. With the loss of the House of Representatives in 1874 for the first time since the beginning of the war, and Republican control of the federal government increasingly tenuous, this set the stage for the Compromise of 1877 and the end of Reconstruction. As with the GAR, the Republican Party during these crucial years turned towards more pressing matters and away from continual debate over the virtue of secession. This is not to argue that that republican members disavowed any discussion of the politics and morality of the war. Many supporters still believed in the absolute justice of the Union cause, writing articles and giving speeches that were unambiguous. Nevertheless, over this period republican calls for unity, forgiveness, Christian charity,

remembrance, and reconciliation with the South, almost at any cost, increasingly outweighed northern animosity, at least in the public sphere.

For Northerners, and which is also true of the GAR and the Republican Party, no one specific instance or capstone event predicated this change in attitude. The increasing public resistance to federal intervention in the South occurred slowly and gradually, caused by a combination of factors. Some of the elements, such as the Panic of 1873 and subsequent financial depression, and the numerous scandals of the Grant administration, reflected an increasing skepticism of the competence of the Republican Party and the federal government. This helped turn public attention away from continually rehashing the morality of the war and towards more direct concerns such as individual financial survival. Another influence was the increasing suppression of black enfranchisement in the South using violence and intimidation. Fatigued with over a decade of civil rights enforcement by federal troops, many Northerners were no longer willing to tolerate the continued use of US soldiers and money to ensure African American political equality. The intrinsic belief in white supremacy throughout the North and South was the foundation of this type of northern fatigue. And, although more difficult to measure, the American characteristic to move on quickly from warfare and tragedy and look to the future certainly played a role in lessening animosity between the sections. Obviously, many in the North still held bitterness and hostility toward former Confederates. Those most affected by the war, those who lost loved-ones or were financially ruined, possibly never overcame their hatred of the South. But in terms of national trends, organizations such as the GAR and Republican Party, as well as large segments of the northern public,

found avenues of reconciliation with the South. Whether through overlooking contentious discussions and focusing on the communal experience of combat, or focusing more on cultivating political power in a changing government, 1872-77 proved transformative.

Since the first national Decoration Day ceremony in 1868, Arlington National Cemetery set the national standard for commemoration of the Union war dead. No other national cemetery in the nation could routinely attract presidents, congressmen, and GAR leadership all on one annual memorial ceremony. Practices and procedures used at Arlington's Memorial Day commemoration influenced national cemeteries throughout the nation. Yet, as much impact as ANC had on other cemeteries, Arlington's ceremonial policies, including treatment of Confederate graves, reflected northern interpretation of war memory. From the initial posting of guards near rebel burials to prevent adornment, to the eventual federal government approval of a separate Confederate remembrance ceremony complete with use of an amphitheater specifically built to honor the Union dead, acceptable commemorative customs at Arlington mirrored the fluid nature of northern tolerance for war remembrance. As the War Department, and the northern public turned their attention to issues other than a continual quarrel over secession morality, some former Confederates perceived an opening at Arlington. As southern women during the 1870s began pressuring the War Department for greater access and influence over the management of rebel graves and commemoration of the Confederacy, the US government capitulated, either to promote sectional reconciliation, or to simply pacify southern politicians and citizens. Whatever the reason, southern women were spectacularly successful during this period gaining formal approval to conduct their own de facto

Confederate Memorial Day at Arlington. Once derided as traitors to the nation, by 1877 this rebel ceremony praised the heroic nature of the Confederate soldier while overlooking the graves of almost 16,000 loyal Union dead.[255] It is interesting to ponder how those dead would react to hearing, wafting over their graves, admiration for men who attempted to destroy the nation they died protecting. How would they respond to Arlington's transformation from a cemetery that once only exalted their service and sacrifice, now to a burial ground that also honored treason?

[255] According to the June 30, 1875 Classified Statement of Interment, ANC contained 57 commissioned officers, 11,378 white Union soldiers and sailors, 343 black Union soldiers and sailors, 4,115 civilians (government employees, women, children, and "contraband," and 357 Confederates. In total, there were 15,893 individuals loyal to the Union. Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA.

CHAPTER FOUR

"The Bravest of the Federals Warmly Appreciate the Valor of the Confederates": Northern Sympathy for Confederate Dead, 1878-1892

When Frederick Douglass addressed a group of Grand Army of the Republic members at an 1878 Memorial Day commemoration in New York City he was uncompromising in his critique of notions of moral equivalence between the Union and Confederate cause. In his speech titled "There Was a Right Side in the Late War," he laid out the position of each side: slavery versus freedom, barbarism versus civilization. For Douglass, compromise with states of the former Confederacy was unconscionable when it came to questions of virtue. Yet while Douglass' message pleased many in his audience, his continuing efforts to remind the public of southern responsibility for the attempted destruction of the nation fell on less sympathetic ears during the final decades of the nineteenth century.[256]

Douglass' arguments held a logical, persuasive appeal. However, during the last potion of the century they came into conflict with a concerted effort by former Confederates and sympathizers to reinterpret Civil War memory, reestablish White supremacy throughout their region, and regain political power in Washington, DC While many Northerners sustained efforts to remind the nation of the righteousness of the Union

[256] Frederick Douglass, "There Was a Right Side in the Late War: An Address Delivered in New York, New York, on 30 May 1878," *Frederick Douglass Papers, Series One: Speeches, Debates, and Interviews, Volume 4: 1864-1880* (New Haven: Yale University Press, 1991),

cause, Southerners began in earnest to argue for the glorification of rebel morality by emphasizing their own "true" history of the Confederacy. This Lost Cause mythology, downplaying the importance of slavery to the Confederate States of America, emphasized notions of southern manliness and the virtue of rebel soldiers fighting against impossible odds, while at the same time establishing the defense of southern states' rights as the primary rationale for secession. Far from considering themselves traitors to the nation, many Southerners began arguing that their rebellion from the United States encompassed the spirit of the founding generation and thus actually reinforced the principles of the American Revolution. Some intransigent Southerners even argued that the epitaph "treason" belonged more to the North, whose coercive political practices and destructive Union army they perceived most resembled eighteenth-century British tyranny.

This was not a singular effort focusing only on the use of intimidation and violence to suppress African American civil rights, but a multi-faceted, if often uncoordinated effort to rehabilitate secession rationale. As arguments concerning the legitimacy of the southern cause continued throughout the nation, Confederate sympathizers increasingly used numerous tactics to inculcate Lost Cause propaganda throughout the nation. One of the most significant avenues of persuasion was through the commemoration of southern war casualties. Having already established ceremonies praising the valor and heroism of Confederates throughout the South, and an annual rebel commemoration at Arlington National Cemetery, Southerners during this period began focusing on the treatment of Confederate prisoner of war (POW) burials in the North. With numerous mass graves containing thousands of rebel remains located near former

POW camps throughout the North, Southerners applied pressure on local, state, and federal officials for recognition of their departed brethren. By, once again, using rhetoric emphasizing universal notions of honor among warriors, the common hardships of military service, and the shared experiences of combat, southern veterans found an increasingly tolerant, if not always fully sympathetic northern public.

Once efforts to locate and identify Confederate remains in the North began in earnest, Southerners then contended that since the placing of individual headstones was often impractical due to mass graves, or because burial records were impartial or no longer extant, larger monuments to rebel soldiers listing the names of the dead were necessary. These initial northern-located southern burial monuments occurred during the same period when more elaborate Confederate monuments continued appearing throughout the South, frequently at more conspicuous locations such as Civil War battlefields and public parks. These memorials, far from being a simple listing of rebel dead in a mass grave, celebrated the gallantry and courage of southern regiments and Confederate leadership while often symbolically promoting the moral righteousness of the Lost Cause.

Although southern monument construction in the North, initially justified as a rational option for remembrance of the Confederate dead in long neglected or mass graves, dramatically increased during the period, this was only one portion of the effort to rehabilitate war memory throughout the nation. Another endeavor was through the formation of southern advocacy organizations, many formed during the last decade of the century. Buoyed by the end of Reconstruction and the exhaustion of the northern public

to continued federal intervention in the South, both the United Confederate Veterans (UCV) and the United Daughters of Confederacy (UDC) began operations strengthening, and eventually superseding, many pro-Confederate bodies such as the numerous Ladies' Memorial Associations and Southern Memorial Associations originally designed to honor the Confederate dead. These new, more influential organizations contained larger memberships and a more centralized and focused mission.

Unlike the GAR, who was more interested in procuring Union veteran benefits than dueling over the righteousness of each regions' war aims, these new southern organizations began supporting efforts, such as care and maintenance of rebel POW graves and memorials to their dead in the North, in part to foster a pro-Confederate reinterpretation of the war. Whereas historical memory was now of lesser importance to leadership of the GAR, both the UCV and the UDC considered disseminating a "truer" southern history, sympathetic to the South and steeped in Lost Cause mythology, as one of the fundamental principles of their organizations, and identified northerner burial grounds and battlefields as venues most likely to garner national sympathy.

The push for identification and remembrance of deceased Confederate POWs in the North and the subsequent increase in monument construction throughout the last quarter of the nineteenth century was only one aspect of the promotion and success of Lost Cause propaganda throughout the nation. Southern organizations promoting a more compassionate view of Confederate history were careful, at least initially, to overemphasize the valor and virtue of the rebel soldier as an entry point into garnering sympathy from GAR members, Union veterans, and the northern public writ large.

Former Confederates understood that a successful southern effort to reframe secession as justified and virtuous must begin by stressing the commonality of military service and combat experienced by all veterans of the war. As Union veterans' accepted rebel military service as honorable and worthy of respect, opportunities to proselytize Lost Cause mythology increased.

This chapter analyses how Southerners continued to use commemoration of the war dead as an opportunity to promote a valorous rationale of the Confederate cause. How did former Confederates use rebel POW graves to arouse northern sympathy for Confederate soldiers? How did the construction of rebel burial monuments throughout the North eventually influence remembrance ideals at Arlington National Cemetery (ANC)? Why did the northern public's response change over time from toleration of simple memorials listing the names of southern dead in neglected cemeteries, to increasingly larger and more propagandistic monuments symbolically promoting Lost Cause mythology? In addition, did northern organizations like the GAR resist southern memorial construction and increased efforts by the UCV and UDC to "rewrite" the history of the war? And most importantly, how did identification and care of rebel burials in the North, along with construction and proliferation of southern monuments and the reinterpretation of war memory effect burial practices and commemoration of the war dead at ANC?

As this chapter shows, these southern efforts, couched in more palatable terms of remembrance and commemoration of rebel dead and focused on a universal, nationwide veteran experience of a brotherhood-in-arms, created an important avenue for pro-

Confederate ideology to enter northern consciousness. Far easier (at least initially) than tolerating praise of secession and a defense of chattel slavery, southern appeals to pay homage and reverence to their fallen often fell on sympathetic northern ears. With the approval of the federal government and northern public, the creation of southern monuments to their treasonous dead began normalizing memorial construction with the unintended consequence of influencing larger, more propagandistic monuments throughout the South and eventually on northern battlefields, burial grounds and national cemeteries. From 1878 to 1892, northern public toleration and approval of identification and honoring rebel burials in the North heavily influenced the eventual construction of a unified, segregated Confederate burial section at ANC. In addition, inspired by the rash of southern monument erection throughout the period, including the construction of rebel memorials in Pennsylvania, Ohio, and Illinois, Confederate sympathizers successfully began establishing the moral justification for the eventual construction of ANC's Confederate burial section and zealously propagandistic monument paying homage to the Lost Cause.

Memorial Day 1878 at Arlington attracted "as large an attendance as on any previous occasion." Led as always by the GAR, commemoration of the war dead continued its importance to the northern public, even if remembrance ceremonies at national cemeteries now squarely focused on praising the bravery of soldiers from both sides, and no longer condemned the treasonous Confederacy. And, while many GAR members complained of the increasing disrespect for the commemorative day shown by

those who used the opportunity for recreation and not for solemn remembrance, Arlington's ceremony retained its importance and popularity. Dignitaries attended the ceremony at the amphitheater, speeches and prayers praised the valor of the soldier dead, and graves in the main cemetery, both Union and Confederate, received flowered adornment.[257]

As unconfrontational as Arlington's ceremony remained, there were still efforts to use Memorial Day to remind the northern public of the commemorative day's original purpose, the remembrance of the Union war dead and the truthful history of the conflict. Frederick Douglass, once again called on to deliver an address on Decoration Day, took the opportunity to plead for the nation to remember that slavery was the true cause of the war, and that only the North was on the righteous side of history. At a Memorial Day ceremony in New York City, before a statue of Abraham Lincoln in Union Square, Douglass began an address to the Abraham Lincoln Post No. 13, Department of New York, GAR by praising the valor of the Union veterans who gave their lives to defend the republic. Douglass wished "your memory never perish," and thanked the honored Union dead by pledging that all faithful Americans "tender you on this memorial day [sic] the homage of the loyal nation, and the heartfelt gratitude of emancipated millions."[258]

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[257] "Our Heroic Dead," *Washington Post*, May 30, 1878; "Decoration Day," *Washington Post*, May 18, 1878; "The Arlington Estate," *New York Times*, March 19, 1878; Grand Army of the Republic [hereinafter GAR], *Proceedings of the Twelfth Annual Meeting of the National Encampment of the Grand Army of the Republic* (New York: Office of the Grand Army Gazette, 1878), 565-66.

[258] *New York Times*, May 31, 1878; Fort Scott (Kansas) *Colored Citizen*, June 14, 1878; Frederick Douglass, "There Was a Right Side in the Late War," 484. According to Douglass, this was the first time a New York City-based GAR post asked an African American to address their organization on Memorial Day.

After praising deceased federal soldiers, Douglass launched into the main purpose of his speech, to warn Northerners of the failure of nation to uphold the legacy of the Civil War dead. Quoting Abraham Lincoln and Ulysses S. Grant's call for charity and peace with the South, Douglass argued that while those aspirations were important, they must come secondary, after "liberty, law, and justice." Douglass asserted that the South was recalcitrant. The former Confederate states "dishonor[ed] and disregard[ed]" the Constitution by violently overthrowing "duly elected state governments," using intimidation and violence to stop African American voting and attempted to "paralyze and shrivel the body of the national government."[259]

Douglass claimed he was not trying to "fan the flames of sectional animosity," but argued that any honest man, observing the treatment of African Americans in the South, could not "fail to see that we are still afflicted by the painful sequences both of slavery and of the late rebellion." Douglass' main concern was the increased movement toward southern reconciliation without ensuring the gains achieved, due to the loyal Union men remembered on Memorial Day, did not wither due to political expedience, or, worse still, relying on promises by the White Southerners to guarantee the protection and enforcement of African American civil rights. Douglass understood President Hayes' efforts to "conciliate and pacify the old master class," but thought Northerners were bearing too much of the burden toward national reunification. "Some steps," Douglass contended, "by way of conciliation should come from the other side."[260]

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[259] Frederick Douglass, "There Was a Right Side in the Late War," 484.
[260] Ibid, 484-85. Hayes' political strategy was based on a belief, borne out he believed during the Grant administration, that southern Republicans could no longer sustain political power in the South, even with federal government protection and intervention. Hayes' efforts at sectional reconciliation aimed to attract

According to Douglass, up to this point a good-faith effort by the South was lacking. Only the North demonstrated conciliation and compassion, and, in Douglass' most forceful argument, it was former slaves who set the example White Southerners should emulate. Douglass proclaimed that "the world has never seen a more striking example of kindness, forbearance, and fidelity than was shown by the slave population of the South during the war." No better example of magnanimity and charity existed than when Southerners went to war and left their slaves to take "care of the families of their masters while those masters were off fighting to make the slavery of these same slaves perpetual." As Douglass stated, "the hearths and homes of those masters were left at their mercy," and slaves had the opportunity to "kill, rob, destroy," yet "no act of violence lays to their charge." Douglass compared the righteous response of slaves to the viciousness perpetrated on African Americans by Southerners since the end of the war noting, "All the violence, crimes, and outrages alleged against the negro have originated since his emancipation." What's more, Douglass argued, is that the "kindly temper and disposition of the colored people of the South to the old master-class, may be equally said of the feelings of the North toward the whole South."[261]

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former Whigs and Stephen Douglas Democrats to the Republican Party. Hayes, although while a member of Congress, supported Radical Reconstruction, held the spectacularly naïve belief that the pledges and promises of white Southerners to protect the civil rights of African Americans would prove more successful than federal military force. As part of his efforts, Hayes removed the US Army from most of the South, and appointed southern Democrats to federal office. Despite Hayes' best efforts, few Southerners joined the Republican Party. See William Gillette, *Retreat from Reconstruction 1869-1879* (Baton Rouge: Louisiana State University Press, 1979), 335-52; Vincent P. DeSantis, *Republicans Face the Southern Question: The New Departure Years, 1877-1897* (Baltimore: Johns Hopkins University Press, 1959), 66-132; Kenneth E. Davison, *The Presidency of Rutherford B. Hayes* (Connecticut, Greenwood Press, 1974), 136-44; Keith Dan Polakoff, *The Politics of Inertia: The Election of 1876 and the End of Reconstruction* (Baton Rouge: Louisiana State University Press, 1973), 246-51, 317-21.

[261] Ibid, 487-88.

Douglass understood why the North turned conciliatory toward the South stating President Hayes' conciliation "was in line with northern sentiment." Most infuriating to Douglass, however, is what he perceived as exertions to imply the "South was right in the rebellion, or to say that the North was wrong." Moral equivalency between the two sides was abhorrent to Douglass. He stated this distinctly in his address, "We must not be asked to put no difference between those who fought for the Union and those who fought against it, or between loyalty and treason." And, to address one southern defense, Douglass disdainfully asserted, "I admit that the South believed it was right, but the nature of things is not changed by belief."[262]

It is important to remember that Douglass's address was on Memorial Day, a day to remember and honor fallen Union soldiers. If there was one line of reasoning increasingly accepted by both regions and specifically witnessed at Arlington, it was that the valor and bravery of veterans of both sides was now worthy of remembrance. Douglass attacked this line of reasoning directly. He agreed that if the war is "viewed merely as a physical contest…neither the victors nor vanquished can hurl reproaches at each other, and each may well enough respect and honor the bravery and skill of each other." Douglass went so far as to condone adorning the graves of both sides, approving of the tradition to "strew choicest flowers upon the graves of the dead heroes of each respectively and equally." Yet as magnanimous as Douglass appeared, he then argued that the war was not "simply…a physical contest." This war, Douglass continued, "was a

[262] Ibid, 488-90

war of ideas, a battle of principles and ideas which united one section and divided the other: a war between old and new, slavery and freedom, barbarism and civilization…"[263]

Douglass' comparison between honoring the physical participants in warfare, which both sides now agreed on, and the "war of ideas" was intentional. Knowing that the GAR members attending his speech were present to remember and commemorate their dead, he paid homage to their comrades while Douglass' very presence undoubtedly reminded the assembled of United States Colored Troops' (USCT) sacrifice as well. Speaking of adorning the graves of fallen comrades on both sides created an atmosphere of solemnity and reflection. Yet Douglass' purpose at the New York City ceremony was not to placate the masses with platitudes describing the bravery and valor of soldiers. He wanted to remind the assembled of key distinctions between the Union and Confederacy. Evidence of this transition is Douglass' inflammatory, emotional language shortly after praising the decoration of soldier interments. The distinction, for Douglass, was simple: slavery versus freedom, barbarism versus civilization. He reminisced for the GAR members the virtuousness of their cause and the immorality of the Confederates. Douglass' clear distinction between the principles of the two sides was a not so subtle reminder to Union veterans of the importance of continuing to hold the South to account.

Douglass' rhetoric was aggressive but aimed to coax loyal Unionists away from reconciliation at all costs and back toward first principles, what the war meant and the legacy of the federal dead. He completed his address by focusing on the continued significance of Memorial Day, and in this final portion was remarkably candid. He

[263] Ibid, 490.

attacked those "good, wise and generous men at the North," who were so concerned about sectional reconciliation that they "doubt[ed] the wisdom of observing" the commemoration, "would have us forgive and forget," and "strew flowers alike and lovingly, on rebel and on loyal graves." Douglass agreed with decorating interments, but dismissed any attempt to downplay the purpose behind the day. Douglass was explicit, "There was a right side and a wrong side in the late war, which no sentiment ought to cause us to forget, and while today we should have malice toward none…it is no part of our duty to confound right with wrong, or loyalty with treason." He countenanced no argument of moral equivalency or forgive-and-forget. Douglass then warned against reconciliation without consequences. Arguing that previous efforts at appeasing the South was a major cause of the war, he reminded his listeners that it was the North who "permitted treason to grow up under their very noses," failing to "rebuke or repulse," in a misguided attempt "to conciliate the rebels." Douglass contended that, in return for previous northern conciliatory outreach, the nation lost "nearly half a million of men" defeating treason and, "the men who, with broad blades and bloody hands sought to destroy" the nation has now "virtually captured" control of the government. Left unspoken but implicit in his speech were questions concerning the consequences of abandoning the South to their own supervision. What benefit did reconciliation bring to the virtuous Union dead? What advantage did the nation forfeit by reconciliation without consequences? Was there now no right side and wrong side in the late war?[264]

[264] Ibid, 491.

Douglass' imagery is palpable, and the force of his argument compelling. Yet, as already demonstrated in earlier chapters, this speech repeated many of the same themes and contentions of many of his previous addresses. While Douglass continued to captivate crowds with the force of his oratory, it is doubtful if many in the crowd of GAR members were unaware of his arguments. Yet it is no coincidence that Douglass gave such a forceful repudiation against pacifying the South during a Memorial Day ceremony. As was the case at Arlington and throughout the nation, these commemorations continued to hold an outsized role in northern remembrance practices and annually provided a captive audience amenable to messages regarding the virtue of the Union cause against the treasonous Confederacy. Douglass knew that on this one-day GAR members were probably more pliable to oratory holding the South accountable, especially if surrounded by the graves of their fallen comrades. Douglass used formidable rhetoric and emotion in an attempt to influence northern leaders toward a more robust federal treatment of the South. Unfortunately, his efforts, as with previous speeches, failed to persuade federal officials to alter conciliation efforts with the South.

In comparison to Douglass' efforts to reassess northern conciliation with the former Confederacy, one example of reconciliation taking place with federal government approval occurred just over two weeks after his Memorial Day speech. On June 14, visitors attended a "Confederate Memorial Day" at Arlington which included decoration of rebel graves and a ceremonial program at ANC's amphitheater. Led by the

Confederate Memorial Association[265] and attended by 1,500 guests, this represented the largest pro-Confederate ceremony at Arlington to date, and passed without commentary or complaint by ANC officials or the US War Department. Transcripts of the speeches given no longer exist, but it is likely that, if organizations such as the GAR were now mainly refraining from judgmental addresses about secession and the Lost Cause, former Confederates potentially felt greater liberty to begin proselytizing about the legitimacy of the southern cause as well as praise the bravery and valor of Arlington's rebels. 1,500 sympathetic visitors at a pro-Confederate ceremony still paled in comparison to attendance at Arlington's Memorial Day commemoration.[266] However, it is notable that Southerners felt increasingly emboldened to hold larger, separate remembrances and felt little compunction to join the GAR-led Memorial Day ceremony or potentially promote any sort of national unity. [267]

It is also remarkable that even with the increased attention by Confederate sympathizers and Arlington's use as a venue to celebrate and remember rebel soldiers, the GAR remained noncommittal over the appropriateness of the use of national cemeteries to praise the service of traitors. At the GAR's 1878 National Encampment, topics of discussion mirrored those of recent encampments including increasing membership numbers, a bill in Congress potentially backdating pensions for Union disabled to the date of injury, advocating for a veteran hiring preference in federal government employment, and a debate over the formation of an organization for the sons

[265] This "Confederate Memorial Association" was a group of residents, mainly of Alexandria, VA, who annually organized the Confederate remembrance ceremony at ANC.
[266] Since 1868, ANC's GAR-led Memorial Day attendance ranged from 15,000-25,000 attendees with weather the biggest influence on the number of guests from year to year.
[267] "Washington," *Daily Evening Bulletin*, June 14, 1878.

of Union veterans. Other than the standard boilerplate recognition of the sacredness of Memorial Day, there was a notable lack of speeches proclaiming the righteousness of the Union cause, statements denouncing secession rationale, and a dearth of proclamations condemning the increasingly prevalent use of Arlington as a location for Confederate memorialization. The GAR's focus was, once again, on Union veteran advocacy with the federal government, and not on relitigating the legitimacy of the Confederacy in the court of public opinion.[268]

Obviously, Arlington was far from the only cemetery in the nation forced to confront the legacy of the war. Yet its status, described by one commentator as the "center of commemoration," influenced other burial grounds containing war dead. If Arlington's US Army administrators or the War Department had prevented the decoration of rebel burials, or at a minimum rejected authorization of a pro-Confederate ceremony on cemetery grounds, other graveyards may have followed ANC's example. Instead, with Arlington's precedent of commemorating rebel burials now firmly established, other cemeteries emulated the procedure. A speaker on Memorial Day at Louisville's Cave Hill Cemetery, containing the remains of 4,000 Union soldiers, stressed "no purposes of revenge," between the regions, but only to "pay the proper tribute to the memory of the dead." The Annapolis National Cemetery, with the remains of over 2,600 Union dead and Confederate POWs, received adornment by midshipmen from the US Naval Academy. At the Memphis National Cemetery, containing over 14,000 Union dead, speeches paid tribute to the bravery and valor of soldiers from both the North and

[268] GAR, Proceedings of the Twelfth Annual Meeting, 520-523, 555.

the South. And, at Gettysburg, the keynote address called on the nation to "bury all the animosities of the past," and "clasp the hand of fellowship with those whom the dead here were obliged to meet as valorous foes on many a battlefield…"[269]

By the late 1870s, the emphasis on praising Union and Confederate courage to promote sectional reunion and healing was the predominant focus of many speeches at Memorial Day ceremonies. Important exceptions occurred, however, when speakers used their platform to denounce reconciliation at the expense of rewriting history. One such example occurred in New York City in 1879 when Schuyler Hamilton, Union veteran and grandson of Alexander Hamilton, addressed the Abraham Lincoln GAR post, the same group Frederick Douglass spoke to the previous year. Although Hamilton approved of decorating Confederate graves on the previous Memorial Day, this year he reconsidered, begging forgiveness of the group for his prior approval stating, "My heart was not in those words. They were spoken in a fit of sentimental generosity, aroused by misrepresentations of prominent rebels." Hamilton called on the post to refrain from adorning Confederate graves. His change of heart was clear, "They were traitors in 1861," he spoke, "they are traitors now!" Arousing Hamilton's displeasure was Democratic gains in the US legislative branch and southern efforts to ignore the legacy of the war. Hamilton warned that these former Confederates "have been plotting treason in the halls of Congress," and any adornment of rebel graves by loyal Northerners was a futile gesture at sectional healing. As impassioned as Hamilton's plea was, and although some GAR members probably agreed with Hamilton's anger, the call to refrain from

[269] "Not Forgotten," *Inter Ocean* (Chicago), May 31, 1879; "Decoration Day," *The National Tribune* (Washington, DC), June 1, 1879.

decorating rebel graves proved impractical. By 1879 the adornment of all soldier interments at cemeteries throughout the nation on Memorial Day was common practice. Whether accomplished by GAR members or guests, both Union and Confederate graves routinely received decoration. In addition, many cemeteries, like Arlington, even permitted an observance of a separate Confederate commemoration, providing an additional, and focused opportunity to recognize southern sacrifice. Predictably, GAR members in attendance, while potentially sympathetic, ignored Hamilton's appeal, and continued the tradition of adorning all military interments. Although clearly heartfelt, Hamilton's call to spurn rebel graves more likely reflected his frustration with national politics, and not a sincere call to reevaluate Civil War remembrance.[270]

Regardless of the purpose of Hamilton's entreaty, some commentators did use Memorial Day as an opportunity to remind the nation of southern intransigence and the danger of national pacification toward the former Confederacy, especially as it related to remembrance of the dead. One example occurred on May 30, 1879 at a cemetery in Joliet, Illinois, in an address given by the governor of the state, Shelby M. Cullom. Cullom, a prominent member of the Republican Party who later served for thirty years in the US Senate, began his long speech by retelling the crowd of the significance of Memorial Day. He stated that the annual tradition was a "demonstration of respect for the memory of the soldiers of the republic who lost their lives in the war of the rebellion," complete with placing "beautiful and fragrant flowers of the spring time to their heroic graves…and of speaking above their patriotic dust words of praise for their valor, [and]

[270] Ibid.

exultation for the triumph of their cause…" Shelby took aim at what he perceived was a trend to restrain the annual commemoration to lessen animosity between the regions. "With this sentiment I do not agree," he spoke to the assembled, "and I am sure that the patriotic emotions of the people will rebel against the cold teachings of the men who say, 'let the dead past bury its dead.'"[271]

The North had done enough, Cullom argued, towards reconciliation, reminding the attendees that "the nation has gone further than any other nation ever went in merciful dealing with its enemies." Reciting a litany of benefits given to traitors to the nation including universal amnesty and "rehabilitation with all the rights of the citizenship they had forfeited," he contended the North had been so generous that "men who were general officers in the secession army, or high in the administration of the so-called Confederate government," now dominated Congress. So egregious was lenient treatment toward the rebels, Cullom lamented, "the man who was Vice President of the Confederacy[272] is a leader in the House of Representatives…[and] men who stood by the Union in all its dark days…have been promptly rebuked by men who led rebel armies and are now clothed in Senatorial robes of the Union they attempted to destroy."[273]

Cullom's address was purposeful and direct. Perceiving a national effort to lessen commemoration of the Union dead by southern leaders now in power in Washington, he warned against northern capitulation on remembrance ceremonies, especially on Memorial Day. He argued that exertions to downplay Memorial Day, "should not be

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[271] "Illinois," *Inter Ocean* (Chicago), May 31, 1879.
[272] Cullom is talking about Alexander Stephens (1812-1833), who served as Vice President of the Confederate States from 1862-186565 and in the US House of Representatives from 1873-1882.
[273] "Illinois," *Inter Ocean* (Chicago), May 31, 1879.

permitted to go so far that it will be necessary to speak 'with bated breath and whispering humbleness' of the brave deeds of the men who sleep in Union graves, of the cause they advocated and vindicated…of the wrongs…they overthrew." Yet Cullom was not advocating for a return to 1868 northern commemorative practices. He understood the reality and need for national reunion, but cautioned it must not occur without respecting and honoring the federal dead, and the righteousness of their cause. "We can be required, by the spirit of conciliation," Cullom maintained, "to throw flowers on the graves of men who wore the gray, whose dust is mingled in our national cemeteries…but we should not be denounced as invokers of the passions of war…when…the patriotic hands…gather the flowers of the spring-time to decorate the graves of the Union soldiers."[274]

Both Hamilton and Cullom's speeches represented an important effort to reiterate to Northerners and members of the GAR that submission to the growing political power of the South and a minimization of the valor of the Union dead and the immorality of the southern cause was an unacceptable sacrifice in return for regional unity. Unfortunately for both commentators, their exertions denoted a minority view. Overshadowing their talks, the preponderance of speeches, orations, and lectures occurring each Memorial Day routinely emphasized reconciliation and national reunion by focusing on the bravery, courage, and honor of both Union and Confederate dead. Less common were in-depth sermons on the legitimacy of secession or holding former Confederates accountable for their attempted destruction of the nation.[275]

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[274] Ibid.
[275] "Under Arlington's Trees," *Washington Post*, May 30, 1879; "Clustering Memories," *Washington Post*, May 31, 1879; War Department Memorandum, Congressional Cemetery at Arlington, September 26, 1879,

Hamilton and Cullom's orations are a small portion of the speeches given at cemeteries throughout the nation on Memorial Day. One important source for evidence of a continuing shift toward forgiveness and absolution of the South is an examination of Decoration Day lectures from throughout the nation as recorded in the newly published newspaper, *The National Tribune*. The *Tribune* contained in its masthead its targeted constituency clearly stating, "A Monthly Journal devoted to the interests of the Soldiers and Sailors of the late war, and all Pensioners of the United States." Founded as a newspaper for Union Civil War veterans and their families, its stated purpose, written on the final page of its inaugural issue, was to "to secure to soldiers and sailors their rights, and to expose their wrongs to public inspection so that correction may be made…" Although notionally nonpartisan, the *Tribune* routinely advocated on behalf of Union veterans' rights and for the extension of pensions to veterans and their families.[276]

Aside from its robust support for Union veteran and family pensions, the *Tribune*, described by one historian as "easily the most influential and widely read sheet of its day," published articles concerning battle histories, war recollections, and Union veteran letters. Over time, the newspaper reported GAR news and activity, and in effect became an organ of the organization. Each spring, the *Tribune* published an edition focusing coverage on Memorial Day and remembrance of the Union dead, including reporting on commemorative speeches given throughout the nation. One example of typical Memorial Day treatment is the June 1879 edition. The cover page sets the tone for the entire issue.

Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 7, Entry 576, NM-81, RG 92, NARA.

[276] *National Tribune* I, no. 1 (October 1877): 1,8. Published from 1877 to 1917, *The National Tribune* began as a monthly newspaper in October 1877 and became a weekly in August 1881.

Titled "Decoration Day Memories," the image depicts a young widow, sitting before her desk, gazing at a miniature picture of her deceased spouse while surrounded by his final letters home from the war. In the background is a large painting of her martyred husband, a Union officer, adorned with mourning ribbon and an American flag. The description of the image states it "represents a scene such as was oft beheld during the war, and is now that it is all over." This image, depicting a woman experiencing a private moment of mourning, represented the continued pain of loss, though the war ended fourteen years prior. The power of the image, coupled with the *Tribune*'s stated goal "to secure to soldiers and sailors their rights, and to expose their wrongs to public inspection so that correction may be made," gives the impression that coverage of Memorial Day activities will take a decidedly pro-Union tone. [277]

However, an examination of the reporting throughout the issue complicates this idea. The *Tribune*, an eight-page broadside format journal, included over fifteen accounts of Decoration Day commemorations throughout the North.[278] Coverage included full and partial transcripts of keynote addresses, reaction and interviews of attendees, poetry and letters to the editor. Not surprisingly, orations praised the Union war effort and the federal dead as their sacrifice "tolled the death knell of the Confederacy," and "crush[ed] treason." Commentators praised the Union soldier who "died to give the nation

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[277] Richard A. Sauers, *"To Care For Him Who Has Borne the Battle": Research Guide to Civil War Material in the National Tribune, Volume I: 1877-1884* (Jackson, KY: History Shop Press, 1995), xxii; Heidler, David S. and Jeanne, eds., Encyclopedia of the American Civil War: A Political, Social, and Military History (New York: W.W. Norton, 2000), 1391-92; "Decoration Day Memories," *National Tribune* II, no. 6 (June 1879): 41.

[278] Coverage included reports from Gettysburg, ANC, Congressional Cemetery (DC), New York City, Philadelphia, Chester (PA), Pittsburgh, Boston, Cincinnati, Columbus and Dayton (OH), Chicago, Newark, St. Louis, and Fredericksburg (IA).

peace…won for us a *Union*…won for this nation *liberty*…gave to the nation *prosperity*."[279] Each recorded speech emphasized the valor of the Union dead, and reminded the crowds of the importance of Memorial Day to remember the fallen and commemorate their deeds.[280]

While the Decoration Day speeches rightly highlighted northern bravery, most also contained lamentations toward their former foe. Perhaps unexpectedly to the modern ear, northern orators speaking in national cemeteries on a day beholden to honor the Union dead included Confederate souls in their tributes to honor and sacrifice. One commentator hoped that the spirit of "magnanimity, the twin sister of courage, be uppermost in our hearts and minds, remembering that, 'forgiveness to the fallen does belong.'" The speaker, after contending that there was no reason to admonish soldiers "to forget hatred" because "soldiers never hate each other," but only "battle for the love of the cause," rejoiced that the nation could "present to a wondering world the glorious spectacle or reunited hearts, and exhibit to that world that, forgetting hatred, forgetting strife, we have come together once more…in one common feeling, with one common cause."[281]

Although a post mortem survey of the Civil War dead might take issue with the orator's claim that opposing soldiers fight without hatred for each other, his exertions to honor southern soldiers as courageous and deserving of praise mirrored excerpts from other Memorial Day speeches. While never the principle portion of the day's orations, all

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[279] Emphasis in original.
[280] "Decoration Day," *National Tribune* II, no. 6 (June 1879): 42-43, 46.
[281] Ibid, 42-43.

the recorded speeches in the *Tribune* contained passages emphasizing the importance of unity and reconciliation, while reminding crowds that southern soldiers, although in service of an illegal government, fought valiantly and deserved remembrance in grave decoration and speeches. Another example of conciliatory language occurred in Cincinnati, Ohio, when the Memorial Day speaker stated that toward the people of the South, "I haven't a single unkind thought of any character…" He was also confident that Union soldiers agreed stating, "it is the sincerest desire of all to see every wound of the war healed," and that since the end of the war, the national "loyalty of this people is as unquestioned as ever." And, in perhaps the strongest passage enthusiastically encouraging reconciliation (and emulating Lost Cause ideology), another Decoration Day commentator, this time at Gettysburg National Cemetery, claimed "…Confederate and the Federal alike join with us in gratitude and thankfulness to Almighty God that the issue of the war was liberty and nationality and not slavery and secession."[282]

The Decoration Day speeches contained in the *Tribune* included language emphasizing clemency and forgiveness toward former Confederates. While most did not go so far as to ignore the importance of slavery in secession rationale or completely exonerate the Confederacy for attempted destruction of the nation, the terminology of compassion toward the South imbued each oration. Why would a pro-Union journal, whose stated mission was to advocate on behalf of loyal, Union soldiers print speeches comparing the valor of their martyred comrades to treasonous soldiers? Space limitations required excerpting many of the orations. Why not simply refrain from including

[282] Ibid, 42-43, 46

sympathetic text towards traitors and their cause, instead only printing the main portion of each speech, praising the righteousness of the federal dead?

The simplest explanation is an earnest effort, by veterans and leaders in the North at national reconciliation. With the animosity apparent in the White South due to the perceived tyranny of Reconstruction, the fatigue in the North over continual arguments over African American civil rights, and the unwillingness of Northerners to accept further federal intervention or interference in southern affairs, many Union veterans and politicians undoubtedly concluded that only with a conciliatory tone over war memory could the nation finally return to harmony and agreement. Northerners were not yet willing to accept moral equivalency between Union efforts to save the nation and Confederate treason, but by focusing on a communal sense of bravery and valor committed by soldiers of both sides it allowed the focus of Memorial Day commemorations and regional relations to move away from the perceived righteousness of the North and the South, and toward concentrating on solemn remembrance of the American dead.

This is only one possible explanation for the *Tribune's* policy of printing portions of speeches sympathetic to former Confederates, and possibly the least important. The *Tribune*, which eventually came to be a de facto mouthpiece of the GAR, had political goals behind its publishing. The *Tribune* was clear that it existed to advocate for Union veterans' rights, most importantly pensions for the wounded, disabled, and families of the deceased. This effort, which was also one of the main interests of the GAR, involved lobbying Congress and working with the federal government to pass and administer

legislation beneficial to loyal soldiers and sailors of the United States. Although the *Tribune* included battle histories and war memories of veterans, and over time printed debates over who rightfully deserved credit for Union victories and defeats, it main goal was persuasion of government officials in Washington, DC Begun in 1877, the *Tribune* came into existence during a time when the Democratic Party, controlled by Southerners, was in ascendency in the federal government. By 1878 Democrats controlled the US Senate and held a plurality in the US House of Representatives. Prospects to advance Union veteran benefits were less likely with a pro-southern party in control of the legislative branch.

Paralleling the subtler reconciliationist pivot occurring in the GAR, it is likely editors of the *Tribune* knew that only printing the portions of Decoration Day speeches praising the valor of federal soldiers and the righteousness of the Union cause, while probably more comforting to their readers, would present barriers to influencing Congress. By including orations that included praise for the bravery and courage of Confederates the journal had a greater chance of influencing southern legislators. To placate Republicans, the *Tribune* continued including patriotic articles focusing on individual battles and memories of the hardship veterans endured, but including respect for the service of rebel soldiers potentially helped appease the ruling party in Congress. Much like the GAR, political concerns outweighed the importance of hagiography. The *Tribune's* incentive to influence veteran benefits was greater than their inducement to merely print recollections of Union victories. With animosity in Congress apparent, the *Tribune* possibly felt some conciliation toward the Confederate dead could improve

relations between the regions and hopefully influence the successful expansion of Union veteran pensions and benefits.

While organizations such as the GAR and editors of the *Tribune* continued the balancing act of advocating on behalf of Union veterans while reconciling with their Confederate counterparts, other changes occurred that more directly impacted the treatment of rebel dead in national and northern cemeteries, and that would eventually influence the disposition of Arlington's Confederate remains. In November 1879, a group of Alexandria, Virginia and Washington, DC residents calling themselves the Confederate Memorial Association (CMA)[283] formally requested permission to remove all Confederate burials from the Alexandria National Cemetery for reinterment in the local Christ Church burial ground. As one of the original fourteen national cemeteries created in 1862, Alexandria contained the remains of over 3,500 Civil War soldiers and sailors, including thirty-six Confederate POWs.[284]

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[283] This is the same "Confederate Memorial Association" who routinely organized the annual Confederate remembrance ceremony at ANC.

[284] "Classified Statement of Interments in the Alexandria, VA, National Cemetery, June 30, 1875," Alexandria, VA folder, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 2, Entry 576, NM-81, RG 92, NARA; Transcript, K. Kemper to Superintendent, Alexandria National Cemetery, November 26, 1879, Alexandria, VA folder, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 2, Entry 576, NM-81, RG 92, NARA; Therese T. Sammartino, "Alexandria National Cemetery," National Register of Historic Places Nomination Form (Washington, DC: US Department of the Interior, National Park Service, 1994), Section 8; National Park Service, "Alexandria National Cemetery," Department of the Interior, National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/Virginia/Alexandria_National_Cemetery.html (accessed February 25, 2021). Exact numbers of Confederate burials at the Alexandria National Cemetery differ according to sources. The National Park Service (NPS) states 39 rebel graves, while a June 30, 1875 "Classified Statement of Interments" from J. Davis, Superintendent of the Alexandria National Cemetery, records 31 known Confederate and 5 unknown rebel interments for a total of 36. It is unclear how the NPS determined 39 graves so I have chosen to use Davis' document. All Confederate burials occurred during the war, with the cemetery reaching capacity and closing to new interments the day Arlington became a national cemetery on June 15, 1864. The cemetery reopened for burials in 1875 upon acquisition of additional land. One interesting note, handwritten at the bottom of Davis' statement is the following

Remarkably, the request for a mass disinterment of Confederates received quick approval from the War Department within ten days of submission. This timeline included routing from the cemetery superintendent to the Quartermaster General and then on to the office of the Secretary of War. For such an important and unique action, the speed of endorsement by the War Department is surprising. The decision was significant. Although individual disinterments of Union and rebel remains was not a unique occurrence at national cemeteries, this was the first instance of an organization requesting a mass disinterment to return Confederate soldiers to southern soil.[285] For such a novel judgement, one would anticipate some record of debate, a rationale justifying the decision, or, at a minimum, memoranda debating the merits of removing Confederates or simply of logistical planning. Yet no documentation, other than the signed decision to allow disinterment, exists in the Quartermaster General archives. Perhaps even more astonishing, this War Department determination did not garner media coverage. Newspapers reporting was absent, and the GAR failed to mention the incident at their next national encampment. By the end of the year, the transfer of Confederate remains was complete, with the Alexandria National Cemetery now only containing the graves of

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sentence: "Two of the known Union soldiers were shot for desertion, and are interred among the Confederate prisoners, and have been classed heretofore as rebels." According to the NPS, 34 Confederates from the Alexandria National Cemetery were reinterred at Christ Church burial ground in Alexandria. It is possible the 2 remaining burials classified as "rebels" were the Union soldiers executed for desertion although there is no evidence to prove the claim. According to Davis' statement, on June 30, 1875, the Alexandria National Cemetery contained the remains of 13 Union officers, 3,237 white Union soldiers, 249 USCT, 23 civilians, and 36 rebels for a total of 3,558 interments.

[285] *Burial Records 1864-66, Arlington National Cemetery*, Arlington National Cemetery History Office (hereinafter ANCHO); *Burial Records 1864, Soldier's Home National Cemetery*, ANCHO; Although many national cemeteries at this time were located in the South, the property was controlled by the federal government and thus, for many Southerners, the soil was no longer "southern." See William Blair, *Cities of the Dead: Contesting the Memory of the Civil War in the South, 1865-1914* (Chapel Hill: University of North Carolina Press, 2004), 51-54.

the Union dead and civilians. In addition, just as at Arlington, while rebel interments at Alexandria had been co-located with federal troops, USCT graves were in a segregated section of the national cemetery.[286]

Why would such a seemingly significant decision, to remove thirty-six Confederate remains from a national cemetery for reinterment in a local, "southern" graveyard, not garner press attention or cause some level of recorded debate within the US Army and War Department? This action was unprecedented, yet allowed to occur without praise, complaint, or commentary of any kind. One possible explanation for the quick approval of the War Department was the obvious opportunity the CMA provided, to remove a potentially contentious issue as quickly as possible. As was the case at Arlington, the presence of Confederate burials in the Alexandria National Cemetery was a latent source of conflict for the US government. While Alexandria had not witnessed the same type of contentious treatment of rebel graves as had occasionally occurred at Arlington since the end of the war, with thirty-six Confederate graves amongst the Union dead, the potential for conflict was apparent. By quickly approving the removal of these interments, the War Department was also removing the source of any potential reconciliationist conflict in the future. Elimination of Alexandria's rebel interments dissipated any possible debate over the ongoing treatment of Confederate graves, at least

[286] Transcript, Quartermaster General to War Department, November 29, 1879, Alexandria, VA folder, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 2, Entry 576, NM-81, RG 92, NARA; Transcript, Secretary of War to Quartermaster General, December 6, 1879, Alexandria, VA folder, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 2, Entry 576, NM-81, RG 92, NARA; Transcript, Quartermaster General, December 10, 1879, Alexandria, VA folder, Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 2, Entry 576, NM-81, RG 92, NARA.

at one national cemetery. In addition, politicians, newspaper editors, and the public may have simply believed this was an appropriate course of action for all involved. Confederate sympathizers were able to bring their fallen to a more "appropriate" (i.e. southern) burial ground, while Unionists could take comfort in the removal of traitors from their sacred soil. Logistically, there was also a benefit for the US Army as the burial plots, once containing rebel remains, now were available for the future sepulture of loyal veterans.

Whatever the reasons behind the lack of notice, whether deliberate or not, this action set a precedent, eventually repeated at Arlington National Cemetery. On May 24, 1883, Dr. A.Y.P. Garnett, president of the local CMA, announced plans for the potential disinterment of the remains of Arlington's North Carolina Confederate soldiers. Alleging government neglect of these graves, many of which still awaited marble headstones, Garnett argued the graves should be either adorned appropriately, or removed back to their native state. With Garnett claiming money was already available through his CMA for the purchase of headstones or towards the removal of remains, he sought support and guidance from the Ladies Memorial Association (LMA) of North Carolina on their preferred choice, indicating he would obtain assistance from the appropriate US Senators and Representatives, prominent leaders of the GAR, as well as use his connections to receive overall permission from the Secretary of War. Garnett reassured the North Carolina LMA that their efforts would easily succeed, as "the bravest of the Federals

warmly appreciate the valor of the Confederates and they agree with me in thinking these graves ought not to remain longer uncared for."[287]

Garnett was no stranger to commemoration of war dead at Arlington. He was the same man who, in 1869, complained that US Marines guarded the graves of the Confederate dead on Decoration Day and, "drove off persons and scourge[d] away innocent little children from those noted mounds of earth." Garnett's effort to bring attention to the North Carolina dead stemmed from his accusation that these rebel graves received disparate treatment and were "uncared for." This clearly was not a genuine concern. As already proven, all of Arlington's graves received identical care and treatment, especially by the 1880s. All graves, whether Union, Confederate, USCT, or civilian received routine maintenance and landscaping. Garnett failed to identify evidence of intentional grave neglect, and reports of disparate treatment of rebel interments, either in the press or government records is nonexistent.[288]

His claim that some of the North Carolina graves had not received marble headstones is more plausible, although evidence to support his assertion that this was intentional is absent. In 1873 the US Army Quartermaster Corp (QMC) began replacing degraded, wooden headboards in national cemeteries with more permanent marble headstones. Unfortunately, the procedure the QMC used to determine when to exchange headboards for headstones is no longer extant. With over 16,000 burials at Arlington, a mass exchange of markers was unlikely, as logistically this would prove difficult for

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[287] "The Confederate Dead at Arlington," *News and Observer* (Raleigh, NC), May 29, 1883.
[288] Alexander Y.P. Garnett, MD, "Decoration of Graves of Soldiers-A Card from Mr. Garnett," *Daily National Intelligencer*, May 2, 1869.

cemetery staff to accomplish all at one time. More probable was periodic exchanges of headboards for headstones either by designated section, or on an ad hoc basis as the headboards deteriorated. In addition, Garnett's account fails to provide further relevant information. Was it only North Carolina Confederates who had not received headstones, or all rebel graves? If only the graves of North Carolinians remained without more permanent markers, why? What made the graves of North Carolina rebels different from other Confederate graves? Why are there no newspaper articles, especially from southern publications, lamenting the widespread disrespect given to rebel graves at ANC. Surely Garnet would have noted in his article if all Confederate graves at Arlington had not received a marble headstone as this lack of upgraded marker on all rebel graves would help prove a systematic, intentional mistreatment of Southerners. Finally, with 107 North Carolinian graves at Arlington scattered throughout the cemetery, the task of identifying the location and status of each interment was much more difficult than the thirty-six rebels in the much smaller Alexandria National Cemetery. Did Garnett, or anyone else, walk amongst Arlington's graves, and identify every Confederate North Carolinian grave, all of which just happened to still have the original wooden headboards while the rest of the rebel interments contained marble headstones?[289]

More likely, Garnett, or someone on his behalf visited Arlington and observed that some of the North Carolinian graves had not yet received marble headstones and assumed that all former Tar Heels received similar neglect. Why any of Arlington's

[289] "Monthly Report of Condition of the Arlington, Va National Cemetery For the Month of October 1883," Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA

interments still contained wooden headboards, a decade after authorization for more permanent markers, is unknown. However, no evidence of a replacement priority exists with orders to ignore Confederate graves, or even less plausibly, to only disregard Confederate graves of soldiers from North Carolina. Another possibility is that Garnett, through his experience as president of the local CMA, knew North Carolinian LMAs could influence the treatment of their fallen at Arlington. By identifying a southern state with a robust and influential LMA membership, Garnett was more likely to affect his plan to either honor or remove Confederate soldiers from the cemetery. Since the end of the war, North Carolina's LMAs demonstrated their importance with growing participation, active fundraising, and successfully influenced their state government. Garnett likely knew if there was one group of LMAs capable of making his effort successful, it was North Carolina's.[290]

Garnett's faith in the ability of North Carolinian LMAs proved correct. Within five months of his initial plea for help, Arlington identified the location of 107 remains and conducted disinterments with the reinterments taking place in Raleigh, NC. North Carolinian LMAs successfully raised funds for transportation of the caskets via rail and ship and coordinated Confederate veteran pall bearers and military escorts throughout the journey. The speed and efficiency of removal of the Confederate dead was remarkable. The enormity of removing 107 graves from Arlington was unprecedented, yet, as with the removal from the Alexandria National Cemetery four years earlier, there is a surprising scarcity of documentation from cemetery officials, the Quartermaster Corps, or the War

[290] Janney, *Burying the Dead*, 8, 62, 72, 87, 92, 100.

Department. Indeed, the only extant government correspondence addressing the procedure is an October 1883 monthly report from Arlington's superintendent simply stating, "One hundred and seven North Carolina rebel soldiers have been exhumed and taken to North Carolina during the past month."[291]

Obviously, cooperation with the US Army was paramount in removing the North Carolinians as only Arlington's Quartermaster Corps employees could perform an exhumation on cemetery grounds. Yet the request to disinter 107 sets of remains, at least according to the extant documentation, brokered little debate, and presumably garnered full support by the War Department. Press reports even praised the courtesy of ANC's superintendent and "other Federal officers" in providing "every facility for the removal…" For government officials, the benefits of approving Garnett's and the North Carolinian LMA's request paralleled the exhumations in Alexandria four years prior. Removal of any of Arlington's Confederates lessened a potential source of conflict between southern sympathizers and Union veterans, the public probably considered the ejection of rebel dead from national cemeteries to southern graveyards common sense and uncontroversial, and, for Arlington officials, they gained an additional 107 burial plots for Union veterans at no additional cost to the cemetery.[292]

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[291] "Removing Confederate Dead," *Washington Post*, October 1, 1883; "Monthly Report of Condition of the Arlington, VA National Cemetery For the Month of October 1883," Records Relating to Functions: Cemeterial, 1828-1929, General Correspondence and Reports Relating to National and Post Cemeteries, 1865-c1914, Box 6, Entry 576, NM-81, RG 92, NARA

[292] "Confederate Dead," *New York Times*, October 1, 1883; "Removing Confederate Dead," *New York Times*, October 6, 1883; "One Hundred and Seven of North Carolina's Confederate Dead," *Los Angeles Daily Times*, October 10, 1883; One northerner, a Mr. E.M. Gotthold, wrote to the Raleigh, NC LMA that although she "fought on the other side," she wished to donate $5 toward the reinterment because, as "an admirer of bravery, would feel highly honored if the committee would accept my mite in aid of their laudable undertaking…" "The Ladies Memorial Association," (Raleigh, NC) *News and Observer*, October 11, 1883. It should be noted that Gotthold was an agent of Haverly's Comedy Company, also known as

As a member of the local CMA who successfully removed all Confederate remains from the Alexandria National Cemetery in 1873, Garnett undoubtedly used this experience in advocating for the disinterment of Arlington's North Carolina rebels. With a successful precedent set four years earlier, Garnett and the North Carolinian LMAs exertions brought greater recognition to and acknowledgement of Arlington's Confederate dead, and influenced future commemorative practices, at least for fallen rebels buried in national cemeteries and northern graveyards. Starting with these two successful mass disinterments from national cemeteries, emboldened Southerners began looking at other rebel burial locations, many farther from the South, where they felt their Confederate dead lacked appropriate notice and respect.

With southern success in at the Alexandria National Cemetery and ANC, interest in rebel graves in the North drew greater interest over the last decade of the nineteenth century. This was not an inconsequential number, as many northern cemeteries contained the remains of Confederates POWs incarcerated throughout the loyal states. An 1888 GAR-produced survey of interments in national cemeteries indicated of the 325,230 burials, approximately 9,300 were Confederates, with the majority located in burial grounds near former POW camps and military hospitals.[293]

Haverly's United Mastodon Minstrels, a blackface minstrel troupe formed in 1877. See Robert C. Toll, *Blacking Up: The Minstrel Show in Nineteenth-century America* (New York: Oxford University Press, 1974), 146-47..

[293] GAR, *Journal of the Twenty-Second Annual Session of the National Encampment Grand Army of the Republic* (Minneapolis: Harrison & Smith, 1888), 196-97. The survey notes that the location of Confederate burials was mainly in the National Cemeteries at Camp Butler, IL (former US Army training facility and Confederate POW camp), Cypress Hills, NY (near a former US military hospital), Finn's Point, NJ (near a former Confederate POW camp), Fort Smith, AR (a US Army fortification controlled by both Confederate and Union forces during the war), Hampton, VA (near a former US military hospital), Jefferson Barracks, MO (US Army post), and Woodlawn, NY (former US Army training facility and Confederate POW camp),

Southerners began advocating for greater care of northern-located rebel graves in 1890 with an effort to identify and mark Confederate burials at Johnson's Island, located in Lake Erie's Sandusky Bay. During the war, the federal government held more than 10,000 rebel POWs in a facility on the island. Through the forty-month period of operation, over 200 prisoners died mainly due to disease and illness, with burials occurring on the northeast portion of the island. These graves received individual headboards, but as they were not part of a national cemetery, replacement with marble headstones never occurred. Potentially bolstered by the previous success in Alexandria and Arlington, a committee of concerned Southerners raised funds to purchase, transport, and install marble headstones atop each of the 206 graves. Subscriptions from advertisements in Georgia newspapers provided the main funding for the stones, with the LMA of Charleston, South Carolina contributing as well. Newspaper accounts praised the people of Georgia and South Carolina for bringing honor and recognition to the Confederate dead. Interestingly, although claims of neglect was the rationale the southern committee used to justify installation of the headstones, in fact rebel interments on Johnson's Island routinely received adornment from local GAR posts each Decoration Day. Now with more permanent burial markers, however, one account noted, "a different scene from that of the past will meet their gaze." So successful was the committee's call for assistance in Georgia and South Carolina, that after accounting for all expenses, there

remained a positive balance for beautification of the cemetery and "eventually to erect a monument there which will be worthy of the heroes who sleep beneath it."[294]

Johnson's Islands was not the first instance of Southerners taking control of Confederate burials near national cemeteries or in northern graveyards. As far back as 1866 concerned rebel veterans raised funds and purchased land to reinter 749 known and 156 unknown Confederate dead denied burial in the Chattanooga National Cemetery. In 1869 a local LMA took control of this rebel burial ground, and eight years later erected, at a cost of $2,500, a thirty-foot high monument with the inscription, "Our Confederate Dead." This was one of the earliest efforts to identify rebel burials near former battlefields and national cemeteries, and move those remains to an organized and planned Confederate cemetery. Unlike Johnson's Island and Arlington, where rebel casualties mainly succumbed to disease and illness as POWs, thus often providing Union officials with additional time and planning for burials in well designed and organized cemeteries, most of Chattanooga's rebel dead were combat casualties, and swift interment was paramount for reasons of public health and battlefield necessity. One report described the initial Confederate burials in a "low, unsightly spot," so reinterment in an appropriately organized new cemetery was foreseeable.[295]

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[294] Gretchen Klimoski, "Johnson's Island Civil War Prison and Fort Site," National Register of Historic Places Nomination Form (Washington, DC: US Department of the Interior, National Park Service, 1975), Section 7; National Park Service, "Confederate Stockade Cemetery Johnson's Island, Ohio," Department of the Interior, National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/ohio/Confederate_Stockade_Cemetery.html (accessed March 11, 2021); "Some Credit is Due For the Care of the Confederate Dead on Johnson's Island," *Atlanta Constitution*, May 17, 1890, American Civil War Museum, United Daughters of the Confederacy Collection, Randolph Papers, Box 15.

[295] "Roster of Our Dead Buried in the Confederate Cemetery at Chattanooga, Tennessee,", Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Internment of

Chattanooga's Confederate cemetery, although not in the North, illustrates, along with efforts at Johnson's Island, the growing concern over rebel burials that were not under the initial control of Southerners. An additional example occurred towards the end of the century when Southerners turned their attention towards Confederate burials in Columbus, Ohio, on the former grounds of the Camp Chase, Ohio prison camp. Begun as a federal military training camp in 1861, Camp Chase included a Union-run POW facility that held up to 8,000 rebels and a Confederate cemetery that, by the end of the war contained 2,260 burials. After the end of the war, a wooden fence surrounded the headboards, but eventually deteriorated and the cemetery became a "common brier and bramble patch." After some attempts at maintenance by the state of Ohio, in 1887 Governor Joseph B. Foraker successfully obtained a small federal appropriation to construct a stone wall around the cemetery as well as an iron fence surrounding Johnson's Island's Confederate graveyard.[296]

This was an important, if at the time underappreciated change in federal government policy. Unlike Chattanooga, where Confederate combat casualties were removed to a more stable burial ground using private funds, or the disinterment of Alexandria's rebels and Arlington's North Carolina Confederates to southern cemeteries at no cost to the government, or even the installation of marble headstones on Johnson's

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Confederate Soldiers in National Cemeteries, and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA. The cost of the monument was $2,500.

[296] "Camp Chase Confederate Dead," *Confederate Veteran* IV, no. 8 (August 1896): 246-48; William H. Knauss, *The Story of Camp Chase* (Nashville, TN: Publishing House of the Methodist Episcopal Church, 1906), xi-xii, 74-76; National Park Service, "Camp Chase Confederate Cemetery Columbus, Ohio," Department of the Interior, National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/ohio/camp_chase_confederate_cemetery.html (accessed March 12, 2021); Roger Pickenpaugh, *Camp Chase and the Evolution of Union Prison Policy* (Tuscaloosa: University of Alabama Press, 2007); Joseph Benson Foraker, *Notes on a Busy Life* (Cincinnati: Stewart & Kidd Company, 1917), 1: 236, 2: 407-08.

Island using donations, Foraker's success in securing federal money for Camp Chase was in effect an acknowledgement by the US government of some level of responsibility for the care and maintenance of Confederate graves even if located outside of national cemeteries. This was not the first instance of federal authorities taking charge of rebel graveyards in the North. However, previous instances mainly consisted of officially purchasing the land from private owners as burial grounds were no longer usable or appropriate as farmland. Typically, after the land purchase very little maintenance occurred over Confederate graves outside national cemeteries due to a lack of appropriations allocated for upkeep of rebel burials. Foraker's success in obtaining government funding to erect a stone wall and iron fence at the two rebel cemeteries was one of the initial changes taken by federal authorities to provide some level of maintenance for Confederates graves located throughout the North. This modification of government policy, although small-scale and unnoticed at the time, was one of the initial steps towards creating an expectation of government-provided care for Confederate graves throughout the nation.

Although the activities in Chattanooga, Alexandria and Arlington certainly influenced national perceptions of appropriate treatment of rebel burials, it was Camp Chase that galvanized the greatest reaction in the South. Much like the transformation over the years of Memorial Day from a commemoration of loyal Union dead and condemnation of treasonous Confederates, into a ceremony that honored soldiers on both sides of the war, Southerners used Camp Chase as an example to demand greater recognition and government-provided treatment of their rebel dead throughout the North.

Since the end of the war, it was LMAs who provided the driving force behind care, maintenance, and recognition of Confederate graves. As the last decade of the eighteenth century approached, however, the work of the LMAs became increasingly secondary to the exertions of two new southern organizations, the United Confederate Veterans (UCV) and the United Daughters of the Confederacy (UDC). For the remainder of the century, and well into the 1900s, these groups held an outsized influence on Confederate burial practices, rebel monument creation and memorialization, and the propagation of Lost Cause mythology that heavily influenced national reconciliation.[297]

Formed in 1889, the UCV was a fraternal organization of Confederate veterans organized much like the GAR "for such benevolent, historical and social purposes…to care for our needy and disabled comrades…and assist the needy widows and orphans of our comrades…" Through their emphasis on the preservation of Confederate history and an aggressive advertising campaign, as well as efforts to make the organization all-inclusive and welcome members of already-formed independent veteran's groups, the ranks quickly swelled to 1,523 camps with approximately 80,000-85,000 members at its peak in 1903. This was the largest and most influential organization of former rebels, the counterpart to the GAR, and, along with the UDC, was most concerned with promoting

[297] Jane Turner Censer, *The Reconstruction of White Southern Womanhood, 1865-1895* (Baton Rouge: Louisiana State University Press, 2003), 201-2; Karen L. Cox, *Dixie's Daughters: The United Daughters of the Confederacy and the Preservation of Confederate Culture* (Gainesville: University Press of Florida, 2003), 2; Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South* (New York: Oxford University Press, 1987), 36-62; Janney, *Burying the Dead*, 167-68.

Lost Cause mythology, the valor of the southern soldier, and influencing the living history of the war.[298]

The UDC, founded in 1894, held many of the same goals of the UCV, but while one of the primary UCV purposes was an organization to promote fraternity and comradeship, the UDC expressed five more specific objectives: "social, literary, historical, monumental, [and] benevolent." The UDC eventually subsumed many of the duties conducted since the end of the war by various LMAs as southern women gradually refocused Confederate memorialization efforts more broadly. LMAs continued to exist, continuing through the 1890s to tend rebel graves, sponsor Decoration Days, and disseminate the history of the Confederacy, but as the end of the century approached, many southern women, especially those who were children during the war, became increasingly attracted to the modern organizational structure and national influence of the UDC. By the early part of the twentieth century, the UDC mainly focused on raising funds for Confederate memorials, but one of their earliest attempts to influence

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[298] United Confederate Veterans, *Proceedings of the Convention for Organization and Adoption of the Constitution of the United Confederate Veterans*, (New Orleans: Hopkins' Printing Office, 1891), 3-4; Herman Hattaway, "Clio's Southern Soldiers: The United Confederate Veterans and History," *Louisiana History* XII (Summer 1971): 214; Herman Hattaway, "The United Confederate Veterans in Louisiana," *Louisiana History* 16 (Winter 1975), 5-37; Murray N. Rothbard, "Beginning the Welfare State: Civil War Veterans' Pensions," *Quarterly Journal of Austrian Economics* 22, no. 1 (Spring 2019): 71; Heywood T. Sanders, "Paying for the 'Bloody Shirt': The Politics of Civil War Pensions," in *Political Benefits: Empirical Studies of American Public Programs* (Lexington, MA: Lexington Books, 1980), 143; Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, MA: Belknap Press of Harvard University Press, 1992), 108-10; M. Keith Harris, *Across the Bloody Chasm: The Culture of Commemoration Among Civil War Veterans* (Baton Rouge: Louisiana State University Press, 2014), 19-20; Foster, *Ghosts of the Confederacy*, 106-07, 112-14: William Garrett Piston, *Lee's Tarnished Lieutenant: James Longstreet and His Place in Southern History* (Athens: University of Georgia Press, 1987), 163; Wallace Evans Davies, *Veterans on Parade: The Story of Veterans' Hereditary Organizations in America* (Cambridge, MA: Harvard University Press, 1955), 40-43; Caroline E. Janney, *Remembering the Civil War: Reunion and the Limits of Reconciliation* (Chapel Hill: University of North Carolina Press, 2013), 180; David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, MA: Belknap Press of Harvard University Press, 2001), 272; In comparison to the UCV, the GAR's peak membership occurred in 1890, with approximately 410,000 members.

memorialization in the North occurred in conjunction with the UCV and concerned the Camp Chase Confederate Cemetery.[299]

A decade after Governor Foraker obtained a federal appropriation to construct a stone wall around the Camp Chase cemetery, both the UCV and the UDC sent out requests for funds from their members to care for and decorate the graves on Confederate Memorial Day. The organizations asked members to "donate what, in their judgment, they can, if it be but a dollar…" This fundraising effort, begun with newspaper and journal advertisements, eventually became a formal, joint appeal by the two bodies.[300] This declaration, addressed to all members of the UCV, UDC, Sons of Confederate Veterans (SCV)[301], and "all others who cherish an affection for the Lost Cause," listed thirteen prison cemeteries in the North where 30,000 Confederates "rest in unmarked graves," all in need of remembrance. To this end, the organizations asked for donations to erect "a simple shaft at these places," at a total cost of four thousand dollars. Interestingly, the UCV and UDC decided to forgo placing individual headstones at these northern cemeteries in lieu of a monument representing all rebel dead. Undoubtedly, thirteen "simple shafts" would cost less than tens of thousands of individual markers, thus

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[299] Mary B. Poppenheim et al., *The History of the United Daughters of the Confederacy* (Richmond: Garrett and Massie, 1938), 10; Janney, *Burying the Dead*, 167-71; Blight, *Race and Reunion*, 258.

[300] "Camp Chase Southern Dead: Appeal for Contributions to Decorate Their Graves," unknown newspaper clipping, May 16, 1897, American Civil War Museum, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; "To Mark Soldiers' Graves," *Atlanta Journal*, 1897, American Civil War Museum, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; *Confederate Veterans, Sons of Veterans, Daughters of the Confederacy, and All Others Who Cherish an Affection for the Lost Cause*, American Civil War Museum, United Daughters of the Confederacy Collection, Randolph Papers, Box 15.

[301] Founded in 1896, the Sons of Confederate Veterans, as the name implies, was open to male descendants of Confederate veterans. S.A. Cunningham, ed. "United Sons, Confederate Veterans," *Confederate Veteran* IV, no. 8 (August 1896): 258; Walter Lee Hopkins, ed. *Year Book and Minutes of the Thirty-First Annual Convention of the Sons of Confederate Veterans* (Richmond, VA: Dudley Printing Co., Inc., 1926), 104.

making fundraising easier as each camp could consider the monuments representative of all Confederates in each cemetery.[302]

The joint appeal cited the success at Camp Chase as an example of their members' "duty to the memory of these dead heroes." Camp Chase was unique in that, initially, it was through the efforts of Col. William H. Knauss, "a generous Federal officer, bearing the scares and still suffering from the wounds won honorably in battle,"[303] that the Confederate graves at the Ohio prison camp initially received decoration and remembrance. The citation of Camp Chase in the fundraising letter was an astute choice. Here was an example of a former Union officer contributing to the remembrance of rebel graves in a northern cemetery. Because of Knauss's work, the cemetery became known to Ohio officials. Because of Knauss' and Gov. Foraker's earlier work, the Camp Chase Confederate Cemetery indicated that Union veterans would take little issue with, and might even approve of remembrance activities at rebel cemeteries in the North, and southern efforts to enhance these graves might bring beneficial attention to the disposition of the Confederate dead.

The UCV, SCV and UDC's fundraising plea created momentum throughout the South for further examination of Confederate burials in the North. Georgia politicians were particularly enthused. Crediting the Georgia UDC for bringing to their attention

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[302] *Confederate Veterans, Sons of Veterans, Daughters of the Confederacy, and All Others Who Cherish an Affection for the Lost Cause*, American Civil War Museum, United Daughters of the Confederacy Collection, Randolph Papers, Box 15.

[303] William H. Knauss served in the US Army during the war and was wounded in the December 1862 Battle of Fredericksburg. In 1892 he moved to Columbus, OH and in 1895 conducted the first Memorial Day ceremony at the Camp Chase Confederate Cemetery. He also wrote a history of Camp Chase. See, William H. Knauss, *The Story of Camp Chase* (Nashville, TN: Publishing House of the Methodist Episcopal Church, 1906).

"that there are in Northern States [sic] thirty thousand unmarked graves of Confederate soldiers, who gave their lives in defense of a cause they believed to be just and right," on December 6, 1897, the Georgia House of Representatives and Senate passed a joint resolution authorizing the governor to empanel a commission to "communicate with the Legislatures [sic] of each of the Southern States [sic] with a view to securing cooperation…to…see that the graves of their heroes shall each be suitably marked and cared for…" However, unlike the private fundraising efforts of the UCV, SCV, and UDC to address rebel graves previously, this commission's goal was to secure an appropriation from each southern states' government, and not rely on private donations.[304]

The proposed source of funding for this much larger effort to identify and care for all southern burials represented an important evolution in the treatment of rebel interments. Unlike southern exertions in Alexandria, at Chattanooga, with Arlington's North Carolina Confederates, and at Johnson's Island and Camp Chase (other than the small, Governor Foraker-obtained federal appropriation), all of which relied on private funding, now the recognition of and care for Confederates buried in northern POW camps and near national cemeteries was notionally a unified effort by the entire former Confederacy. In addition, by asking for funding from state legislatures, Southerners created a new expectation that care of these graves would no longer solely rely only on LMAs, the UDC, or other private organizations, but also on state governments to provide appropriations and resources. Whereas in the past the care and maintenance of

[304] Clement A. Evans et al., *Report of the Special Committee on the Graves of Southern Soldiers Near Northern Prisons* (Atlanta, GA: Franklin Printing & Publishing Co., 1898), 1-2, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 186-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA.

Confederate graves was principally the responsibility of southern women, the introduction of state funding created a new relationship between southern citizens and their respective state governments based on increased legislative responsibility and an expectation of governmental involvement and care.

Southern women, whether through LMAs or other local and community groups, continued their involvement in rebel grave maintenance, decoration, and remembrance, especially in southern cemeteries, but with the growing involvement of larger, more organized portions of southern society including the UDC, UCV, SCV, and state legislatures, the attention placed on memorialization of the Confederate dead grew throughout the South. This increased, grander focus on rebel POW graves in the North would eventually turn toward the approximately 9,300 Confederate burials in national cemeteries, including Arlington.

The committee authorized by the Georgia legislature, with the assistance of US War Records Office employee and former Confederate General Marcus J. Wright,[305] estimated there were 22,166 Confederate POW burials in the North, with the clear majority "generally neglected." The committee did note two individuals deserving praise for their exertions to address this disregard and their "patriotic and humane efforts…to remove the reproach of this neglect from our Country's [sic] name." One "widowed Southern [sic] born woman," Alice W. Waterman, who transformed a Confederate

[305] "Fed. and Confed," *Washington Post*, July 16, 1878. In 1878 Marcus J. Wright, a former Confederate general wounded at the Battle of Shiloh, was appointed to collect Confederate military records for the US War Department. He was directly involved in compiling the records of the Confederate dead in the Washington, DC region and in the creation of the Arlington National Cemetery's segregated Confederate burial section. He died in 1922 and was buried at Arlington in the section he helped create. See Ezra J. Warner, *Generals in Gray: Lives of the Confederate Commanders* (Baton Rouge: Louisiana State University Press, 1959).

cemetery in Wisconsin into a place called "Confederate Rest," and Col. Wm. H. Knauss of Columbus, Ohio who "undertook to save the graves of Southern [sic] soldiers near that city from desecration." It is not a coincidence that the committee heaped praise on Col. Knauss, just as the UCV and UDC had in their previous attempt to raise funds to erect memorial obelisks in Confederate POW cemeteries. As a former Union officer who cared for rebel graves at Camp Chase and even conducted Memorial Day ceremonies in the Confederate cemetery, the committee used this example of a former Yankee soldier to invoke sympathy for their work. If a former enemy could remember and care for the Confederate dead in Ohio, the committee's report implied, each southern state was duty bound to contribute as well.[306]

The committee's investigation credited the UCV, SCV, UDC, and various LMAs for leading efforts to identify and commemorate southern dead in the North and South, but stated these organizations were without the necessary funds to fully care for rebel graves in the North, and are "embarrassed by lack of means to make their benevolent intentions practicable." Having completed their report, the commission sent their findings and a letter to every southern governor and were "gratified by a prompt and favorable reply from every Governor [sic] to whom the communication was sent." Having achieved success, commissioners recommended that the state of Georgia form a partnership with all other southern states, the southern "patriotic associations" previously mentioned, *and with the Government of the United States*[307] "in putting into execution a

[306] Obituary Notice, Alice Whiting Waterman, September 13, 1897, American Civil War Museum, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; Evans et al., *Report of the Special Committee*, 2-4.
[307] Emphasis added.

noble purpose to rescue the graves of our honorable and brave soldiers from unseemly neglect, and to save the American people from the disgrace which that neglect imposes upon them."[308]

The addition of a plea for the involvement of the federal government was an important change in tactic for the commissioners. Nowhere previously in the report is national participation or contribution mentioned. In fact, the commission's initial stated purpose was to only involve southern states. Perhaps emboldened by the swift, positive reaction of each governor and legislature of the former Confederate states, as well as being able to cite sympathetic efforts by Northerners like Col. Knauss, the committee felt their work commanded enough unified regional support to push for federal recognition and funding. To that end, the commission recommended that Georgia's senators and representatives present the report to "induce the attention of the United States Congress to this delicate and pathetic subject which it most clearly deserves." At first glance, this appeal for federal attention is surprising as the Republican Party controlled both houses of Congress, gaining seats in the 1894 mid-term elections. Even so, Democrats held some important positions in the North, including Senate seats in New York, Indiana, Wisconsin, Illinois, and Ohio. Democratic Party inroads in the North (the former Confederate states remained solidly controlled by Democrats as well), combined with an American public sympathetic to remembrance and commemoration of the Civil War dead

[308] Ibid, 4-5.

likely led the Georgia committee to push for Congressional support as, arguably, a simple matter of compassion and to further national reconciliation.[309]

This report was not an outlier in its call for better treatment of Confederate burials in the North and a reevaluation of remembrance and appropriate honors for southern war dead. Yet it was not the only venue for a reinterpretation of Confederate history. In addition to addressing treatment of rebel burials in POW and national cemeteries, over the last twenty years of the nineteenth century southern organizations such as the UCV, UDC, and various LMAs conducted successful campaigns of monument and memorial construction at battlefields, in town squares and parks, on public and private property, and in cemeteries throughout the nation to honor Confederate icons, promote Lost Cause ideology, and memorialize the rebel martyred dead. These exertions, especially the construction of memorials in cemeteries with Confederate graves (although not yet in national cemeteries), normalized the remembrance of southern dead through iconography, creating a publicly recognized and nationally acceptable form of memorializing fallen rebel soldiers. This robust building program, along with the movement to reevaluate Confederate graves and cemeteries, created sympathetic

[309] Ibid, 5-6; United States Senate, "Party Divisions in the in the United States Senate, 1789-Present," United States Senate, https://www.senate.gov/pagelayout/history/one_item_and_teasers/partydiv.htm (accessed March 24, 2021); United States House of Representatives, "Party Divisions of the House of Representatives, 1789 to Present," United States House of Representatives, https://history.house.gov/Institution/Party-Divisions/Party-Divisions/ (accessed March 24, 2021); Robert C. Byrd, *The Senate, 1789-1989: Historical Statistics, 1789-1992* (Washington, DC: US Government Printing Office, 1993).

momentum throughout the nation, eventually influencing the construction of Arlington's Confederate section and ostentatious Lost Cause memorial.[310]

Even before the end of the war, Confederate monument construction began throughout the South. The 1880s and 1890s witnessed a slow but steady increase in memorial[311] construction until an explosion of building occurred from 1900 through the end of the First World War, the height of the Jim Crow Era. Most of these monuments received little coverage in the North, and the GAR paid scant attention probably because they considered the construction of memorials in the South inconsequential, and were possibly even sympathetic to monuments for fallen soldiers, even Confederates. Occasionally, the GAR even endorsed a rebel memorial, as occurred during the August 1882 unveiling of a Confederate monument in Front Royal, Virginia.[312]

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[310] Booth Gunter and Jamie Kizzire, *Whose Heritage? Public Symbols of the Confederacy* (Montgomery, AL: Southern Poverty Law Center, 2016), 14-15. According to the Southern Poverty Law Center, the vast majority of Confederate monuments were constructed during the Jim Crow Era or during the Civil Rights Movement. Monument construction was at it greatest from approximately 1897-1918. This dissertation focuses on monument building leading up to the unveiling of Arlington's Confederate Memorial in 1914.

[311] The use of the terms "monument" and "memorial" are often used interchangeably. This can lead to confusion as "monument" often refers to a structure or edifice commemorating an event or location, while the term "memorial" can be attached more widely (roads, sports stadiums, books, buildings, etc.) and often commemorates the dead or a collective experience of profound loss. These definitions are fluid and sometimes interchangeable. For example, art historian Kirk Savage and historian Seth Bruggeman argue that the Lincoln Memorial is both a memorial to the assassinated president as well as a monument to Lincoln's vision and leadership. For ease of reading, I use "monument" and "memorial" interchangeably throughout this dissertation, as I have used "Confederate" and "rebel" and as I have used the term "soldier" to indicate any military service member whether associated with the army, navy, or marine corps. See Kirk Savage, *Monument Wars: Washington, DC, the National Mall, and the Transformation of the Memorial Landscape* (Berkeley: University of California Press, 2005), 4-6; Seth C. Bruggeman, "Memorials and Monuments," The Inclusive Historian's Handbook, https://inclusivehistorian.com/memorials-and-monuments/ (accessed March 25, 2021).

[312] Gunter and Kizzire, *Whose Heritage? Public Symbols of the Confederacy*, 14. The landmark 1896 Supreme Court Case, *Plessy v. Ferguson* upheld the constitutionality of racial segregation in its "separate but equal" decision thereby enforcing the legality of many southern Jim Crow laws. See *Plessy v. Ferguson*, 163 US 537 (1896); "Unveiling of a Confederate Monument," *National Tribune*, September 2, 1882.

Yet as monument erection proliferated throughout the South, important memorialization inroads also occurred in the North, eventually paving the way for construction of Arlington's Confederate monument. Not surprisingly, rebel veterans first identified battlefields as sites of commemoration. As with Confederate cemeteries in the North, these sites presented an opportunity to recognize the sacrifice and valor of rebel soldiers, and offered a more palatable venue for memorialization reducing the possibility of drawing Union veterans' ire. As with Union memorials already constructed on battlegrounds, Confederate monuments concentrated on state and regimental markers and the bravery of southern combatants. This decision, to focus on the location of troops during each battle and honoring the fearlessness of individual units, once again drew on the continuing effort by Southerners to reinforce the communal experience of combat and comradeship-in-arms between veterans of both sides. By initially concentrating on state and regimental markers on battlefields, and eschewing Lost Cause mythology in their monumentation, Southerners, as they had in northern Confederate cemeteries, avoided drawing the anger of most Union veterans and negative attention from the GAR.

Nowhere was this effort more successful than at Gettysburg, with one of the initial efforts to erect a Confederate monument on a northern battlefield.[313] The choice of

[313] Another obvious example of a large-scale battle fought on "northern" (or border state) soil is Antietam. Antietam did not receive its first Confederate monuments until 1900. There are only six Confederate state and regimental monuments at Antietam (with the Maryland State Monument representing both Union and rebel units) out of a total of ninety-six memorials. In contrast, the Gettysburg battlefield contains 1,320 monuments and markers, with forty representing Confederate states, regiments, units, and individuals. Erected in 1886, the 2nd Maryland Infantry Regiment Monument was the first Confederate memorial constructed at either battlefield.
National Park Service, "Confederate Monuments," Department of the Interior, National Park Service, https://www.nps.gov/anti/learn/historyculture/csmonuments.htm (accessed March 30, 2021); National Park Service, "Antietam Monuments," Department of the Interior, National Park Service, https://www.nps.gov/anti/planyourvisit/upload/monuments.pdf (accessed March 30, 2021); Superintendent

Gettysburg for this early exertion was unsurprising. Gettysburg's importance during the war was obvious. In addition, until its transfer to the federal government in 1895, control of the battlefield belonged to the Gettysburg Battlefield Memorial Association (GBMA), a group whose purpose was "to hold and preserve, the battle-grounds of Gettysburg… and by such…memorial structures as a generous and patriotic people may aid to erect, to commemorate the heroic deeds the struggles, and the triumphs of their brave defenders." As part of their charter, the GBMA retained exclusive control over approval and location of all battlefield monuments. It was this committee, and not the larger federal government bureaucracy, that ruled on petitions to erect memorials. Southerners undoubtedly believed they could rely on the sympathy of members of the GBMA, which included numerous Union veterans, by focusing on the courage and bravery of Confederate soldiers, who shared the same combat experience on the fields of Gettysburg as their Union brothers.[314]

This southern reliance on northern veteran sympathy for the shared experience of military service eventually proved successful. In 1885 the GBMA unanimously approved the erection of a monument to the Confederate 2nd Maryland Infantry Regiment, the first rebel memorial constructed at either Gettysburg or Antietam, the two largest Civil War battles on Union soil. The GAR reacted with approval. The summer prior to the unveiling, numerous posts representing several Pennsylvania regiments met on the field

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John A. Latschar, "Facilities' closings explained," *Gettysburg Times*, April 7, 2009; National Park Service, "Confederate Monuments," Department of the Interior, National Park Service, https://www.nps.gov/gett/learn/historyculture/confederate-monuments.htm (accessed March 30, 2021); Schuyler A. Hammond and Edgar M Hewitt, *Monumental guide to the Gettysburg Battlefield. A map showing the location of every monument, marker and tablet with approaching roads and avenues* (S.I, 1899), https://www.loc.gov/item/99439113/ (accessed March 30, 2021).

[314] John M. Vanderslice, *A History of the Gettysburg Battle-field Memorial Association* (Philadelphia: The Memorial Association, 1897), 200-02; "Another Gettysburg Battle," *Philadelphia Record*, July 21, 1888; "The Gettysburg Monuments," *Gettysburg Compiler*, July 16, 1889.

at Gettysburg to commemorate the battle, erect monuments to their comrades, and conduct a dress paraded witnessed by "at least 5,000 spectators." During this encampment, as the GBMA granted permission for the construction of the Maryland monument, the attendant GAR groups wholeheartedly endorsed the decision. In a speech before the assembled posts, former Brigadier General James Beaver, a prominent GAR member who lost a leg in battle and would eventually serve as Governor of Pennsylvania and president of Penn State University, urged the assembled veterans to support the GBMA's "action in allowing Confederate monuments to be placed on the field…the war ended at Appomattox." [315]

The GBMA's unanimous decision, and its endorsement by the Pennsylvania GAR posts present at the encampment represents an effort at reconciliation acceptable to most attendees. It is important to remember, however, that there were exceptions to reunification, even if they did not always accompany real-time discussions of memorial construction. Often these complaints occurred after the erection of monuments, with individual Union veterans writing letters demanding "Confederate monument building [be] stopped," or, occasionally, the objections were in conjunction with regimental battlefield reunions, when individual units gathered to remember and contemplate the meaning of the war. One of the more vitriolic reactions to Confederate memorialization at

[315] "A Confederate Monument at Gettysburg," *National Tribune*, November 11, 1886; "The G.A.R. Encampment," *National Tribune*, August 20, 1885; Carol M. Highsmith, "The 2d Maryland Infantry Confederate monument at Gettysburg National Military Park in Gettysburg, Pennsylvania, site of the fateful battle of the US Civil War," 2019, Prints & Photographs Division, LC, https://www.loc.gov/item/2019690814/ (accessed March 30, 2021); Penn State University Libraries, Digital Collections, "James A. Beaver Papers, 1855-1914," Penn State University, https://digital.libraries.psu.edu/digital/collection/pccolls/id/12010 (accessed April 1, 2021); Pennsylvania Historical & Museum Commission, "Governor James Addams Beaver," Pennsylvania Historical & Museum Commission, http://www.phmc.state.pa.us/portal/communities/governors/1876-1951/james-beaver.html (accessed April 1, 2021).

Gettysburg occurred in 1889, as veterans of the Eighty-Fourth Regiment, Pennsylvania Volunteers gathered to dedicate their unit monument on the battlefield. In the keynote address at the ceremony, former Captain Thomas E. Merchant, after reviewing the regiment's wartime history, turned his attention to what he observed was the current trend to glorify the former Confederacy. Capturing what was probably the sentiment of many of his comrades, he asserted that although former Confederates now deserved fair treatment as individuals, their organizing into camps[316] "have no claim upon us for recognition," and, furthermore, "The Government [sic] should have taken the life from every 'camp' at the birth…"[317]

Merchant aimed his strongest denunciation towards Confederate memorialization, especially on battlefields, professing "the strong arm [of the government] should have swept from its soil the first monument to rebellion, with the warning that the placing of the second would be known as treason." And, lest any of the attendees make the mistake of interpreting Merchant's speech as merely symbolic, he focused directly on the field at Gettysburg, declaring, "No monument to treason should have been permitted a place on this or any other Field [sic], and being here should be returned to the donors, not to be erected elsewhere." For Merchant, who was likely reflecting the principles of many in the crowd and not speaking entirely for himself, the acceptance of Confederate monuments on battlegrounds where thousands of loyal Union troops died defending the nation was an abomination. Merchant perceived little difference between erecting memorials to

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[316] Presumably organizations such as the UCV.
[317] *National Tribune*, December 22, 1887; Thomas E. Merchant, *Eighty-Fourth Regiment, Pennsylvania Volunteers, Address by Captain Thomas E. Merchant at the Dedication of Monument on Battlefield of Gettysburg* (Philadelphia: Sherman & Co., 1889), 106.

Confederate soldiers praising their bravery and more blatant attempts to glorify secession such as "flaunting of the confederate [sic] bars." In his estimation, both actions simply honored traitors. To drive home his point, he warned of the lasting implication of appeasing Confederate sympathizers cautioning that, "*No Government* [sic] *is strong enough to glorify treason against itself, nor to encourage it anywhere*."[318]

Clearly designed as a warning to Union veterans, the GAR, and the people of Pennsylvania, Merchant's speech railed against the automatic acceptance of a southern interpretation of war history and efforts promoting reconciliation at any cost. It also represented a very vocal, but increasingly ignored portion of Northerners, veterans and civilians alike, who retained concerns over national reunification. Throughout the Jim Crow era, individual GAR members and others continued expressing apprehension at greater northern acceptance of Confederate monument construction, praise for the rebel dead, and, and any toleration of the tenets of Lost Cause ideology. Merchant's warning however, did not occur when the GBMA was voting to allow a Confederate regimental memorial, but three years after the monument's construction. His admonition proved too little, too late.

GAR acceptance of a rebel memorial on, arguably, the most important battlefield of the war, reinforced a growing national acceptance of the communal honor of combat participants. This was akin to erecting headstones or markers in northern Confederate cemeteries, as both memorialization in graveyards and on battlefields focused on the courage and valor of combatants, and initially, mostly avoided representations of deeper

[318] Merchant, *Eighty-Fourth Regiment, Pennsylvania Volunteers*, 106-07. Emphasis in original.

cultural or political messages. As the end of the war receded in history and old animosities cooled with the distance of time, many Union veterans and GAR members became increasingly sympathetic to construction of memorial tablets in cemeteries listing names of interred rebels, or erecting memorials to the bravery of a Confederate regiments. Yet as the number of battlefield monuments and burial memorials to the South grew with northern consent, each erection further normalized acceptable Confederate remembrance practices. Memorialization of rebel dead and Confederate battlefield valor initially tended to ignore the unrighteousness of the southern cause, instead focusing only on a specifically curated remembrance of the conflict.

For Southerners, this was intentional, as any attempt to import justification for or defense of the Lost Cause would undoubtedly have drawn greater protest from the North. As Southerners had previously demonstrated throughout the development of Arlington as a venue for Confederate remembrance, by focusing on the shared valor of combat soldiers they diluted any potential regional animosity. By creating memorials on "northern" soil (i.e. battlefields and Confederate cemeteries) that initially ignored any discussion or representation of southern defense of secession, they set the stage for grander monuments that had less to do with honoring the dead than proselytizing the righteousness of the Confederacy.

As Southerners had already accomplished at Arlington regarding decoration of rebel graves and commemoration of their dead, gradually and methodically they began by advocating for remembrance of their fallen on northern soil, and, as these practices became normalized and acceptable to Northerners, continued pushing for greater

recognition of their dead and ultimately for the legitimacy of the Confederacy. Although there is no specific evidence of Southerners directly citing Arlington as a template to emulate as they turned their attention to rebel POW graves in the North, Confederate sympathizers undoubtedly noticed the early achievement at the nation's premiere national cemetery and this reinforced what was possible with sustained, careful exertions elsewhere. Southern success at converting Arlington from a site that once disdained rebel graves to a venue that celebrated the Confederacy on its own memorial holiday complete with decoration and orators speaking from the cemetery's amphitheater, undoubtedly served as inspiration to those concerned with Confederate monument construction. In turn, later southern achievements at other northern venues had the unintended consequence of laying the groundwork for the creation of Arlington's Confederate burial section and Confederate Monument.

Gettysburg's initial Confederate monument set a precedent for an acceptable form of remembrance of rebels, at least on the battlefield. Coupled with continuing efforts to identify and memorialize Confederate graves in the North, these exertions met with little unified northern resistance. Obviously, Gettysburg and other northern locations were not the only memorials to the Confederacy erected during the era. The last quarter of the nineteenth century witnessed an upsurge in Confederate monument construction and was a precursor to the exponential growth in memorials during the first two decades of the twentieth century. Most monument erection took place in the South, as groups such as the UCV and UDC successfully raised money for construction, and, although African American newspapers often protested rebel memorials or criticized the lack of

monuments to prominent Black leaders, in general encountered little resistance to their efforts. Continuing a pattern of neglect, the GAR, arguably the only organization with the national reach and influence to alert northern leadership of the potential danger of increased southern memorialization, remained negligently silent. While individual members often expressed concern that Confederate monuments reinforced the belief "that the surrender at Appomattox settled nothing," the organization took a greater interest in the construction of monuments to northern soldiers, sailors, and prominent officers such as US Grant and William Sherman.[319]

Not surprisingly, the lack of official GAR concern with increased construction of Confederate monuments emboldened southern efforts to use memorials as a venue to defend and promote the Lost Cause of the Confederacy. Two of the more prominent examples were the 1886 cornerstone dedication by Jefferson Davis of a Confederate monument outside the Alabama State Capital, and the 1890 erection of a Robert E. Lee monument in Richmond, Virginia. Davis, in the dedicatory speech to the memorial on the same spot as his inauguration as Confederate President twenty-five years prior, argued that his rebel brethren fought a "holy war for defense…on the part of the South which Christianity approved." He later claimed that although the South was "now at peace with all the world…this does not involve the abandonment of principle or the denial of truth." The *National Tribune* described Davis's speech and subsequent tour of the South as "spout[ing] treason at every stopping place." Richmond's Lee statue

[319] "Our First Memorials Must Be To Our Heroes," *Christian Recorder*, September 3, 1885; Gunter and Kizzire, *Whose Heritage? Public Symbols of the Confederacy*, 14; *Journal of the Twenty-Eight National Encampment of the Grand Army of the Republic* (Boston: E.B. Stillings & Co., 1894), 95, 109-10, 122-23, 154, 284-85; *Journal of the Twenty-Ninth National Encampment of the Grand Army of the Republic* (Rockford, IL: Frank S. Horner Printing Co., 1895), 52, 89, 112.

produced similar reaction. During the 1887 cornerstone dedication, Charles Marshall, Lee's wartime staff officer, gave an address defending the construction of a monument to the military commander of the rebellion, arguing it was Lee who defended Constitutional liberty and the United States before Abraham Lincoln destroyed it.[320]

Some objected to the construction of the Lee monument. John Mitchel, Jr., editor of the African American *Richmond Planet* and city alderman, mocked the memorial as created by those "who never smelt the powder or engaged in battle," and excerpted in his newspaper a speech by Iowa Congressman J.P. Dolliver who commented that, "the statute at Richmond seems like a weak and clumsy protest against the flood of years." In his most prescient critique of memorializing the Confederacy and rebel leadership, Mitchell warned, "This glorification of States Rights Doctrine-the right of secession, and the honoring of men who represented that cause…will ultimately result in handing down to generations unborn a legacy of treason and blood…it serves to reopen the wound of war." Mitchell's protestation, although clearly heartfelt and reflecting the concern of many, especially in the African American community, had little effect. Reports indicate as many as 150,000 people attended the 1890 unveiling, some in Confederate military uniform marching in a parade along streets "lined with Confederate flags."[321]

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[320] "Jeff Davis: Triumphal Tour of the Ex-Rebel Chieftain," *National Tribune*, May 6, 1886; American Civil War Museum, "On Monument Avenue: 'What mean ye by this monument?'," American Civil War Museum, https://acwm.org/blog/monument-avenue-what-mean-ye-monument/ (accessed April 7, 2021).
[321] *Richmond Planet*, May 24, 1890; *Richmond Planet*, June 7, 1890; *Richmond Planet*; "What It Means," *Richmond Planet*, May 31, 1890; *Times* (Richmond, VA), May 29, 1890; *Times* (Richmond, VA), May 30, 1890; *Richmond Dispatch*, May 29, 1890; *Richmond Dispatch*, May 30, 1890; American Civil War Museum, "On Monument Avenue: 'What mean ye by this monument?'," American Civil War Museum, https://acwm.org/blog/monument-avenue-what-mean-ye-monument/ (accessed April 7, 2021)

These two monuments represent a small portion of the growing Confederate memorial construction movement. Although erection of these memorials took place in the heart of the South and former Confederate capital, they served as examples of growing acceptance of Confederate commemorative practices, influencing remembrance and memorialization efforts throughout the nation.[322] These memorials, and many others constructed during the period idolizing both Confederate and Union soldiers and leaders, reflected a public desire in the late nineteenth and early twentieth century to memorialize the war. Civil War monument erection, from small obelisks and life-sized effigies of soldiers in towns and villages, to larger, grandiose sculptures such as in Montgomery and Richmond, provided the public with a sanctified location for remembrance, and a source of pride for their local, state, and regional history.

Although the increasing momentum and national enthusiasm for monument construction helped set the stage for the eventual erection of Arlington's Confederate memorial, specific examples of rebel monument building in the North demonstrated the current state of national reconciliation and served as more applicable examples in influencing southern efforts at Arlington. The earliest example occurred shortly after southern success in raising funds for the care and maintenance of Confederate graves on Johnson's Island, Ohio. In 1892, just two years after the construction of an iron fence to

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[322] For further examples of Confederate monument construction see: "The Sheridan Monolith," *Frank Leslie's Illustrated Newspaper*, June 1, 1889; "In Reverent Memory," *Wisconsin State Register*, June 8, 1889; "The Grant Monument," *Washington Post*, June 11, 1889; "A Transparent Proposition," *National Tribune*, January 30, 1890; "The Grant Monument," *Harper's Weekly*, September 20, 1890; *Proceedings of the Second Annual Meeting and Reunion of the United Confederate Veterans* (New Orleans: Hopkins' Printing Office, 1891), 8; "John Brown Monument," *Freeman*, October 15, 1892; "Still Flaunting the Rebel Flag," *National Tribune*, October 6, 1892; Frederick Douglass, "Lessons of the Hour: An Address Delivered in Washington, DC on 9 January 1894," *Frederick Douglass Papers, Series One: Speeches, Debates, and Interviews, Volume 5: 1881-95* (New Haven: Yale University Press, 1992).

enclose the cemetery and the erection of marble headstones at each of the graves, the UCV Division of the Northwest appealed for aid to raise appropriate monuments at Johnson's Island, Camp Chase Confederate Cemetery, and at other cemeteries containing rebel graves located in Indianapolis and Cairo, Illinois. Fundraising for monuments at these cemeteries proved slower than obtaining donations for the initial care and maintenance of the graves, and eventually required the considerable development expertise of the UDC to secure funding.[323]

Regardless of the speed of the achievement, this served as an important example of a successful process for acknowledging and beginning the rehabilitation of Confederate burials in the North. As demonstrated at both Johnson's Island and Camp Chase, this efficacious procedure was to, first, petition for greater care of rebel burials by appealing to the sympathetic nature of all veterans based on the communal experience of comradeship-in-arms. Then, after securing permission to care for and decoration of Confederate interments in the North and thereby further normalizing northern expectations of southern reverence for their fallen, begin to promote greater iconographic representations of southern valor and heroism. Initially, these representations were modest. Examples included simple obelisks, memorial tablets with the inscribed names of the dead, or an emblematic Confederate soldier statue, head bowed in reverence towards the South. However, these memorials in burial grounds and public spaces had the unintended consequence of creating an environment where Confederate monuments in

[323] John C. Underwood, *Appeal for Pecuniary Aid to Care For and Monument the Remains of the Confederate Dead Buried on Johnson's Island and at Columbus, Ohio* (Cincinnati, OH: Cohen & Co., 1892), 3-6. Camp Chase's Confederate memorial was dedicated in 1902 and Johnson's Island in 1910.

northern cemeteries was at best, tolerated, and at worst, celebrated. As erection of Union and Confederate memorials proliferated nationwide, memorialization of this type became more predictable, with southern monument construction in the North reaching a level of public, if not necessarily individual, acceptability.

While these northern-located southern memorials initially remained modest, the identification of a procedure, however unplanned and fortuitous, to successfully advocate for erection of Confederate monuments on Yankee territory proved prophetic. The more victories and recognition Southerners claimed in the North, regardless of scale, the more accepted southern interpretation of war memory became throughout the nation, while at the same time the acceptance of Lost Cause mythology continued to grow. Commemoration of the war dead was only one avenue of influence for the rehabilitation of southern honor, but an effective one. As war memory receded into the past, many Union veterans and northern civilians became increasingly more reluctant to condemn Confederate war dead, and empathetic to remembrance activities. Southerners, principally organizations such as the UDC and UCV, recognized this slow, methodical change northern attitude and used it to their advantage.

The next step in this southern propaganda effort was the creation of a monument, on northern soil, more concerned with the promotion of Confederate ideology than with actual remembrance of fallen rebels. Memorials of this type already existed in many parts of the former Confederacy, reverential to southern honor and manhood, and stood as righteous symbols of the rebel cause. Up to the first few years of the 1890s, Confederate monumentation in the North was small in scale and mainly designed to serve as memorial

markers to the dead or in remembrance of rebel Army units and Confederate state's battlefield participation. Having successfully created northern-located headstones and smaller-scale memorials to southern traitors, former Confederates and sympathizers then began campaigning for the erection of their boldest northern-located monument to date. One that, although still located over the graves of rebel dead, would only be a notional remembrance of their individual sacrifice. Unique about this new memorial was the design, more concerned with promoting Lost Cause ideology than venerating military service. This monument later served as inspiration for Arlington's Confederate memorial, proving how far northern public sympathy for the former Confederacy had changed since the end of the war. Ironically, the location of this initial propagandistic monument, erected to emphasize the righteousness of the southern cause, was near the very location that began the final downward spiral toward secession and warfare. The location of this audacious memorial would be located just a few miles from where Abraham Lincoln accepted the 1860 nomination of the Republican Party for the presidency of the United States. The erection of this monument, precursor of and inspiration to Arlington's, took place in Chicago, Illinois.

CHAPTER FIVE

"A Monument to American Valor": Chicago's Confederate Mound, Arlington's Inspiration in the Land of Lincoln, 1892-1896

Up to the early 1890s there was still a significant difference between the early, and somewhat modest rebel memorials in the North and what would become Arlington National Cemetery's celebration of treason in its Confederate section. While allegorical promotion and legitimization of secession, states' rights and defense of the Lost Cause increased throughout the South began during Reconstruction and increased into the first two decades of the twentieth century, these types of monuments, proselytizing a mythical history of the Confederacy, remained rare on Yankee territory. Southerners, intent on validating rebel sacrifice and remembrance of their dead interred in northern soil likely realized symbols representing a paean to the Confederacy would attract greater protest than a respectful, demure remembrance of military service and sacrifice. This conservative approach would not last. As Southerners continued addressing rebel burials in the North with monuments and memorials, and as Northerners routinely found this form of southern remembrance acceptable, either out of genuine sympathy for their fallen foe, the influence of the national, White-led effort at reconciliation, or simply due to exhaustion and apathy for Civil War commemoration, Confederate monuments located in the North began emulating aspects of their counterparts in the South. While still chiefly

focused on honoring rebel sacrifice chiefly with memorial plaques identifying southern soldier burials in the North, eventually these monuments contained idolizations attempting to legitimizing the Confederacy and endorsing moral validation for secession and treason. In one of the singular ironies of the reconciliation era, one of the earliest, and most influential southern successes on northern soil symbolically promulgating Confederate virtue occurred in the home state of Abraham Lincoln, and in the city in which he secured the 1860 Republican presidential nomination, Chicago, Illinois.[324]

This chapter examines the creation of this memorial, known as the Confederate Mound dedicated in Chicago's Oak Woods Cemetery in 1895, and its role in eventually providing inspiration and a procedural blueprint for Arlington's Confederate section and monument. Confederate Mound served as an important example of both a memorial to rebel prisoners of war (POWs), and outright propaganda, representing a Confederate interpretation of rebellion memory. It also demonstrated the limits of reconciliationist sentiment at the turn of the century, as its construction proved contentious for some in the North. This chapter argues that the effort to erect Oak Wood's Confederate monument, like southern exertions at Johnson's Island and Camp Chase, further established a viable process for the identification, treatment, and memorialization of rebel dead on northern soil that significantly influenced the creation of Arlington's Confederate burial section and monument a few years later.

What separated Oak Woods' Confederate Mound from other rebel burial grounds in the North up to 1895 was the addition of Lost Cause iconography as part of, and

[324] Gunter and Kizzire, *Whose Heritage? Public Symbols of the Confederacy*, 14.

arguably a larger focal point than the actual memorial to the dead. While this type of symbolism frequently occurred on rebel monuments located in the former Confederacy, Oak Woods Confederate Mound memorial was one of the earliest examples of this type in the North, and, until the unveiling of Arlington's rebel monument, one of the most blatant northerly-located representations of a treasonous interpretation of the war. Confederate Mound's location was significant. Not only located within miles of the site of 1860 Republican National Convention, Illinois also laid claim as the home of Abraham Lincoln, Ulysses S. Grant, John A. Logan, the "father" of Memorial Day, and the location of the founding of the Grand Army of the Republic (GAR).[325] The monument's construction in such a prominent Union stronghold raises numerous questions with the most prominent being how former Confederates and sympathizers were able to successfully erect a rebel memorial in one of the most prominent northern cities in the nation with relatively minimal controversy? Why did most Chicagoans and members of the GAR allow this monument's construction, and in many cases welcome its addition to Oak Woods Cemetery? In addition, was this Chicago cemetery specifically targeted as a site to promote Lost Cause mythology, or was it simply a fortuitous target of opportunity for Confederate sympathizers? And most importantly, how did the successful erection of Confederate Mound influence and serve as inspirational predecessor to inspire later

[325] In 1860 Lincoln lived in Springfield and Grant in Galena, IL. Logan was born in Murphysboro, IL. The GAR was founded on April 6, 1866 by Dr. Benjamin F. Stephenson in Springfield, and the first GAR Post was established in Decatur, Illinois. In addition, Illinois provided over 250,000 soldiers and sailors to the US Army and Navy during the Civil War, the fourth most of any northern state. Illinois State Museum, "Illinois Fights the Civil War," Illinois State Museum, http://www.museum.state.il.us/RiverWeb/landings/Ambot/Archives/vignettes/government/Civil_20War.html (accessed August 13, 2021).

efforts to create Arlington's Confederate burial section more grandiose defense of the Lost Cause.[326]

The Confederate burial ground at Oak Woods Cemetery contained the remains of over 4,000 prisoners of war, significantly more than Johnson's Island (approx. 267) and Camp Chase's (approx. 2,168) Confederate cemeteries. These interments were of incarcerated rebels dying mainly of illness, disease and malnutrition at nearby Camp Douglas, a "major detention facility for Confederate prisoners of war." Over the course of the war, Camp Douglas housed over 26,000 POWs. Initially, burials occurred on camp grounds and Chicago's City Cemetery. Due to closure of the City Cemetery and terms of the camp's lease, between 1865 and 1867 approximately 4,243 rebel reinterments took place at Oak Woods, a city cemetery opened in 1853. Unlike Johnson's Island and Camp Chase, whose burials grounds only contained Confederate interments, Oak Wood's rebel graves occurred within the grounds of an already existing cemetery, in an elliptical plot called Confederate Mound.[327]

This was an important distinction. Whereas most other POW burial grounds in the North only housed Confederate remains, these rebel reinterments used an already prominent, preexisting cemetery, and, while segregated into a separate section, lie in a

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[326] Gunter and Kizzire, *Whose Heritage?*, 9-13, 19-37.

[327] National Park Service, "Oak Woods Cemetery, Confederate Mound," *Historic American Landscapes Survey* (Washington, DC: US Department of the Interior, National Park Service, 2007); National Park Service, "Confederate Mound at Oak Woods Cemetery," Department of the Interior, National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/illinois/confederate_mound_oak_woods_cemetery.html (accessed April 14, 2021); National Cemetery Administration, "Confederate Mound," National Cemetery Administration, Department of Veterans Affairs, https://www.cem.va.gov/cems/lots/confederate_mound.asp#gi%22%20target=%22_blank (accessed April 14, 2021).

burial ground amongst the graves of numerous Chicagoans including Union veterans. Although the identification and reinterment of the rebel graves from 1865 to 1867 was unforeseen and forced due to extenuating circumstances, the creation of a standalone Confederate section containing all of Camp Douglas's deceased in one identifiable portion of the cemetery prefigured the identification, reinterment and creation of Arlington's Confederate section after the turn of the century. The process and success at Oak Woods in constructing Confederate Mound was a template useful for Southerners desiring to unite rebel burials in the North, including at Arlington, and proved the feasibility of mass reinterments in already existing cemetery grounds. The relocation of over 4,000 Confederate remains in a segregated section of a larger cemetery also provided an opportunity to consolidate remembrance in a grander setting than burials individually scattered throughout numerous acres of interments, like at Arlington, or in seldom-visited POW burial grounds. Confederate Mound at Oak Woods Cemetery, containing one of the largest number of rebel dead in the North, quickly became a focus of southern commemoration in Illinois. The size and prominence of Confederate Mound provided an opportunity for Southerners to create a memorial to their dead in what would become one of the most prominent cemeteries in Illinois in the second most populated city in the United States.[328] Far from simply listing the names of the rebel dead,

[328] According to the 1890 United States census, Chicago's populations was 1,099,850 residents, making it the second most populated city in the US behind New York's 1,515,301 and just ahead of Philadelphia with 1,046,964 people. See United States Census Bureau, "Population of the 100 Largest Cities and Other Urban Places In The United States: 1790 to 1990," United States Census Bureau, https://www.census.gov/library/working-papers/1998/demo/POP-twps0027.html (accessed April 14, 2021); United States Census Bureau, "Table 12. Population of the 100 Largest Urban Places: 1890," United States Census Bureau, https://www2.census.gov/library/working-papers/1998/demo/pop-twps0027/tab12.txt (accessed April 14, 2021).

Confederate sympathizers planned for a more elaborate monument for Confederate Mound, complete with iconography portraying a pro-Confederate interpretation of history.

While completion of rebel burials at Oak Woods' Confederate Mound occurred just two years after the end of the war, the creation of the monument honoring the dead took nearly three decades. Not surprisingly, discussion of adornment for the Confederate section of the cemetery was absent so close to the end of the war, when emotions still burned brightest. Just as at Arlington, the presence of Confederate burials in the cemetery did not arouse complaint, as their relocation to Oak Woods was a practical solution necessitated by the requirement to move the remains from the former grounds of Camp Douglas and the City Cemetery. By 1892, however, movement for erection of a memorial within the Confederate Mound began. This was part of a larger push by the UCV to care for and memorialize Confederate graves in the North, with the same UCV Division of the Northwest responsible for Johnson's Island and Camp Chase controlling all aspects of grave maintenance, decoration, and memorial creation. Commanding the effort to raise awareness of the "over 6,000[329] Confederate dead buried at Oak Woods Cemetery," and procuring funds to "erect a suitable and appropriate monument over such soldier remains and otherwise care for the graves and special burial grounds within the cemetery…" was

[329] Underwood claimed over 6,000 graves instead of the accepted number of 4,243, arguing that the 1871 Chicago fire undoubtedly destroyed burial registers. However, there is no evidence that the fire destroyed any of Oak Woods' or Camp Douglas's burial records. Underwood possibly inflated the number of burials to elicit greater sympathy in his fundraising efforts.

Confederate veteran, former POW, and former Kentucky Lieutenant Governor John C. Underwood.[330]

Underwood began his campaign for a Confederate monument at Oak Woods by sending out 3,000 copies of a pamphlet, urging "all sympathizers…to contribute such a sum as each can afford to bestow for the worthy purpose." His appeal mirrored the language used in the Johnson's Island/Camp Chase effort focusing on military service and sacrifice, asserting that dying "is the hardest service a soldier can render to his people…" Underwood's initial plea, repeating his previous message concerning the other two POW cemeteries, appealed to the sympathies of all veterans who served, suffered, and shared the experiences of military life. Yet at Oak Woods, Underwood went further, declaring that, "to die in a prison hospital far from family and friends and to be buried beneath soil away from home…is the giving of life for the '*lost cause*'[331]…" This additional statement is a significant modification from previous pleas for support of monument erection in battlefields like Gettysburg or at POW cemeteries such as Johnson's Island and Camp Chase. Included within the predictable rhetoric lamenting the fate of Confederate POWs was the contention that these rebel dead at Oak Woods should be honored not only for making the ultimate sacrifice, but for doing so in full defense of the Lost Cause, thereby bringing credibility to the righteousness and legitimacy of the Confederacy. Since these men simply defended an honorable cause, Underwood implied,

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[330] United Confederate Veterans, *Appeal for Monumental Aid and Roster of Confederate Dead Buried in Oakwoods Cemetery CHICAGO, ILLS* (Cohen & Co., 1892), 4-5; John E. Kleber, ed., *The Kentucky Encyclopedia* (Lexington: University Press of Kentucky, 1992), 905-06; *Minutes of the Ninth Annual Meeting and Reunion of the United Confederate Veterans* (New Orleans, LA: Hopkins Printing Offices, 1900), 173-75.

[331] United Confederate Veterans, *Appeal for Monumental Aid and Roster of Confederate Dead Buried in Oakwoods Cemetery*, 5; Emphasis added.

construction of a monument to their sacrifice "might well awaken sympathy even among the most unimpressionable."[332]

Underwood clearly felt justified and little trepidation in his call for support. Indeed, he even argued that the creation of this memorial would not just honor southern bravery, but "monument *American* valor and mark the hero remains who…ended their service to the cause in the grave."[333] This plea for memorialization, unlike previous efforts in Pennsylvania and Ohio, had the dual purpose of honoring the rebel dead and praising their sacrifice in supporting the cause of the Confederacy, a testament, according to Underwood and the UCV, not only of southern-specific gallantry but of overall American valor. This Confederate monument would attempt to transform southern treason into a virtuous cause, chosen by true Americans, without confronting the illegality of secession or immorality of a traitorous southern government created for the preservation of chattel slavery.[334]

If Underwood was apprehensive his message would arouse negative reaction from Union veterans and the northern press, he did not express any public doubts. Perhaps he assumed that since his missive was in a fundraising pamphlet sent to those sympathetic to the former Confederacy it would not provoke unwanted attention. More probably Underwood simply believed his message would garner nationwide support and prove popular throughout the North and the South. He even stated such belief in the pamphlet,

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[332] United Confederate Veterans, *Appeal for Monumental Aid and Roster of Confederate Dead Buried in Oakwoods Cemetery*, 5; John C. Underwood, *Appeal for Pecuniary Aid to Care For and Monument the Remains of the Confederate Dead Buried on Johnson's Island and at Columbus, Ohio*, 6.
[333] United Confederate Veterans, *Appeal for Monumental Aid and Roster of Confederate Dead Buried in Oakwoods Cemetery*, 4-5; Emphasis added.
[334] United Confederate Veterans, *Appeal for Monumental Aid and Roster of Confederate Dead Buried in Oakwoods Cemetery*, 4-5.

avowing that, "Time has fortunately blunted the bitter feelings of hatred between the sections…a united country is enjoying prosperity, the people are happy, the soldiers of the Southern 'battle cross' are now respected, certainly by those who crossed swords with them…" It is clear from this statement that Underwood and the UCV believed public sentiment was now on their side, and any objections by individual GAR members or Northerners were less compelling than a majority that found reconciliation and remembrance more appealing than long-held grudges and debates over the ethics of erecting monuments that honored traitors to the nation.[335]

It would take a few years for the acquisition of necessary funds for Oak Woods' Confederate monument to become a reality. In the interim, erection of rebel memorials continued unabated as reconciliation momentum continued. One US District Court Judge, speaking at an 1894 Memorial Day commemoration at Nashville National Cemetery summed up recent efforts to increasingly recognize Confederate dead over the past few years noting that the Forty-Ninth (1885-1887) and Fiftieth (1887-1889) Congresses acquired the Gettysburg battlefield as a national park where Southerners could erect monuments, the Fifty-First Congress (1889-1891) authorized Confederate monument construction at the Chickamauga battlefield, and even cited Governor Foraker's successful congressional appropriation for Johnson's Island's Confederate graveyard. So pleased was the judge that he proclaimed these "…acts of legislation…are significant of the temper and disposition of the Government [sic] and people of the nation." Reinforcing his belief that sectional healing must continue as a national priority, he

[335] Ibid, 6.

affirmed, "The events of the war have passed into history…we must, both in the North and the South, put aside all sectionalism, and rising above mere partisan politics, stand shoulder to shoulder and present a united and solid front…" The judge's succinct overview of national zeitgeist was prescient. Exactly one year later, on Memorial Day 1895, Underwood and the UCV successfully completed their task at Oak Woods with the dedication of a bronze statue of a Confederate soldier atop a thirty-foot granite column in the middle of the Confederate Mound burial section.[336]

If there was any question as to national approval and acceptance of the Confederate monument at Oak Woods, the dedication ceremony put those to rest. Attended by an estimated crowd of 100,000, prominent guests included Underwood, Commander-in-Chief of the UCV John B. Gordon, numerous members of Congress, and President Grover Cleveland, whose presence was the most poignant indication of federal government approval. In addition, many who could not attend sent letters of approval, including endorsements by GAR Commander-in-Chief Thomas Lawler, expressing his admiration for the memorial and noting, "we were all Americans," and Commanding General of the United States Army John M. Schofield, a Civil War veteran and recipient of the Medal of Honor who wrote that, "when the passion of war has subsided all just and generous men cease to discuss abstract questions of right or wrong…and delight to share

[336] "Roster of our Dead Buried in the Confederate Cemetery at Chattanooga, Tennessee," Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 186-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA, 3-4; "Memorial Day Services," *Confederate Veteran* II, no. 6 (June 1894): 166; National Park Service, "Confederate Mound at Oak Woods Cemetery Chicago, Illinois," Department of the Interior, National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/illinois/confederate_mound_oak_woods_cemetery.html (accessed April 20, 2021).

the spirit which actuates the true soldier…and which causes him to honor even his brave enemy who has fallen in battle."[337]

President Cleveland's attendance at the ceremony was particularly significant, and heralded and important national change in perception concerning memorialization of Confederate dead. Cleveland, the first president from the Democratic Party since prior to the Civil War, occasionally had a contentious relationship with Union veterans. In April of 1887 he controversially ordered the return of captured Confederate battle flags still in possession of the US government to southern governors. This angered many in the North, not least Ohio Governor Joseph B. Foraker, who, previously in the year, lambasted Cleveland for spending Memorial Day fishing instead of attending the commemoration at Arlington. Foraker, who that very same year obtained a government appropriation to care for Confederate graves on Johnson's Island, Ohio, heatedly pledged that, "No rebel flags will be surrendered while I am governor…the patriotic people of this state are shocked and indignant beyond anything I can express." Even more vitriolic, and probably more influential, was the response from Lucius Fairchild, Commander in Chief of the GAR. His response was explicit: "May God palsy the hand that wrote that order. May God palsy the brain that conceived it, and may God palsy the tongue that dictated it." So incensed was Fairchild and other members of the GAR, that Cleveland, who previously

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[337] National Park Service, "Confederate Mound at Oak Woods Cemetery Chicago, Illinois," Department of the Interior, National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/illinois/confederate_mound_oak_woods_cemetery.html (accessed April 21, 2021); John C. Underwood, *Report of Proceedings Incidental to the Erection and Dedication of the Confederate Monument* (Chicago: Wm. Johnston Printing Company, 1896), 41-42, 223; Congressional Medal of Honor Society, "Stories of Sacrifice, John M. Schofield" Congressional Medal of Honor Society, https://www.cmohs.org/recipients/john-m-schofield (accessed April 21, 2021); LC, "The Civil War in America: John M. Schofield," LC, https://www.loc.gov/exhibits/civil-war-in-america/biographies/john-m-schofield.html (accessed April 21, 2021).

accepted an invitation to attend the GAR national encampment, withdrew his acceptance when his advisors learned that the President's presence could be subject to verbal and possibly physical abuse. This event left many GAR members and other Union veterans with a less than flattering opinion of Cleveland, and the President, wanting to repair the damage, rescinded his executive order.[338]

After this miscalculation from Cleveland he was increasingly warry of public perception of him as too sympathetic to the former Confederacy, all the while encouraging former rebels to believe his administration sensitive to their needs and attempting to expand the Democratic Party throughout the nation. He dutifully returned to attending pro-Union Memorial Day events, even joining Arlington's commemoration the year prior to the Oak Woods' Confederate monument dedication. If Cleveland's attempt to return captured rebel battle flags caused such a scandal in 1887, his presence at the pro-Confederate Oak Woods ceremony in 1895 presented a persuasive indication of the success of national reconciliation efforts during the eight-year interim. By the time of the Chicago dedication, the President obviously felt there would be little political cost to his attendance. This is in stark contrast to the reaction over the return of battle flags in his first term. By 1895, sentiments of regional sympathy and national reunion outweighed individual complaints over the legacy of the war to such an extent that the President of

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[338] Grover Cleveland, Executive Order, April 30, 1887, online by Gerhard Peters and John T. Woolley, The American Presidency Project, https://www.presidency.ucsb.edu/documents/executive-order-260 (accessed April 21, 2021); "Cleveland Rebuked," *Cleveland Gazette*, November 19, 1887; *Harper's Weekly*, October 1, 1887; Everett Walters, "Joseph B. Foraker," Fundamental Documents of Ohio, https://resources.ohiohistory.org/onlinedoc/ohgovernment/governors/foraker.html (accessed April 21, 2021); Sam Ross, *The Empty Sleeve: A Biography of Lucius Fairchild* (Madison: State Historical Society of Wisconsin, 1964), 110; Wallace E. Davies, "Was Lucius Fairchild a Demagogue?," *The Wisconsin Magazine of History* 31, no. 4 (Jun 1948): 418; *Journal of the Twenty-First Annual Session of the National Encampment of the Grand Army of the Republic* (Milwaukee: Burdick & Armitage, 1887), 211-13.

the United States felt empowered to attend a monument unveiling celebrating the sacrifice of Confederate soldiers in their pursuit of the destruction of the nation.[339]

The design of the monument itself represented another important transition from simple remembrance of the fallen to propagation of a specific interpretation of war memory, and proved to be a precursor of and inspiration for Arlington's more elaborate Confederate memorial. The most prominent feature of the monument is a bronze statue of a Confederate soldier, modeled on John A. Elder's painting "Appomattox." This statue, described as "a pensive Confederate veteran…amid a devastated landscape in the aftermath of…surrender" is, at first glance, a poignant and respectful reminder of military service and sacrifice. The figure, unarmed and wearied, appeared both exhausted and despondent, slightly bowing his head as if contemplating the cost of the war. By 1895, "Appomattox" statues appeared in many cemeteries, town squares and courthouse lawns throughout the South.[340]

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[339] Henry R. Graff, "Grover Cleveland: Impact and Legacy," University of Virginia Miller Center, https://millercenter.org/president/cleveland/impact-and-legacy (accessed April 22, 2021); "The President at Arlington," *Blackman*, June 1, 1894; "Heroes Honored," *Atchison Daily Globe*, May 31, 1894; "The Nation's Dead," *Washington Post*, May 31, 1894; "Dead Heroes Honored," *Leavenworth Herald*, June 2, 1894;

[340] Encyclopedia Virginia, "Appomattox," Virginia Humanities, https://encyclopediavirginia.org/1121hpr-8d12cdbb2a791b3/ (accessed April 22, 2021); Barbara Crookshanks, "John Adams Elder: Fredericksburg's Artist of the Civil War," Central Rappahannock Regional Library, https://www.librarypoint.org/blogs/post/john-elder/ (accessed April 22, 2021). Office of Historic Alexandria, "The Confederate Statue," City of Alexandria, Virginia, https://www.alexandriava.gov/uploadedFiles/historic/info/brochures/ConfederateStatueBrochure.pdf (accessed April 22, 2021). A typical example of an "Appomattox" statue was located in Alexandria, Virginia. Commissioned by the Robert E. Lee Camp of the UCV, the sculptor was M. Caspar Buberl. Dedication occurred on May 24, 1889 and was attended by Virginia Governor Fitzhugh Lee, former major general of cavalry in the Army of Northern Virginia and nephew of Robert E. Lee. According to the Office of Historic Alexandria, the next year the Virginia House of Delegates approved legislation outlawing the removal of the statue in the future by the city of Alexandria. Listed on the base of the statue are 100 names of Alexandria's Confederate soldiers killed during the war. Interestingly, in 1900 the name James W. Jackson was added to the statute. Jackson was proprietor of the Marshall House in Alexandria prior to the war, and continued to fly a large Confederate flag from the hotel after Virginia's secession. On May 24,

The eight-foot tall soldier overlooked the Confederate Mound from atop a thirty-foot granite column complete with a base on which appear the words "Confederate Dead," and an "enlarged model of the well-known Confederate seal." These intentional design characteristics separated Chicago's "Appomattox" from other Confederate monuments. First, the enormous size of the entire memorial is much larger than other "Appomattox" statues that appeared in the South. Most of these sculptures of the defeated rebel soldier rested on pedestals with a total height of fifteen to twenty feet. Oak Woods' "Appomattox" towered higher than almost any of its brothers. This certainly gave the impression of enormity and importance, as something separate and unique from other Confederate iconography (in 1911 the Commission for Marking the Graves of Confederate Dead raised the monument even higher, setting it on a base of red granite). Besides the immensity of the memorial, the appearance of the Confederate seal on the upper base signals an important, yet subtle transformation from a monument to the "Confederate Dead" to a shrine that symbolically acknowledged the cause for which they fought and died. The presence of the symbol of the Confederate States of America (CSA) on a monument to rebel dead in a northern cemetery, far from being a simple adornment, placed in stone an emblem of treason, and should have reminded visitors that the interred soldiers under the Confederate Mound fought for a cause intent on destroying the United States and creating a new nation based on the protection and propagation of chattel slavery. Symbols convey messages, and the inclusion of the seal of the CSA was a signal

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1861, Jackson shot and killed Col. Elmer Ellsworth who had removed the flag from the top of the hotel before being killed by Francis Brownell of Ellsworth's regiment.

that the government for which these men died was as important to commemorate as the soldiers themselves.[341]

As unacceptable to Union veterans as inclusion of the Confederate seal on the monument should have been, it was the addition of three bas-relief bronze plaques that introduced a novel attempt to interpret war memory by depicting artistically imagined scenes representing three symbolic southern memories of the war. On the east side of the monument, a panel titled, "The Call to Arms" depicts Southerners rushing to join the call for secession as they cheer and enter a courthouse with the year "1860" over the threshold. The plaque on the south side, "A Soldier's Death Dream" depicts a dying rebel soldier, mortally wounded lying beneath a tree in the moonlight. Surrounding him is an earthwork and silent canon, a drooping Confederate battle flag, a dead horse, and, oddly, a vampire bat, "as an imaginary ghoul." On the west side of the memorial is a plaque titled, "A Veteran's Return Home." This bas-relief is arguably the most realistic, as it depicts a Confederate returning to his now dilapidated, abandoned cabin in "deep dejection." Near the cabin, with a hole in its roof and broken door, is a discarded cannon and the detritus of war. As explained by the monument's designer, this image "lends completion to the idea sought to be expressed by the deft hand of the sculptor, that of a

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[341] John C. Underwood, *Report of Proceedings Incidental to the Erection and Dedication of the Confederate Monument* (Chicago: Wm. Johnston Printing Company, 1896), 87; National Park Service, "Confederate Mound at Oak Woods Cemetery Chicago, Illinois," Department of the Interior, National Park Service, https://www.nps.gov/nr/travel/national_cemeteries/illinois/confederate_mound_oak_woods_cemetery.html (accessed April 22, 2021); Office of Historic Alexandria, "The Confederate Statue," City of Alexandria, Virginia, https://www.alexandriava.gov/uploadedFiles/historic/info/brochures/ConfederateStatueBrochure.pdf (accessed April 22, 2021).

blighted home and a ruined substance, *portraying the cause that is lost*."[342] Lastly, on the north side of the memorial, inscribed in granite are the words: "Erected To The Memory of the Six Thousand Southern Soldiers Here Buried, Who Died in Camp Douglas Prison, 1862-5".[343]

In addition to inflating the number of actual rebel dead at Camp Douglas from 4,243 to 6,000[344] probably to further emphasize the enormity of southern sacrifice, these bas-relief plaques represent another example of the gradual erosion of northern concern over a southern interpretation of Confederate and Civil War history. The first image, of Southerners flocking to the banner of secession, depicts a bucolic response to the proposed destruction of the United States and "amid wild and sectional enthusiasm all classes rush to the aid of their country." "Their county," meaning not the United States but the Confederate States of America. With this type of passion and zeal, the sculptor appears to ask, how could this cause be anything but righteous? In addition, the appearance of "1860" above the courthouse door indicates these men were energetically supporting the call to secession and its rationale, and not yet rushing to defend the South from invasion by the Union Army. This design choice implies most Southerners joined the Confederacy because they believed in the southern cause and the legality of secession. While this was certainly true for some Southerners, many rushed to the defense of the South only after they believed their native state, land, and family were under military threat from the federal government. This plaque glosses over the

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[342] Emphasis added.
[343] John C. Underwood, *Report of Proceedings Incidental to the Erection and Dedication of the Confederate Monument*, 90-93.
[344] See note 72.

innumerable motives men joined the Confederate Army, instead promoting the mythical belief that all Southerners were enthusiastic supporters of secession from 1860 onwards.[345]

The other two panels, although clearly intend to convey somber scenes of death and devastation, also subtly justified the morality of the southern cause. While "A Soldier's Death Dream" depicts the last moments of a Confederate soldier on the battlefield, it is a scene that depicts a peaceful, "good death" and not the horrific nature of combat. The soldier appears as if exhausted and asleep beneath a tree in the moonlight. There is no sense of pain or regret, just a serene transition to immortality and martyrdom. If the southern cause was unjust and immoral, the scene appears to ask, how could a fallen soldier defending the Confederacy die so peacefully, so content in his choice to serve the South? This is not a realistic scene of battlefield horrors or mass graves. Interestingly, as those rebel dead buried under the memorial all died as POWs, most from disease and illness, this sculpted death scene could not represent their passing. None buried at Confederate Mound died in combat, on the battlefield, demonstrating that "A Soldier's Death Dream" was less about the reality of Camp Douglas' rebels than an argument that Confederate soldiers so believed in the southern cause that even death found them content and morally justified.[346]

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[345] John C. Underwood, *Report of Proceedings Incidental to the Erection and Dedication of the Confederate Monument*, 90; Lincoln's call for 75,000 volunteers to defeat the southern insurrection did not occur until April 15, 1861 in response to the Confederate bombardment of Fort Sumter on April 12-13, 1861. See Abraham Lincoln, "Proclamation 80—Calling Forth the Militia and Convening an Extra Session of Congress," online by Gerhard Peters and John T. Woolley, The American Presidency Project, https://www.presidency.ucsb.edu/node/202882 (accessed April 23, 2021).
[346] John C. Underwood, *Report of Proceedings Incidental to the Erection and Dedication of the Confederate Monument*, 92.

Finally, the plaque, "A Veteran's Return Home," to modern eyes, is difficult to interpret. The sculptor undoubtedly wanted viewers to contemplate and celebrate southern sacrifice for a righteous cause. The depicted soldier returning home is greeted only by devastation and loneliness. His home, nearly destroyed, is without family or friends. This soldier appears utterly alone and sorrowful for the past. Clearly the intended message is that, despite the personal consequences of his service to the South, he was resolute in his defense of the Confederacy because his was the side of righteousness. This message is hardest of the three panels to rationalize. Some might view the rebel's downtrodden visage and damaged, abandoned homestead and assume the soldier is contemplating if his Confederate service was worth the sacrifice. This southerner, whose modest cabin and meager surroundings intentionally depict a typical small-scale farmer and not a slave-owning plantation owner, might be contemplating what he had to show for his years of service to a treasonous cause. While this message is probably not what the sculptor had in mind, of the three panels its ambiguity is most prone to differing interpretation.[347]

Regardless of the artists intent behind his work, the examination of the circumstances surrounding Chicago's Confederate monument at Oak Woods Cemetery serves two important purposes in relation to Arlington National Cemetery's Confederate burial section and memorial. First, the effort to fundraise, design, erect, and dedicate the monument on Confederate Mound provided a roadmap for the successful construction of a rebel memorial on northern soil. It proved to Southerners and Confederate sympathizers

[347] Ibid, 90.

that by 1896 it was possible, if promoted correctly, to not only erect headstones and granite blocks listing the names of rebel POW dead in cemeteries, but also, in conjunction with those markers, to erect larger monuments that included iconography and sculpture memorializing and promoting the righteousness of the Confederacy, and even praising Lost Cause ideology, as long as it was initially expressed in terms focusing on the service and sacrifice of soldiers. Additionally, the inclusion of bronze plaques on Chicago's monument proved instructive. While sculptural vignettes and bas-relief panels were not unusual as part of Confederate memorials located in the South, Oak Woods' plaques were one of the initial instances of a rebel memorial in the North including a blatant pro-Confederate interpretation of war history. And, while the iconography on the plaques were arguably ambiguous enough for Southerners to defend their inclusion as simply in remembrance of the heroic dead, their presence alongside the seal of the Confederate States of America was evidence that Oak Woods' Confederate monument was as much promoting the virtue of the Confederacy as commemorating those rebel POWs who lay beneath its soil.

The second purpose behind an in-depth examination of the circumstances surrounding Chicago's Confederate monument is that Oak Woods not only served as an inspiration for southern memorialization in the North, it directly impacted the creation of Arlington National Cemetery's Confederate burial section and monument. While other southern efforts at memorialization in the North, such as at Camp Chase and Johnson's Island, undoubtedly encouraged those responsible for Arlington's monument and helped normalize remembrance of Confederate POWs, individuals most responsible for success

at ANC directly cited Oak Woods' importance. In particular Hilary Herbert, one of the principle directors of the southern exertion at Arlington, referenced "the erection in 1895 of a Confederate monument in Chicago" as a primary source of "fraternal relations" between the North and South that paved the way for the erection of Arlington's Confederate monument. Even Oak Woods' bronze plaques served as important models for Arlington's rebel memorial by showing how sculpture depicting imagined historical vignettes could reinterpret war memory, help legitimize southern secession, and further bolster Lost Cause ideology through propaganda. These three bronze examples served as precursors for the much more elaborate and Lost Cause proselytizing figures carved on Arlington's Confederate monument.[348]

It is important to note that, although by 1896 acceptance and even celebration of the erection of a monument to the Confederacy on northern soil was palatable to much of the nation, as evidenced by the attendance of numerous dignitaries at Oak Woods' Confederate monument dedication ceremony including President Cleveland and 100,000 guests, a vocal minority did express concern and anger, especially at the dedication of the sculpture on Memorial Day, a holiday expressly designed to honor Union dead. A speaker at the Salem, Massachusetts GAR Memorial Day commemoration decried Oak Woods' monument stating that although he "did not want to be hard or uncharitable and could talk with a confederate [sp] soldier over old times on the field," a southern memorial in the North was intolerable. He reminded his audience "that treason was

[348] Hilary A. Herbert, *History of the Arlington Confederate Monument* (Richmond: United Daughters of the Confederacy, 1914), 4, 38. Herbert's role in Arlington's Confederate section and monument is discussed in-depth in the next chapter.

treason," and, stretching his point a bit too far stated, "if [the Confederacy] had been successful neither Chicago itself, Boston or New York would have existed." Joseph Thayer, a Massachusetts GAR commander agreed with his counterpart in Salem, stating, "The monument is out of place, decidedly, north of Mason and Dixon's line; but our principal objections is that this monument should be dedicated on Memorial Day…Memorial Day belongs to the Union soldier, and has been set apart as a day in which to commemorate the deeds of the men who died to save the Nation." Thayer's overall speech indicated concern for the post-war generation, those who grew up after the conflict and were more susceptible to reconciliationist sentiment and a pro-southern reinterpretation of war memory. Nashua, New Hampshire's GAR post agreed with Thayer. Their keynote Memorial Day orator objected to "the taking of the day to dedicate the Confederate monument in Chicago…" "It was an insult," he decried, "to the benevolence and generosity of the entire American people." This speaker was particularly incensed of the location of the rebel memorial, expressing "he had no objection to what southern people did in the South, but when they set up such a monument in the North on this day he protest[s]."[349]

Other GAR posts registered more formal complaints. Benjamin Stone Post 68 of Dorchester, Massachusetts, passed a resolution against the erection of Chicago's

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[349] "Memorial Day," *Bangor* (Maine) *Daily Whig & Courier*, May 31, 1895; "Many G.A.R. Men Protest: Veterans Hope to Prevent the Erection of a Confederate Monument," *Daily Inter Ocean* (Chicago), May 4, 1895; *Leavenworth Herald*, May 11, 1895; "Commander Thayer Should Apologize," *New York Times*, May 23, 1895. Of note, Confederate General Wade Hampton, who gave the dedicatory address at Oak Woods, responded to the complaints coming from the northeast. He told the local papers, "Chicago cannot be too greatly praised for persistency in her noble and generous deed, in spite of the sneers and scoldings administered by Massachusetts." See "Chicago's Confederate Monument – The Dedication To-Day Considered to be the Greatest Event that Has Ever Taken Place in This Country to Cement the North and the South," *Norfolk Weekly Landmark*, June 5, 1895.

Confederate monument resolving that "any act which tends to perpetuate 'the lost cause' by representing those who engaged in it as martyrs is unwise and unpatriotic." For this post, the design of the monument in particular caused concern. The depiction of the Confederate soldier as "emaciated, in taters, without shoes, implying thus that rebel soldiers in our hands were not humanely cared for …notwithstanding the systematic starvation of Union soldiers in rebel prisons…is the foulest blot on American history." While Benjamin Stone Post 68 understood and honored "the noble sentiment of tender respect for the dead…," they warned against the precedent this type of memorial portended. "The tendency of such a monument is to falsify history," they cautioned. Worst of all, they contended, "its erection in a loyal northern city is…in bad taste; and that its dedication on a day peculiarly sacred to the memory of those who offered their lives in defense of the Union…is little less than sacrilege."[350]

Yet as forceful as some GAR responses to the Confederate monument appeared, they were typically complaints from individuals or singular posts, and did not represent any type of unified reaction from the overall organization. Some posts refused to attend the ceremony while still stating their admiration for honoring war dead and respecting individual GAR member's decision to take part in the event. Even GAR Commander-in-Chief Thomas Lawler, an attendee at the ceremony, attempted to mitigate any potential conflict by stating that the GAR would have no "official" role nor attend as an

[350] *National Tribune*, June 6, 1895; "Honoring Treason," *National Tribune*, June 20, 1895.

organization at the dedication but affirmed he had "no objection on my part to the ex-Confederate soldiers erecting such a monument…"[351]

Arguably the most prominent critique of the memorial in Oak Woods took the form of a stone cenotaph to "exiled abolitionists" that appeared just to the east of the Confederate Mound shortly after the erection of the Confederate monument. T.D. Lowther, a southerner forced from his home in Florida for his abolitionist leanings, funded the memorial and dedicated it to the "unknown heroic men, once residents of Southern States, martyrs of human freedom, who…refused to be traitors to the Union…[and] stood alone among ruthless enemies." Lowther admitted his concern for the fluid nature of historical memory in support of national reconciliation. When interviewed, he contended that "Confederates have been treated so magnanimously by the North that they have come to assume the position that they were entirely in the right in the war, and that…criticism of their attitude is contemptible and unpatriotic." Lowther also expressed concern about proper education of "the growing youth of this country." The intent behind the monument, he professed, was "not only to commemorate those whose virtues are worthy of commemoration…[but also] for the future good…to understand…there are some beside those to whom towering monuments have been erected who are entitled to the grateful remembrance of their countrymen."[352]

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[351] "Tread of Armed Men," *Daily Inter Ocean* (Chicago), May 30, 1895; "National Gossip," *National Tribune*, May 30, 1895; "All Americans," *Boston Daily Advertiser*, May 31, 1895; *Weekly Rocky Mountain News* (Denver, CO), February 20, 1896; "G.A.R. Will Not Be Present At The Dedication of the Confederate Monument at Chicago," *Savannah Tribune*, June 1, 1895.

[352] "It Tells His Life Story," *Chicago Daily Tribune*, June 9, 1896; "Southern Loyalists," *National Tribune*, October 15, 1896. Of note, the Lt. James T. Woodward Camp 1399, UCV, labeled Lowther's cenotaph "Ugly Rock" and have called for its removal as an "insult to Confederate POWs buried in Chicago." It appears lost on this UCV camp the irony of claiming a memorial rock to Southerners who remained loyal

If Lowther and numerous Massachusetts GAR posts were representative of a vocal minority condemning Oak Woods' Confederate monument, one portion of Chicago society surprisingly silent in the debate is African Americans, especially the Black press.[353] If any group had a continually growing concern over reconciliationist overtures to the South and collective national amnesia, it was formerly enslaved and free-born African Americans, especially those who participated in the war as US soldiers and sailors or civilian employees. Yet any expected negative editorial reception, channeled through various Black-owned Chicago-based newspapers, never materialized. Little evidence exists detailing any reaction at all concerning Confederate monumentation in Chicago. It is possible that, with 100,000 participants and the President of the United States at the Confederate Mound memorial dedication, African American editors felt pressure to refrain from condemning erection of the monument to avoid potential public condemnation, trumped-up legal challenges, or simply feared for the physical safety of themselves, their staff, family, and newspapers.

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to the Union is insulting to the Confederate dead, while a thirty-foot-tall shaft with an eight-foot-tall rebel in the home state of Abraham Lincoln would somehow be embraced by Union war casualties. One monument honors southern abolitionists who were forced North, while the other celebrates those who were members of a Confederate Army whose sole mission was to kill US Army soldiers. Another indication of the vacuous nature of the UCV's complaint is their claim that the erection of the cenotaph was part of some type of conspiracy where Northerners "found (or invented) a useful idiot, a former southerner who had fled the South" to help erect the monument. Obviously, a simple examination of the historical record indicates T.D. Lowther as singly responsible for the memorial. See Steve Scroggins, "Heritage Violation: Insult to Confederate POWs buried in Chicago, victims of barbaric cruelty at Camp Douglas," Lt. James T. Woodward Camp 1399 Sons of Confederate Veterans, https://www.scvcamp1399.org/uglyrock.php (accessed April 27, 2021).

[353] By 1895-96 there were approximately 13 Chicago-based African American newspapers including the *Conservator*, *Appeal*, *Clipper*, *Free Speech*, *Plain Dealer*, *Eagle*, *Advance*, *Broad Axe*, *Free Lance*, and *Reflector*. See Gilbert A. Belles, "The Black Press in Illinois," *Journal of the Illinois State Historical Society* 68, no. 4 (September 1975): 344–352.

Unlike other Chicago publications and White GAR members, who were free to criticize Confederate memorialization without fear of anything more threatening than public rebuke or a strongly-worded editorial, Black newspapers and African Americans in general had to be cognizant of threats to their livelihood and personal safety whenever they expressed negative opinions against the former Confederacy. Even in the North, where threats against African Americans were less common than in the South, incidents of violence were not insubstantial,[354] and with the considerable positive reception at Confederate Mound the hazard of drawing the ire of White Chicagoans was possibly deemed too great a risk. Whatever the reason, the one group most affected by northern capitulation toward rebel monument erection and increasing Lost Cause propaganda was unable or unwilling to express trepidation concerning Chicago's embrace of Oak Woods' Confederate memorial.[355]

It is doubtful that a robust African American response to the Confederate Mound at Oak Woods it would have affected the trajectory of national reconciliation. Complaints by Lowther, GAR posts, and individual Union veterans, although passionate, by 1895 were no longer in the mainstream of political thought. Reconciliation was now the accepted path toward White reunion of the nation. Although many critics, including African Americans, former abolitionists, and social reformers still raised objections over

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[354] See Equal Justice Initiative, "Documenting Reconstruction Violence," Equal Justice Initiative, https://eji.org/report/reconstruction-in-america/ (accessed April 28, 2021).

[355] One of the few instances I discovered of an African American acknowledgement of Oak Woods' Confederate monument occurred in a 1919 editorial of *The Broad Axe*. In the article, the unnamed writer praised the life of Ferdinand Peck, a wealthy Chicago businessman and philanthropist. The article lists the monument, along with Grant Park, the World's Columbian Exposition of 1893, and Chicago's Auditorium Theatre as projects heavily influenced by Peck. See "Hon. Ferdinand Peck," *Broad Axe*, December 20, 1919; Julius F. Taylor, "Commodore Ferdinand W. Peck," *Broad Axe*, December 24, 1921.

efforts to reinterpret and mythologize war memory and ignore the immorality of the southern cause, White Northerners and Southerners routinely ignored objections to reunification as a path easier, and more comfortable than confronting the true legacy of the war.

Southerners like John C. Underwood understood that for the nation to successfully reconcile under a continued framework of White supremacy, especially in the South, Northerners must not only forgive rebel soldiers and honor their service and sacrifice, but begin to believe the Confederacy and the Lost Cause was principled and noble, even if misguided. Beginning with the erection of memorials and statuary in southern cemeteries, town squares, and battlefields, Southerners gradually began a campaign of praise and tribute of their rebel dead, emphasizing the communal spirit of military service to make public remembrance of the Confederacy more palatable for their northern veteran brethren. Eventually, as commemorations of rebel dead became normalized and accepted with an ever-growing portion of the northern population, Confederate sympathizers began addressing southern POW burials located in Union territory. Beginning with the removal of Confederate dead at Alexandria National Cemetery and North Carolinians from ANC, and eventually turning their focus to such cemeteries as Camp Chase and Johnson's Island, Ohio, Southerners successfully lobbied for greater recognition of their war dead. This recognition began with an annual decoration of graves, continued with placement of marble headstones and granite blocks listing the names of the dead, and eventually finished with the erection of memorials

honoring soldiers of the Confederacy that garnered support from northern politicians, Union veterans, and the sympathy of a large portion of the American public.

Oak Woods' Confederate monument was a predictable extension of southern efforts to further create a positive interpretation of Confederate history. It was important because, although Camp Chase and Johnson's Island were impactful, their memorials were simple, and contained little symbolism promoting a justification of secession. Needed to further endorse southern valor and continue normalizing the acceptance of Lost Cause mythology was a grand monument, on northern soil, that eulogized the sacrifice of rebel soldiers while extolling the virtues of the cause for which they fought. Chicago provided this initial opportunity, and, building off previous exertions, had the unanticipated consequence of inspiring an even grander, and more deliberate Lost Cause mythologizing monument at Arlington National Cemetery. Oak Woods' rebel memorial, with the inclusion of the Confederate seal and bas-relief plaques symbolically portraying southern virtue, was an early physical representation of the Lost Cause located just a few miles from the site that began Abraham Lincoln's presidential career. Confederate sympathizers, after their success at Gettysburg, Chattanooga, Camp Chase and Johnson's Island, felt emboldened to push for further recognition in the North, advocating for monuments and memorials praising the men of the Confederacy and the cause for which they died. Reflecting the status of reconciliationist sentiment throughout much of the United States as the nation approached the turn of the century, enough White Chicagoans, veterans, politicians, and military leaders approved of, and even commended Oak Woods' Confederate Mound that its erection and dedication invoked minimal

controversy. By 1895 there appeared to be an unspoken acceptance in White society that national reconciliation was only possible by ignoring the underlying evils for which the South had fought to reinforce cultural and racial ties throughout the republic. For most of the White American public, this choice was easier than confronting more difficult questions of African American civil rights and southern accountability for the attempted destruction of the nation.

Chicagoans enabled Confederate sympathizers to create a memorial that directed future interpretation of war memory more than honoring the rebel dead under Oak Woods' Confederate Mound. This type of monument was not the last memorial more concerned with fostering sympathy for the Lost Cause than simply commemorating Southerners who died in northern prison camps. Although unknown at the time, Oak Woods' Confederate Mound directly influenced and served as a procedural template for the creation of Arlington's Confederate burial section and monument. With ex-Confederate success in Chicago serving as inspiration, Arlington, the birthplace of Decoration Day created to honor and remember US Army service and sacrifice, soon became a focus of Confederate remembrance, with a segregated rebel burial plot and monument evangelizing the Lost Cause of the Confederacy.

CHAPTER SIX

"An Army of Silent Sentinels": Arlington's Island of Insurrection, 1898-1900

As the nineteenth century neared its end, Arlington National Cemetery's (ANC) status as the symbolic focus of Civil War commemoration was unrivaled. While other national cemeteries, particularly those located on or near former battlefields, continued their essential role in remembrance of the dead, Arlington's status as the preeminent US national cemetery and venue for nationwide commemoration of the war was unique. Arlington's journey from expedient burial ground in 1864 to principal site of national remembrance occurred due to many factors. As the birthplace and annual location of Memorial Day, routinely attended by US Presidents, military leadership, and Grand Army of the Republic (GAR) dignitaries, national focus turned towards the cemetery each May 30th. In addition, as prominent Union officers and veterans witnessed the grandeur occurring each Memorial Day, they began reserving burial locations within Arlington, and subsequently constructing more elaborate memorials and headstones.

Initially, national cemeteries had the somewhat unfair reputation as potter's fields, only containing the remains of those whose families were unable to afford to bring their fallen home. Arlington slowly changed that perception. ANC's Memorial Day ceremony, it's prominent location just outside of the nation's capital, and the increasing number of officer burials and ornate individual memorials helped transform the cemetery into a burial location of prestige and status. In addition, with annual Confederate

commemorations firmly established at Arlington by the end of the century, even Southerners and former Confederates routinely memorialized their dead within ANC's grounds. As the twentieth century approached, Arlington's transformation, from the former home of the greatest traitor to the nation since Benedict Arnold, to revered site of national mourning and remembrance appeared complete.

Yet for many former Confederates, Arlington's toleration of rebel commemoration on cemetery grounds, including perpetual care, maintenance, and annual decoration of rebel graves, as well as the use of the ceremonial amphitheater for remembrance observances, simply provided the necessary conditions for a more elaborate, and insidious plan to celebrate the southern interpretation of war memory on federal soil. This chapter argues that former Confederates, recognizing an increasingly sympathetic northern public, buoyed by fruitful efforts to acknowledge rebel graves in the North and the successful erection of the Confederate Mound monument in Chicago's Oak Woods Cemetery, and with the surprising support of numerous US Presidents, lobbied for an even more elaborate tribute to their dead, constructed at the symbolic birthplace of Decoration Day in the nation's most revered national cemetery.

With the national support shown for the construction of Chicago's rebel monument, and recent presidential speeches advocating for preservation of Confederate graves, southern leadership in the Washington, DC region seized the opportunity to carve out a consolidated, segregated Confederate burial section at Arlington, making it the focus of southern commemoration in the North. Once

more relying on the rhetoric of shared combat experiences to arouse sympathy from their past enemy, former Confederates successfully carved out an island of insurrection amongst the graves of the loyal dead. How did a sacred burial ground for loyal US Army soldiers, both black and white, that at one time posted guards to ensure rebel graves were unadorned during Decoration Day, come to tolerate and then embrace Confederate commemoration as honorable and proper?

December 1898 found the nation in a celebratory mood. Fresh off military victory over Spain in Cuba and the Philippines in what John Hay, the American ambassador in London termed, "a splendid little war," cities throughout the nation held elaborate ceremonies and parades welcoming back Spanish-American War veterans and reveling in American military prowess. The war with Spain also had a transformative effect on American politics. Historians describe the conflict as the period when the United States "irrevocably entered the world," and when the nation accepted "international responsibilities commensurate with its power." As the twentieth century approached and progressed America gradually began accepting its role as a world power.[356]

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[356] Hay to Roosevelt, July 27, 1898, in William Roscoe Thayer, *The Life and Letters of John Hay*, vol. 2 (Boston: Houghton Mifflin Company, 1915), 337; Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish-American and Philippine-American War* (New Haven: Yale University Press, 1998), 6; Louis A. Pérez, *Cuba Between Empires, 1878-1902* (Pittsburgh: University of Pittsburgh Press, 1983), 141, 197-98; Louis A. Pérez, *Cuba and the United States: The Ties of Singular Intimacy* (Athens: University of Georgia Press, 1990), 84; Philip S. Foner, *The Spanish-Cuban-American War and the Birth of American Imperialism, 1895-1902*, vol. 1 (New York: Monthly Review Press, 1972), 218; David F. Trask, *The War With Spain in 1898* (New York: Macmillan Publishing Co., 1981), 486; G.J.A. O'Toole, *The Spanish War: An American Epic 1898* (New York: W.W. Norton, 1984), 373; Warren Zimmermann, *First Great Triumph: How Five Americans Made Their Country A World Power* (New York: Farrar, Straus and Giroux, 2002), 270, 311-12; David Traxel, *1898: The Birth of the American Century* (New York: Vintage Books, 1998), 317-18; Joseph Smith, "The 'Splendid Little War' of 1898: A Reappraisal," *History* 80, no. 258 (February 1995), 23.

Yet as important as the war was to external American relations, it also represented an important moment in strengthening national reconciliation between the North and South. For the preceding thirty years prior to the war with Spain, reunion efforts between the regions progressed on various tracks. Beginning with an emphasis on honoring the dead of both sides and rallying around the shared veteran's experience of combat and the stress of military service, reconciliation efforts grew steadily over time, with many white Northerners transforming their attitude toward the South from hostility to willful disregard, and then from willful disregard to eventual acceptance and even support for Confederate propaganda.

However, as successful as reconciliation appeared toward the end of the century, there remained one important question unanswered. Was the South now truly loyal to the United States? When the nation called upon the states of the former Confederacy in a time of conflict, would Southerners answer? Confederate veterans routinely professed loyalty to the nation, and proclaimed southern men would defend the nation if needed. Up to 1898, however, no opportunity to test this theory presented itself. The Spanish-American War provided an opportunity to prove the degree of national unification in the United States. One historian described the war with Spain as, "complet[ing] the revolution in sentiment through which the generation had passed." As the sons and grandsons of former Confederates fought alongside northerner men against a common foe, "all people within the country felt the electrifying thrill of a common purpose." When the conflict ended, "a sense of nationality had been rediscovered, based upon consciousness of national strength and unity." Many commentators in newspapers,

magazines, and speeches declared the Spanish-American War proved the loyalty of the new South, and further pushed reconciliation towards its peak.[357]

Southerners professed deep enthusiasm for the war. Volunteers flocked to join the US Army and the South contained many of the first and largest training camps. Four former Confederate officers served as general officers during the war, and when the casualty lists included men from both the North and South, national sympathy for treatment of these dead was without reservation.[358] The *Confederate Veteran*, reflecting a common belief throughout the nation, stated, "When the blood of the two sections was shed in common it was only natural for the country to feel that…these dead, at least belong to us all." Southerners took great pride in their involvement in the conflict while at the same time drawing a common thread between valor in 1898 and bravery in 1861. "Upon any battlefield of the war," the *Richmond Times* professed, "Confederate veterans and their sons will be seen upholding the national honor and guarding the country's safety with all the steadiness and resolution that characterized them in the early sixties." Newspapers and journals declared the nation whole, once again, and southern fidelity no longer a concern. "Southern response to the country's call was prompt and faithful," one journal proclaimed. "The result has been no surprise to us," the editorial continued, "but it is a source of no small pride that the whole country has at last learned at its true value

[357] Paul H. Buck, *The Road to Reunion 1865-1900* (New York: Alfred A. Knopf, 1959), 318-19.
[358] Stephen Carney, PhD, Command Historian, Arlington National Cemetery, interview by author, Arlington, VA, October 14, 2021. Of the four former Confederates officers who served during the Spanish-American War, Joseph Wheeler is most linked with Arlington National Cemetery. Wheeler was a lieutenant-general in the Confederate Army and a major-general of volunteers during the war with Spain. Upon his death in 1906, although eligible for burial in ANC's Confederate section, Wheeler was buried in Section 2, one of Arlington's officer burial sections, in Grave 1089. Wheeler is only one of two Confederate generals buried at ANC and the only former rebel who chose to be buried amongst US Army and Navy veterans. There is one other known Confederate burial outside of the Confederate section, an unknown rebel soldier in Section 13.

the depth and fervor of Southern patriotism, not only for the State [sic] but for the union of all the States [sic]."[359]

As the war with Spain ended on August 12, 1898, the nation continued down a seemingly inexorable path toward sectional harmony and nationalism even at the expense of African American civil rights and gains made since the end of the Civil War. On December 10, the war parties signed the Treaty of Paris, formally ending hostilities. President McKinley, concerned with US Senate ratification of the treaty over charges that the agreement represented an American attempt at imperialism and overseas conquest, robustly campaigned for its passage. Just four days after the treaty's signing, McKinley travelled to Georgia, to attend the Atlanta Peace Jubilee, and extensive two-day festival celebrating the end of the war and a return to peace. Although most historians agree that McKinley's attendance at the jubilee was more an attempt to rally southern support for Senate ratification of the Treaty of Paris and to make Republican inroads into the Democrat-controlled South, his subsequent speech before the Georgia legislature would fundamentally change the nation's relationship with Confederate veterans, the rebel dead, and relations between the North and South. Furthermore, his speech set the stage and provided the justification for Arlington's final transformation from a site of Union remembrance and mourning to a venue that endorsed Lost Cause propaganda and excused treason against the nation.[360]

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[359] Trask, *The War With Spain*, 158-59; "Southern History," *Confederate Veteran* VII, no. 6 (1899), 246; *Richmond Times* (1898) in Buck, *Road to Reunion*, 319.
[360] Elizabeth Marshall, "Atlanta Peace Jubilee," *The Georgia Historical Quarterly* 50, no. 3 (September 1966), 276; Paolo E. Coletta, "Bryan, McKinley, and the Treaty of Paris," *Pacific Historical Review* 26, no. 2 (May 1957), 131-32.

The presidential party arrived to a surprisingly cold Atlanta on the morning of December 14, greeted by frost on the ground and temperatures below freezing. Later that day, McKinley and entourage, escorted by Georgia Governor Allen D. Candler, a Confederate combat veteran who lost an eye in battle, addressed a joint assembly of the Georgia legislature, which included numerous former rebels. In an atmosphere described by local reporters as "absen[t] of every vestige of sectionalism," and in a "warm spirit of friendliness," McKinley took to the podium. After expressing his pleasure at the recent signing of the Treaty of Paris, McKinley launched into an unexpected discourse expounding the state of national reconciliation:

> Sectional lines no longer mar the map of the United States. Sectional feeling no longer holds back the love we bear each other. Fraternity is the national anthem, sung by a chorus of forty-five States and our Territories at home and beyond the seas. The Union is once more the common altar of our love and loyalty, our devotion and sacrifice… The national cemeteries for those who fell in battle are proof that the dead as well as the living have our love. What an army of silent sentinels we have, and with what loving care their graves are kept! Every soldier's grave made during our unfortunate Civil War is a tribute to American valor. And while, when those graves were made, we differed widely about the future of this government, those differences were long ago settled by the arbitrament of arms; *and the time has now come, in the evolution of sentiment and feeling under the providence of God, when in the spirit of fraternity we should share with you in the care of the graves of the Confederate soldiers*.[361]

Shocked by the unexpected theme of McKinley's speech, the audience reacted with "tremendous applause and long-continued cheering," interrupting the President seven times during his short address. Anticipating a discourse mainly concentrating on Senate approval of the Treaty of Paris, what the Georgia politicians experienced was an attempt by McKinley to put to rest any remaining notions of national disunity or sectional

[361] William McKinley, "Speech Before the Legislature in Joint Assembly at the State Capitol, Atlanta, Georgia, December 14, 1898," in *Speeches and Addresses of William McKinley, from March 1, 1897 to May 30, 1900* (New York: Doubleday & McClure Co., 1900), 158-59. Emphasis added.

animosity based on the attempted destruction of the nation from 1861 to 1865. As reported by the *New York Times,* "When the President referred to the care of the graves of the Confederate soldiers a wild cheer went up from every throat in the typical Southern audience, a cheer that echoed and reached through the chamber until it was taken up by the crowds outside." For some former rebels in the crowd, McKinley's speech was overwhelming. "Old men who fought for the South rose from their seats and waved their hats. One Confederate veteran, now a venerable legislator, had passed forward until he was leaning against the Speaker's desk, hanging on every work the President uttered. When the reference was made to the Confederate dead this old man buried his head in his arms, and, while cheers rang out, cried like a little child."[362]

McKinley's address contained important statements of national intent. The President affirmed as fact sectionalism no longer influenced the country. Although obviously based on over thirty years of reconciliation between the North and South, McKinley argued in his speech that if any doubted whether the United States was now truly united, the war with Spain provided definitive evidence. Men of the North and South fought together successfully, and vanquished a common foe. McKinley implied that this act was the final evidence required to definitively convince all Americans (at least all white Americans) national reconciliation was complete and the political, cultural, and social disagreements of the past were no longer a concern.

[362] Ibid; "The President in Atlanta," *New York Times*, December 15, 1898; "Has Won Their Hearts," *Washington Post*, December 15, 1898; *Atlanta Constitution*, December 15, 1898; "Expansion His Theme," *Washington Post*, December 16, 1898; "McKinley at Atlanta," *National Tribune*, December 22, 1898.

McKinley might have stopped there, pivoting to focus on the need to ratify the Treaty of Paris while pursuing the righteousness of American control of Cuba, Puerto Rico, and the Philippines. Instead, he concentrated on national responsibility for treatment of the sick and wounded of the war as well as responsibility for the dead, stating, "The memory of the dead will be a precious legacy, and the disabled will be the nation's care." It is not surprising that a President would speak of the importance of proper care of the injured and treatment of the fallen shortly after the conclusion of hostilities from another war. Yet McKinley chose to link the dead of prior conflicts to the American casualties of the war with Spain stating, "The national cemeteries or those who fell in battle are proof that the dead as well as the living have our love. What an army of silent sentinels we have, and what loving care their graves are kept!"[363]

Associating the American dead of previous wars with the dead of 1898 was also unsurprising, and even predictable. President's routinely reach back to previous conflicts to help draw context when honoring servicemembers killed in action. Perhaps many in the audience expected McKinley to speak of the dead of 1898 as belonging to a pantheon of heroes taking their place alongside casualties of the Revolutionary War, the War of 1812, and the 1846-48 Mexican-American War, a continual line of brave and hearty souls sacrificing for their nation. However, McKinley's oration makes no mention of Valley Forge, New Orleans, or Buena Vista. Revealed by his own words, his intent is clear. When McKinley refers to "the loving care" with which the "graves are kept" at "*national*

[363] William McKinley, "Speech Before the Legislature in Joint Assembly at the State Capitol, Atlanta, Georgia, December 14, 1898," in *Speeches and Addresses of William McKinley, from March 1, 1897 to May 30, 1900* (New York: Doubleday & McClure Co., 1900), 158-59.

cemeteries" he is unmistakably referencing the dead of only one American conflict, the Civil War. As was well known to his audience, creation of national cemeteries was solely due to the carnage of 1861-65. McKinley's text links the northern and southern martyred dead of the Spanish-American War directly with Civil War soldiers interred at national cemeteries like Arlington.[364]

McKinley then transitions from a comparison between the American casualties in Cuba and the Philippines to an evaluation of Confederate and Union dead. "Every soldier's grave," he extorts, "made during our unfortunate Civil War is a tribute to American valor." Valor was an interesting choice for the comparison. Commonly defined as bravery in the face of battle, it is likely most of McKinley's audience agreed with his characterization of Civil War casualties. In fact, the President had to pause his address until the applause lessened. Up to this point in his speech, McKinley used the same tactic as that of numerous southern sympathizers over the past thirty years; to engender sectional harmony and avoid unpleasant and sensitive memories, when commemorating the dead focus on the bravery and shared combat experiences of soldiers on both sides of

[364] Ibid; emphasis added. Of note, some national cemeteries eventually contained the remains of veterans from earlier conflicts. For instance, Arlington contains the remains of eleven veterans of the Revolutionary War. None of these veterans died in battle but after the war and were originally buried in other cemeteries. Between 1892-1911 these remains were disinterred and reinterred at Arlington in Section 1. In addition, in 1905 Arlington reinterred the remains of 14 unknown soldiers from the War of 1812, also in Section 1. Dr. Steve Carney, "The American Revolution at ANC: How Veterans of America's First Conflict Came to Arlington," Arlington National Cemetery, https://www.arlingtoncemetery.mil/Blog/Post/10877/The-American-Revolution-at-ANC-How-Veterans-of-America-s-First-Conflict-Came-to-Arlington (accessed October 17, 2021). Some of the earliest Spanish-American War burials at Arlington were the casualties of the USS *Maine*. Originally interred in a Havana, Cuba cemetery, on December 28, 1899 165 remains (63 known, 102 unknown) were reinterred at Arlington in Section 24. "The Relief Bill," *Daily Picayune* (New Orleans), February 25, 1898; Department of the Army, "USS Maine Memorial (Mast of the Maine)," Arlington National Cemetery, https://www.arlingtoncemetery.mil/Explore/Monuments-and-Memorials/USS-Maine (accessed October 17, 2021).

the war while at the same time ignoring the fundamental cause of the conflict and treasonous actions of the South.[365]

However, it was McKinley's next sentence that is arguably the most ironic portion of his entire address. Continuing to focus on Civil War burials he stated, "…when those graves were made, we *differed widely* about the future of the government…" In a shocking understatement, McKinley, in front of a southern crowd containing numerous Confederate veterans, devalued the existential threat to the United States southern secession caused, and insulted the memory of US Army soldiers, white and black, who died defending the nation. Claiming the conflict was simply a matter of the North and South, "differ[ing] widely," belittled the attempted southern destruction of American democracy and simply ignored southern moral responsibility for attempting to create a new nation based on the propagation of chattel slavery.[366]

For the President of the United States, a combat wounded Union veteran, to treat the cause of the Civil War as a simple disagreement over federal governance, is a clear statement of the success of national reconciliation in 1898. McKinley specified this unreservedly claiming, a "cordial feeling now happily exists between the North and South," and cited "the gallant loyalty to the Union and flag so conspicuously shown in the year just past by the sons and grandsons of the heroic dead." As evidenced by the numerous cheerful interruptions by the audience, the President's speech was pleasing to his southern audience. It was a strong indication that most of the nation was prepared to, at best, ignore southern Lost Cause propaganda and focus on valorizing the dead of both

[365] William McKinley, "Speech Before the Legislature," 159.
[366] Ibid.

sides, and at worst, to embrace southern mythology that ignored slavery's role in causing the war and continued to repress African American civil rights. If it was true that the nation was now acting "in the spirit of fraternity" as argued by McKinley and many others, perhaps the next logical step was for the federal government to take on the perpetual care and maintenance of Confederate graves. It is interesting to contemplate how US Army soldiers, killed to preserve the nation rebels sought to destroy, would react to governmental care of the graves of their enemy. How would those loyal Union dead react to identical treatment for those who used violent insurrection as an alternative to democratic processes, and killed hundreds of thousands of Americana in pursuance of treason?[367]

McKinley's Atlanta speech was a revolutionary transformation in government policy, and although needing Congressional legislation and funding to affect the change in treatment of Confederate graves, his position codified federal government intent, and, far from being an outlier policy statement, simply reflected the state of national cooperation and forgiveness between the white population of the North and South. The federal government made the final gesture of reconciliation, to care for the graves of traitors to the nation. Yet as noble as McKinley's declaration appeared to those in the audience and the press, his motivation for reaching out to the South may not have only been a gesture of magnanimity to his former foes.

Beginning in 1891 with the defeat in Congress of the Force Bill, legislation designed to enforce African American suffrage in the South, Democratic Party gains in

[367] Ibid.

the Congress, a lagging economy and the election of Democrat Grover Cleveland to the presidency in 1892, Republicans were less successful garnering votes simply by reminding the nation of the South's former treason. By the next presidential election in 1896, "waiving the bloody shirt," as some described it, "had become a thing of the past." McKinley, running on the 1896 Republican presidential ticket knew an appeal to Union triumphalism and reminders of southern treachery would not secure victory, especially against Democratic Party candidate William Jennings Bryan's strong appeal to working-class laborers and rural voters. Perhaps foreshadowing the tone of his generous future offer two years later in Atlanta, McKinley, one month before election day spoke to a group of Confederate veterans stating, "Let us remember now and in all the future that we are Americans, and what is good for Ohio is good for Virginia."[368]

Attempting to assuage voters in the South, to appeal to national voters more concerned with economics and employment than history, and to further solidify the Republican Party's influence with business and capitalism, McKinley, in consultation with principal advisor Mark Hanna, designed a Republican strategy that ignored southern Black voting rights, on-going discrimination, and civil rights. This was the first GOP presidential platform since the end of Civil War that completely ignored African American concerns. McKinley and Hanna believed, correctly, that the path to election success was through promoting nationalism through white sectional reconciliation. The *New York Times* responded to the GOP platform with praise for McKinley, noting the

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[368] Patrick J. Kelly, "The Election of 1896 and the Restructuring of Civil War Memory," *Civil War History* 49, no. 3 (September 2003), 254-55; *New York Times*, October 12, 1896.
See also Xi Wang, *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860-1910* (Athens: University of Georgia Press, 1997); Stanley P. Hirshson, *Farewell to the Bloody Shirt: Northern Republicans and the Southern Negro, 1877-1893* (Bloomington: Indiana University Press, 1962).

political wisdom of "deprecating sectional division and appealing to a common patriotism to protect the Nation's honor." Despite the *Times* approval, however, McKinley was not prophesizing an entirely new direction for his party. As historian Patrick Kelly argues, "the GOP's shift from a section to a national strategy was predicated upon the party's acceptance of the racial apartheid that by the mid-1890s had taken firm hold in the South." McKinley, as he would in 1898 at Atlanta, simply reflected the zeitgeist of white voters lending further proof that most of the nation was ready to move on from bloody shirt rhetoric to more timely political subjects, all at the expense of African Americans.[369]

Perhaps McKinley truly believed it was time to put the final touches on sectional reconciliation and his trip to the South was not just political theater attempting to drum up votes for Republicans. His effort to assuage Southerners did garner some critiques, although these criticisms were in the clear minority. The black-owned newspapers *The Richmond Planet* protested McKinley's failure to mention "internal disorders at home, and the butcheries in the Carolinas," referring to ongoing lynchings in the South and brutality against African Americans. Continuing, the editorial questioned McKinley's prior eagerness to intervene in Cuba quoting the President's rationale, "in the name of humanity, in the name of civilization," and asking why McKinley made no such pledge "in the name of humanity, in the name of civilization, on behalf of endangered American citizens…[to stop] the butcheries of our citizens in the South...." The *Planet's* editor

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[369] Ibid, New York Times, October 12, 1896; William T. Horner, *Ohio's Kingmaker: Mark Hanna, Man and Myth* (Athens, Ohio: Ohio University Press, 2010), 81; R. Hal Williams, *Realigning America: McKinley, Bryan and the Remarkable Election of 1896* (Lawrence, Kansas: University Press of Kansas, 2010), 57; Grand Old Party (GOP).

wondered why the President wished to "cure a condition of affairs abroad, which he will not…secure at home?"[370]

One other incident occurred during McKinley's trip that had the potential to cause concern, but it was not in response to a speech he gave, but from the impromptu wearing of a decoration on his coat. While at a reception during his visit, a well-wisher unexpectedly pinned a Confederate badge on the President. McKinley, as reported by the *National Tribune*, "seemed startled" but, in order to avoid causing an unpleasant scene, allowed the man to "complete his act, though afterward removed the badge as quickly as he could do so unobserved." McKinley undoubtedly knew that reaching out to the South by offering to care for the Confederate dead was palatable to the nation, but the wearing of Confederate symbology by the President was a step too far. The *Tribune* and other newspapers praised McKinley's tact and grace in dealing with the unwelcome accoutrement, while reminding its readers that whatever rebel symbols mean to ex-Confederates, to the world it represents "the emblem of resistance to the authority of the United States and of disunion" and wondered why the South continued to "ostentatiously display the token of a war waged to perpetuate and extend slavery?"[371]

McKinley's full rationale for committing the federal government to perpetual care of Confederate graves may never be completely known. One news report claimed the idea to treat rebel burials with the same care as Union graves came to McKinley during a visit to the Fredericksburg National Cemetery in 1886 in which he expressed concern for

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[370] *Richmond Times*, December 10, 1898; *Richmond Times*, December 17, 1898.
[371] "The Rebel Badge Incident," *National Tribune*, December 29, 1898; "A Criticism that Fell Flat," *Washington Post*, December 29, 1898.

the neglected state of fallen Confederates. As compelling (and uncorroborated) as this explanation appeared, the President's decision was likely a combination of political calculous layered with a genuine attempt to further sectional healing and promote patriotism after the nationalistic fervor created by the Spanish-American War. The *National Tribune*, mouthpiece of the GAR, provides a final epitaph to McKinley's outreach to the South. In its December 22, 1898 issue, the editor responded to a reader's concern over the proposed care of Confederate graves. Beginning by reiterating the *Tribune's* long-standing belief in the "causelessness of the rebellion, the selfishness of those who precipitated it, the horror of plunging a peaceful land into such a devastating struggle, and the wickedness of the impelling reasons," the newspaper argued that despite these beliefs, the President should have the flexibility to promote national unity and peace between the sections.[372]

"Why not," the *Tribune* queried, make a "graceful allusion to their [Confederate] dead and extending them the sympathy of the whole people?" The editor continued, "They [former rebels] are Americans and our countrymen…they were always our brothers…and never for a moment did we think of disowning the relationship." The *Tribune* saw the care and maintenance of rebel graves as "an act of brotherly love," reinforcing that the nation was "fully reunited and are rejoicing together over victories in which all sections joined alike…" [referencing the Spanish-American War]. These magnanimous words, implying a universal acceptance of their argument, is further

[372] "Has Won Their Hearts," *Washington Post*, December 15, 1898; "The President's Atlanta Speech," *National Tribune*, December 22, 1898.

evidence of the general lack of controversy by 1898 in federal recognition and honoring of Confederate dead.[373]

This is not to argue that Union veterans of the war had completely capitulated to southern demands for recognition and valor. The *Tribune's* editor forcefully stated that although it was right for the government to maintain the burials of both sides, there would always be a distinction between "the graves of Union and rebel soldiers." Union dead demanded special honor, the editor argued, "not for having been brave and self-sacrificing, but that his courage and self-sacrifice were for the sake of a principle dear and vital to all of us," and that, "Obviously there must be a lack of this feeling in laying a wreath upon a rebel's grave." While the *Tribune* now considered the care of Confederate graves to be a righteous act by the federal government, "So doing cannot in any way legalize the rebellion, or give it a different status from that which it has held since Appomattox."[374]

In closing the *Tribune's* justification for supporting federal care of rebel burials, the editor made a final, prophetic statement. This declaration proved to be foundational, used over the next few years to help justify the creation of Arlington's Confederate section. "No vital principle is involved," he maintained, "in an act of humane respect to the graves of those who mistakenly sacrificed themselves for a false and dangerous idea." This statement clearly minimized the fact that the "false and dangerous idea" was the destruction of the nation, acting as though the South made a simply mistake. However, this downplaying of the severity of the "false and dangerous idea" was necessary to help

[373] "The President's Atlanta Speech," *National Tribune*, December 22, 1898.
[374] Ibid.

justify the *Tribune's* endorsement of federal responsibility for maintenance of all Civil War graves. That the principle publication of Union veterans now agreed that care of Confederate burials belonged with the national government is a clear indication that McKinley's Atlanta speech was not a policy outlier removed from political calculations of the day, but simply a reflection of the status of white reconciliation throughout the nation.[375]

McKinley's address became the stimulus for a reexamination of the state of Confederate graves in the Washington, DC region. Yet while the President's speech provided the political impetus for the creation of Arlington's Confederate section, coincidently a few months prior to his Atlanta address other organizations had already begun the process. In August 1898, a committee composed of members of the Washington, DC based United Confederate Veterans (UCV) Camp 171 and led by Dr. Samuel Lewis, a member of the UCV Historical Committee, completed a survey of rebel burials at ANC. The results of the committee's examination of US Army Quartermaster records proved alarming. Instead of the "supposed ½ dozen Confederate Dead [sic] left within the District," as Lewis previously believed, a preliminary examination revealed 141 Confederates at Arlington, with all but ten of the rebel identities known (after additional research, Lewis confirmed the actual number as 136). In addition, a month later, some members of the United Daughters of the Confederacy even began raising

[375] Ibid.

funds to remove all Confederate dead from Arlington to relocate to Hollywood Cemetery in Richmond, Virginia.[376]

It was Dr. Lewis who became the early driving force behind creation of Arlington's Confederate section. As a former Confederate surgeon, resident of Washington, DC, and a member of the UCV Historical Committee, Lewis had a personal interest in identifying the location of rebel graves in the area which his letters to fellow UCV members demonstrated. Once McKinley expressed support for government involvement in care of rebel graves, Lewis, along with his UCV camp, continued to investigate and broadened their search, eventually location and identifying an additional 128 Confederate graves at the Soldier's Home National Cemetery in Washington, DC

[376] Hilary Herbert, *History of the Arlington Confederate Monument* (Richmond, VA: United Daughters of the Confederacy, 1914), 6; Samuel E. Lewis to Marcus J. Wright, December 28, 1898, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Lewis to Capt. Julian G. Moore, April 15, 1901, , Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC; "Arlington National Cemetery's Confederate Burial, Part II," *Arlington Historical Magazine* 10, no. 2 (October 1994): 29; "Daughters of the Confederacy Called on the Raise Funds to Remove Bodies from Arlington," September 20, 1898, unidentified newspaper clipping, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, American Civil War Museum (hereinafter ACWM); Unknown to N.V. Randolph, September 20, 1898, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; The first UCV chapter in Washington, DC was Camp No. 171. Members of that camp split off to form the Charles Broadway Rouss Camp No. 1191 in May 1899 after allegations of financial irregularities and complaints over camp administration. Dr. Lewis eventually served as commander of Camp No. 1191. These two camps would continue to clash over who had authority over the movement of Confederate dead to ANC and the subsequent monument erected in ANC's Confederate section. See John M. Hickey to Dr. S.E. Lewis, August 13, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Virginia Museum of History and Culture (hereinafter VMHC); John M. Hickey to Dr. S.E. Lewis, August 23, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC; Confidential Memorandum by Samuel E. Lewis, August 24, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC; John M. Hickey to Samuel Lewis, August 30, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC.

These burials were from the first few years of the war, predating Arlington's opening in 1864.[377]

Lewis' stated motivation for identifying Confederate burials in the DC region was to record for posterity the location of fallen Southerners, and to ensure proper care and maintenance of the graves. As an active member of the UCV, and the eventual commander of the Charles Broadway Rouss Camp No. 1191, it is not surprising that he worked to research and document the burials. However, as altruistic as Lewis' expressed concern appeared to many, he seemed particularly troubled that Arlington's rebel burials remained scattered across the cemetery, and, more disturbing to him, the marble headstones marking rebel graves were indistinguishable from those identifying African American burials. As he tellingly expressed in a letter to Marcus Wright, a former Confederate general and agent of Confederate records for the War Department, the rebel burials were "distant from each other…intermingled with federal soldiers-white and black-and their graves undistinguished by any mark or characteristic from those of Q.M. [quartermaster] employees, citizen refugees, or negro contrabands." Lewis exasperatingly wrote, "There is no distinguishing mark for a Confederate soldier-absolutely none!" From his letters to friends, Lewis appeared more disturbed by the identical appearance of Confederate headstones with that of black civilians, seeing that as an insult to his

[377] Lewis to Joseph Wheeler, February 22, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC; Arlington National Cemetery's Confederate Burial, Part II," *Arlington Historical Magazine* 10, no. 2 (October 1994): 28-29; Memorandum, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA.

comrades, and clearly providing him greater motivation than simply identifying the location of rebel graves for posterity.[378]

It is obvious from Lewis' letter to Wright that more distressing to him than the scattering of Confederate graves amongst loyal US Army soldiers was the inability of visitors to distinguish rebel burials from those of African Americans. The thought of fallen Confederates mistaken for "negro contrabands" was too much for Lewis to bear. While the lack of consolidated of rebel interments at Arlington was also a concern, Lewis' reaction is evidence that his greatest anxiety was the lack of segregation between black and white graves. It appeared that, for Lewis, commemorating rebels for their service to the South was a secondary goal. Of greater importance was the continued insult committed to southern soldiers if their graves remained indistinguishable from those whom the Confederacy saw fit only for enslavement.

The solution to Lewis' distress was President McKinley's pledge to care for the graves of fallen Confederates. Seizing on the opportunity, on June 5, 1899 Lewis and a committee of the UCV's Charles Broadway Rouss Camp, No. 1191 sent a petition to the President presenting McKinley with an opportunity to "perform…a sacred duty." Before

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[378] Lewis to Wright, December 28, 1898, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Lewis to Joseph Wheeler, February 22, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC. Marcus J. Wright, a brigadier general in the Confederate Army, practiced law in Washington, DC after the war. In 1878 Wright was appointed an agent of the US War Department in charge of collecting Confederate military records that were published in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, DC: Government Printing Office, 1880-1901). Wright died in 1922 as is the only Confederate general buried in the Confederate section at Arlington, and one of only two Confederate generals buried in the cemetery along with Joseph Wheeler who is interred in Section 2, grave 1089. See "Fed. and Confed.," *Washington Post*, July 16, 1878; Ezra J. Warner, *Generals in Gray: Lives of the Confederate Commanders* (Baton Rouge: Louisiana State University Press, 1959), 346; "General Wright Funeral Today," *Washington Post*, December 29, 1922.

stating their request, the committee registered two complaints. First, that the records of Confederate burials at Arlington were incomplete, and second, that the rebel graves were "scattered about the cemetery…intermingled with those of United States soldiers, citizens, Quartermaster's employees, and Negro contrabands…and are singularly misplaced." Repeating Lewis' complaint in the letter he sent to Marcus Wright, the committee protested that the Confederate graves were indistinguishable from that of a "Quartermaster's employee, a citizen or a Negro contraband." In addition, the petitioners complained that the rebel burials and headstones were in "exposed places, near low fences, and are liable to be stolen or mutilated by evil minded persons." Lewis and his committee warned that because burial records were incomplete and Confederate graves were "scattered from one end of the cemetery to the other in confused intermingling with others," remedial measures were needed or, "a few years hence all reliable record of these graves will be forever lost."[379]

The committee then asked in their petition that the President to rectify the situation by providing:

> a suitable plot of one or more acres to which shall be gathered together all the Confederate dead at Arlington and other national cemeteries with the District of Columbia; that they shall be arranged in divisions according to states; and that appropriate headstone bearing a legend of the name, company, regiment and state

[379] "To the President of the United States, A Petition from the Charles Broadway Rouss Camp of Washington, DC being Camp No. 1191 of the United Confederate Veterans, Relating to the Confederate Graves in the National Military and Naval Cemetery at Arlington, VA," Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; "Petition to President McKinley June 5, 1899," Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC.

> of the soldier be placed to mark the grave; and that a suitable monument be erected to mark the site.[380]

In addition to carving out a segregated rebel burial plot, the petition also requested the drafting of a full accounting of Arlington's Confederate burials, with one copy deposited at the cemetery for the use of visitors, and other copies placed at the US Army Depot Quartermaster's office and the War Records office. Lewis and the committee closed their petition by calling on the empathy McKinley expressed in his 1898 Atlanta speech, claiming that a distinct Confederate burial plot at Arlington would please Northerners as well as Southerners as Yankees "would be gratified at the removal of Confederate dead from the midst of the federal graves." Finally, in a last plea to the President's emotions, they "appeal[ed] in fraternal spirit, having all confidence in your wisdom and kindness, that having made our distress and out needs know we may rest our cause in your care…"[381]

In addition to Lewis' efforts at Arlington, McKinley's speech caused the US government to begin initial efforts to collect information on Confederate burials throughout the nation. Marcus Wright, as agent of the War Department, began writing to state and UCV officials in the South, requesting the location of Confederate cemeteries and number of rebel graves within. Yet as important as Wright's collection of information eventually proved to be, Lewis' exertion at Arlington was unique and much more symbolic of the status of reconciliation sentiment throughout the nation. Lewis and the committee effectively crafted a compelling petition to the President. It struck the

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[380] Ibid.
[381] Ibid.

correct tone, identifying concerns at the nation's premiere national cemetery while offering the President solutions in accordance with his stated aspiration of federal care and maintenance of Confederate graves.[382]

While Lewis and the committee carefully crafted an appeal they hoped the President would favor, a closer examination of the petition reveals it was based on a few false premises intentionally overstated to present the issue as direr than reality. First, the committee's claim that Arlington's Confederate records were incomplete and inaccurate, while true, was due to the removal of many of the original cemetery burial records to a federal facility in Philadelphia owing to a lack of fire-proof storage in Washington, DC The petition implies that only Confederate records were missing and inaccurate, when many early cemetery accounts for both US Army and rebel burials lacked proper documentation, remained misplaced or lost, and relocated to other locations. While it was entirely reasonable to request from the government a proper accounting for Arlington's

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[382] Marcus Wright to Col. F.C. Ainsworth, January 17, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; *National Tribune*, February 2, 1899; *National Tribune*, February 9, 1899; Louisiana Adjutant General to Wright, January 17, 1899; Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Adjutant General of Virginia to Wright, January 16, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Louisville UCV to Wright, January 14, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Maryland Adjutant General to Wright, January 12, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; In 1906 Congress passed legislation authorizing the creation of a new Commission for Marking Graves of Confederate Dead. This commission was chartered, "To provide for the appropriate making of the graves of the soldiers of the Confederate army and navy." The commission lasted until 1916. See National Cemetery Administration, *Federal Stewardship of Confederate Dead* (Washington, DC: US Department of Veterans Affairs, 2016), 27-39.

Confederate burials and provide a copy of the records for the public visiting the cemetery, the incomplete status of the current interment documents was an on-going problem for many of Arlington's graves. The imperfect record-keeping of Confederate graves was not, as the petition subtly implies, unique to rebel interments or a reflection of malice or hatred toward the South.

The second false premise supporting the committee's application to the President concerned the alleged disparate treatment of rebel headstones. The petition complained the Confederate dead received the same burial markers as "quartermaster employees, citizens, or negro contraband" with only the number of grave and name of the deceased. The implication is that the rebel dead deserved more recognition and treating them as commonly as a civilian burial was disrespectful. Lewis and the committee were correct. It was disrespectful, but not to the rebel dead, but to those "quartermaster employees, citizens, or negro contraband" who remained loyal to the United States and provided needed services while in the employ of the federal government. The insult was theirs, as visitors could mistake their graves for treasonous Confederates who attempted to destroy the nation. Lewis and the committee's greatest concern was disassociating rebel dead from non-military burials most of which were African American graves. It was as concerning to them that no one would mistake Confederate burials for black burials as much as it was to identify rebel military service. Lewis' previous letters expressing this anxiety support this conclusion. A more accurate identification of Confederate burials

with due respect to Arlington's "quartermaster employees, citizens, or negro contraband" would be to inscribe each rebel marble headstone with the word "traitor."[383]

The last of the false premises in the petition, and closest to an outright fabrication, is the committee's complaint that the Confederate burials were in "exposed places, near low fences...liable to be stolen or mutilated by evil minded persons." The clear accusation here is that, first, only rebel burials lie in undesirable locations and, second, that because of their placement they are liable to desecration by "evil minded persons." These allegations are both false. In addition, it created a nonexistent problem for the sake of sensationalizing the petition, attempting to arouse an emotional response from the President. As Lewis and committee identified prior in the petition, the rebel interments "are scattered about the cemetery…intermingled" with other graves. Location of interment was determined by order of burial, with Union and Confederate burials taking place in the next available plot with no evidence of rebel interments intentionally placed in undesirable locations. The fact that these graves lie alongside loyal US Army soldiers is the strongest refutation to the committees' implication that Confederate graves received different treatment or less desirable placement in the cemetery. Furthermore, Lewis and the committees' concern over the potential theft or mutilation of rebel markers

[383] "To the President of the United States, A Petition from the Charles Broadway Rouss Camp of Washington, DC being Camp No. 1191 of the United Confederate Veterans, Relating to the Confederate Graves in the National Military and Naval Cemetery at Arlington, VA," Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; "Petition to President McKinley June 5, 1899," Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Lewis to Wright, December 28, 1898, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Lewis to Joseph Wheeler, February 22, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC.

was misleading as there had never been a single reported instance of headstone desecration in Arlington's history. This assertion, that "evil minded persons" might harm Confederate graves, sensationally addressed a fictional issue. If this had been a genuine source of distress, the committee may have declined to ask McKinley to authorize new headstones clearly identifying rebel graves.[384]

As subtly disingenuous as portions of the petition appeared, it also was clearly in line with the President's wishes as stated in his Atlanta speech from the previous December. The plan for a separate Confederate burial section at Arlington adhered to the spirit of the President's declaration of care for rebel graves, while at the same time addressing Lewis and the UCV committee's goal of consolidating Confederate graves into one unique section and distinguishing rebel headstones from federal graves. And, more importantly for the southern group, prevented associating or mistaking Confederate burials with African American interments. So confident was the committee that their application would please the President, they presented the petition in person to McKinley at the White House.[385]

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[384] "To the President of the United States, A Petition from the Charles Broadway Rouss Camp of Washington, DC being Camp No. 1191 of the United Confederate Veterans, Relating to the Confederate Graves in the National Military and Naval Cemetery at Arlington, VA," Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; "Petition to President McKinley June 5, 1899," Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; "Our Dead in Arlington," newspaper clipping, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; "Not Neglected," *News and Observer* (Raleigh, NC), June 29, 1899; "Graves of Confederate Dead," *New York Times*, June 29, 1899; "Our Dead in Arlington," *Weekly News and Courier* (Charleston, SC), July 1, 1899.

[385] "Confederates at Arlington," *Weekly News and Courier* (Charleston, SC), June 7, 1899; Lewis to George B. Cotelyou, June 6, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC.

Lewis and the UCV correctly predicted McKinley's approval of their plan. Further bolstering their efforts was an increasing public support of better treatment of Confederate graves as witnessed in numerous letters and editorials in northern newspapers approving of the President's Atlanta message. From Iowa to New York, Union veterans expressed encouragement. However, this support was only referencing rebel grave maintenance. Many federal veterans deemed any additional provisions for former Confederates, such as providing federal pensions or allowing housing of disabled or indigent rebel veterans in US Army soldier's homes, abhorrent, described in one editorial as, "a gross insult to the GAR and all others who were loyal to the country." On occasion, there were objections to any favorable treatment of Confederate dead. One writer argued it would be more appropriate for the government to "hunt up all the old British, Indian, Mexican and Spanish graves" from previous American wars "and put them in order" since "these men had a better cause to fight for than the rebels." Still, these protestations were few in comparison to an overwhelming positive response.[386]

Once McKinley added his presidential endorsement, the creation of Arlington's Confederate section occurred relatively quickly, especially for a government project that required Congressional legislation. With the assistance of Marcus Wright, on June 6,

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[386] "Confederate Graves," *Washington Evening Star*, May 12, 1899; *National Tribune*, January 19, 1899 "A Step Too Far," *National Tribune*, January 12, 1899; "Resolution as to Confederate Dead," *National Tribune*, January 12, 1899; "The Confederate Dead," *New York Sun*, January 14, 1899; *National Tribune*, January 19, 1899; "Object to Senator Butler's Plan," *National Tribune*, January 26, 1899; "No Premium on Rebellion," *National Tribune*, January 26, 1899; "Does Not Indorse the Plan," *National Tribune*, January 26, 1899; "Confederate Pensions, Etc.," *National Tribune*, February 2, 1899; "The Confederate Cemeteries," *National Tribune*, February 2, 1899; "Union Veterans' Union," *National Tribune*, February 2, 1899; "In the Senate," *National Tribune*, February 2, 1899; Memorandum, February 5, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; "Confederate Graves," *National Tribune*, February 2, 1899

1900, Connecticut Senator Joseph Hawley, a US Army veteran of the war, introduced an amendment to a sundry civil expense bill addressing the wishes of Lewis and his UCV committee. Passed by Congress in Public Law 163, the act provided $2,500 to the Secretary of War "to have reburied in some suitable spot in the national cemetery at Arlington…and to place proper headstones at their graves, the bodies of about one hundred and twenty- eight Confederate soldiers now buried in the National Soldiers' Home…and the bodies of about one hundred and thirty-six Confederate soldiers now buried in the national cemetery at Arlington...." Less than two weeks later, the US Army Quartermaster General ordered the Washington, DC depot quartermaster to "take the necessary measures to carry out the object of the appropriation." The depot quartermaster then provided information on the proposed Confederate section, including a color-coded sketch of the plot.[387]

The speed by which Arlington's appropriation passed Congress provided further evidence of how generally accepted federal care and treatment of Confederate graves now appeared. The sundry bill's provision promoted no congressional debate, and

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[387] Herbert, *History of the Arlington Confederate Monument*, 7; Charles Broadway Rouss Camp No. 1191, *Report on the Re-Burial of the Confederate Dead in Arlington Cemetery* (Washington, DC: Judd & Detweiler, 1901), 4; *Sundry Civil Expenses Act of 1900*, Public Law 163, 56th Congress, 1st sess. (June 6, 1900), 630; National Cemetery Administration, *Federal Stewardship of Confederate Dead* (Washington, DC: Government Printing Office, 2016), 24; Memorandum, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Quartermaster General to Depot Quartermaster, June 19, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Wright to Colonel F.C. Ainsworth, February 6, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Depot Quartermaster to Quartermaster General, June 22, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA.

minimal public reaction against the appropriation appeared in newspapers and journals. Surprisingly to Marcus Wright, Samuel Lewis and the UCV's Charles Broadway Rouss Camp No. 119, the largest objection against a potential Confederate section at Arlington came not from those loyal to the nation, but from the South itself, mainly led by southern women's associations. As long-time caretakers of rebel interments and vocal defenders of southern honor and Lost Cause propaganda, these women's organizations retained a vested interest in Confederate reburial efforts, especially one as symbolic as Arlington.

While Lewis, Wright and others possibly expected unconditional support from southern women as their stated intent was to honor the memory of their dead comrades, what they received was a vigorous debate over the propriety of leaving the Confederate fallen in the North or removing their remains to southern soil, and who had the right and authority to make this decision. As the federal government paused initiating the disinterment and reinterment process to allow time for families to possibly reclaim bodies of their fallen[388], two women's associations lodged the initial protests, the Confederated Southern Memorial Association (CSMA), and the Richmond chapter of the United Daughters of the Confederacy (UDC). Initially, the most vociferous opponent of the Arlington plan was Janet Randolph, a founding member of the Richmond UDC.

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[388] William A. Gordon to Elihu Root, July 16, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; See "The Confederate Dead," newspaper clipping, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC. Of the 264 sets of remains at Arlington National Cemetery and the Soldier's Home National Cemetery that would comprise the burials in Arlington's new Confederate section, the identities of the dead (at least the names) were known except for 13 "unknown." This is due to the majority of the rebel dead were prisoners of war in the Washington, DC region who mainly died of disease. Over June 1900 to May 1901 a list of the Confederate dead was compiled and periodically published in southern newspapers. Any family who wished could, at their own expense, recover their member's remains for reburial elsewhere. Despite these efforts, there were no requests for removal and all 264 bodies remained for reburial at Arlington.

Randolph's involvement with Arlington is not surprising. She was a long-time proponent of raising funds for better care of Confederate graves in the North, even complaining in January 1899 to various UCV commanders that the UDC had "come forward nobly" in their fundraising efforts while numerous UCV camps had "forgotten their comrades" and that their lack of response was "a disgrace."[389]

Randolph was already heavily involved in petitioning Congress for money to care for Confederate graves in the North and West, and soon became entangled in the debate over Arlington's rebel dead. Randolph did not see a kindred spirit in Marcus Wright and Samuel Lewis or the Charles Broadway Rouss Camp, but ulterior motives in their designs on Arlington. She believed their intentions were not to simply honor the rebel dead but to enhance their own reputations as they "desir[ed] a little notoriety." Yearning to continue the long-standing tradition of southern women caring for and maintaining Confederate graves, Randolph wrote numerous letters to congressmen, former rebel leaders, and other members of various southern women's associations demanding the return of those intended for interment at Arlington for reburial in Richmond's Hollywood Cemetery.[390]

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[389] William Blair, *Cities of the Dead: Contesting the Memory of the Civil War in the South, 1865-1914* (Chapel Hill: University of North Carolina Press, 2004), 188-89; Janet Randolph to UCV Commander of Camp, January 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Janet Randolph, *Report of President Richmond Chapter, UDC*, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15.

[390] Joe Wheeler to Randolph, February 17, 1899, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; Joe Wheeler to Randolph, March 2, 1899, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; John Lamb to Randolph, February 28, 1899, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; Randolph to Bryan, March 15, 1899, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; John M. Coski, "The Life & Career of Mrs. Norman V. Randolph: Challenge the Stereotype of a 'Confederate Woman'," *The Museum of the Confederacy Magazine* (Summer 2007): 10-14; John M. Coski, e-mail message to author, October 14, 2016; New York Historical Society, "Life Story: Janet Randolph (1848-1927)," New

One of the many individuals contacted by Randolph was Stephen D. Lee, a former Confederate lieutenant general and influential member of the UCV. In addition to his prominent role in the UCV, Lee played a leading position in establishing Vicksburg National Military Park which President McKinley signed into existence in February 1899. Because of his work to secure both congressional and executive branch approval for Vicksburg, Lee was an obvious choice for Randolph to attempt to enlist in her determination to secure Arlington's Confederate remains for burial in Richmond. Lee, although sympathetic to Randolph and the work done prior by southern women, agreed with President McKinley that care and maintenance of Confederate graves should now be the responsibility of the government. Lee responded to Randolph's appeal by arguing that perpetual care of the graves was unrealistic writing, "The ladies, with all their patriotic work cannot long care for the graves…the cost is too much and should be shared by the government."[391]

York Historical Society, https://wams.nyhistory.org/modernizing-america/xenophobia-and-racism/janet-randolph/ (accessed November 19, 2021).

[391] Terrence J. Winschel, "A Soldier's Legacy: William T. Rigby and the Establishment of Vicksburg National Military Park," *The Journal of Mississippi History* Special Civil War Edition (Winter 2013): 93-110; Lee's involvement in the preservation of the Vicksburg battlefield is not surprising as he commanded an infantry brigade during initial fighting around Vicksburg December 1862 and May 1863 and during the siege of Vicksburg from May 18 to July 4, 1863. After the war, Lee operated a plantation in Mississippi, served as a state politician, and became the first president of what is today Mississippi State University. Due to his involvement in veterans' affairs, including eventually serving as UCV commander-in-chief from 1904-08, and work to secure the establishment of Vicksburg National Military Park, Lee reputation in the South made him one of the most prominent representatives of Confederate veterans. See David S. and Jeanne T. Heidler, eds., *Encyclopedia of the American Civil War: A Political, Social and Military History* (New York: W.W. Norton & Company, 2000), 1164-65; Marcus J. Wright, *General Officers of the Confederate Army: Officers of the Executive Departments of the Confederate States, Members of the Confederate Congress by States* (New York: Neale Publishing Company, 1911), 20, 34-35; John H. and David J. Eicher, *Civil War High Commands* (Stanford: Stanford University Press, 2001), 345; Ezra J. Warner, *Generals in Gray: Lives of the Confederate Commanders* (Baton Rouge: Louisiana State University Press, 1959), 184; Lee to Randolph, May 17, 1899, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM.

Lee, with some persuasion by Lewis, fully supported creation of a Confederate burial plot at Arlington. He agreed with Lewis that "it will be almost impossible for our [southern] ladies to bear the burden and expense of decoration much longer," and, since not all the former rebel states would remove the burials for reinterment back home, the best possible solution was to leave the remains in the national capital in their own section at ANC. Yet despite Lewis' success in enlisting such prominent former Confederates as Lee and Joe Wheeler to his cause, Randolph and other southern women clearly posed a threat to the to the Arlington plan, including persuading Secretary of War Elihu Root to suspend removal and relocation of remains until resolution of the conflicting views. In a letter to Joe Wheeler, Lewis complained that "the interferences of Mrs. Behan[392] and Mrs. Randolph…caused the Secretary of War to defer action…these ladies have been very active and persistent."[393]

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[392] Katie Behan was a prominent leader in the Ladies Memorial Association (LMA) movement. LMAs, dating back to just after the end of the war, had traditionally cared for and decorated the graves of Confederate soldiers buried in the South. In 1900 Behan became president of the Confederated Southern Memorial Association (CSMA). The CSMA was formed from numerous LMAs in response to increasing UDC membership and declining LMA membership. Because the UDC was a national organization and LMAs had always been independent of each other, Behan and LMA leadership felt threatened by the increasing size and influence of the UDC and formed the CSMA in an effort to retain some authority. When it came to Arlington, however, the CSMA and UDC worked towards the same goal, of bringing the Confederate dead back to the South. See Janney, *Burying the Dead*, 178-79; "Appeal Sent Out," *Montgomery* (Alabama) *Advertiser*, June 15, 1900; "Confederate Dead," *Montgomery* (Alabama) *Advertiser*, September 2, 1900.

[393] Lewis to Lee, June 7, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Lewis to Wright, June 15, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Lee to Lewis, June 19, 1899, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Charles Broadway Rouss Camp No. 1191 UCV, "Supplement to Petition of June 5, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Lewis to Secretary of War Elihu Root, August 5, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Root to

The "Mrs. Behan" referred to by Lewis in his letter was Katie Behan, president of the CSMA. The CSMA, formed in 1900 from numerous Ladies Memorial Associations (LMAs) around the South in part to consolidate efforts and avoid absorption into the larger, more centralized UDC, sought to teach children "a proper veneration for the spirit and glory that animated" southern sacrifice during the war. In addition to continuing to direct Memorial Day services, the CSMA, once the debate over relocating Washington, DC's Confederate dead began, vociferously advocated for the return of the remains to each individual southern state. Behan, although initially differing from Randolph on the ultimate location of reinterment in the South, agreed that burial at Arlington was unacceptable.[394]

"Interference" by Randolph and Behan, continued over the next year. Behan successfully recruited James Hoge Tyler, Governor of Virginia, to work on their behalf and he wrote to Secretary of War Elihu Root requesting the "removal of the Confederate-prison dead, buried in and around Washington, to this city [Richmond] for reinterment…" Other support came from Confederate veterans whose letters and newspaper editorials expressed "how much better it would be to remove all of our dead who are buried in the north [sp] to southern cemeteries for who will guarantee that such vandals…will not cause…them to be desecrated & destroyed." Lewis, Wright, and

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Lewis, September 20, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Lewis to Root, October 20, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Lewis to Wheeler, July 5, 1899, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC.

[394] Sue H. Walker, "A Confederation of Southern Memorial Associations," *Southern Historical Society Papers* 28 (1900): 377-84; Caroline E. Janney, *Burying the Dead But Not the Past: Ladies' Memorial Associations & the Lost Cause* (Chapel Hill: University of North Carolina Press, 2008), 178-79.

members of the UCV Camp 1191 mistakenly anticipated the southern people would easily coalesce around the creation of a rebel section at Arlington. Securing a congressional appropriation, never an easy task, proved simpler than building consensus behind the Arlington proposal. Most surprisingly to Lewis and Wright was that protest from Northerners and US Army veterans was minimal, while the most vociferous complaints came from fellow Southerners. [395]

The UDC and CSMA campaign continued. Behan issued a circular letter, published in numerous southern newspapers, appealing to all members of the CSMA, UDC, and UCV "to cooperate in removing the remains of these Confederate soldiers to Hollywood Cemetery, Richmond, Va., where they will rest beside 30,000 of their hero comrades." Her plea received a positive response, with various UCV and UDC camps as well as the occasional politician pledging support and funding. Randolph also received encouragement, mainly from various UDC divisions. Both the North Carolina and Mississippi UDC advocated for the return of their dead with the Mississippi Division even claiming burial at Arlington was a "desecration."[396]

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[395] Tyler to Root, January 10, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; J.A. Thompson to Daughters of the Confederacy, June 3, 1900, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; "Wrought Up," unidentified newspaper clipping, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM.
[396] "Confederate Dead," *Montgomery* (Alabama) *Advertiser*, September 2, 1900; E.P. Cottraux to Behan, September 15, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Dickson to Behan, September 18, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Camp No. 2, UCV to Behan, September 19, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Rep. Adolph Meyer to Behan, September 21, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Linda Tunstall Rodman, President, North Carolina UDC to Randolph, September 25, 1900, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Morrison Moody to Randolph, September 23, 1900, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM.

Behan, in conjunction with Randolph, then made her boldest claim. Published in numerous southern newspapers in 1900 were the names of those set for interment at Arlington. These lists provided an opportunity for relatives and friends to claim the remains prior to reinterment. The government received no requests for bodies, signaling there no longer remained relatives wishing to pay for removal and transportation of the rebel dead. Behan used this opportunity to audaciously propose herself as responsible for the remains writing, "in my official capacity as President of the Confederated Southern Memorial Association I do now lay claim to all these Confederate dead buried in and near Washington, DC in the name of the Confederated Southern Memorial Association being fully authorized by the different states having their dead among this number." This was an unprecedented claim, that a private organization could take responsibility for the dead, including determining burial location and disposition of remains. Behan was even so confident as to refuse the appropriation approved by Congress for reinterment at Arlington, claiming that "the states claiming their dead have contributed generously for their removal." Behan's proposal soon came before the Secretary of War Root for his response.[397]

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[397] William A. Gordon to Root, July 16, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Patton to Gordon, July 26, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Behan to Col. W.S. Patten, Quartermaster, October 1, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA. Behan to Patten, October 2, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Patten to Behan, October 10, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Marshall Ludington, Quartermaster General to Root, October 10, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Patten to Randolph, October 10, 1900, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; William A. Gordon to Root, July 16, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Patton to Gordon, July 26, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Behan to Col. W.S. Patten, Quartermaster, October 1, 1900, General Correspondence, 1890-1914, Box

Secretary Root received the opinion of the Quartermaster General that only the relatives of the dead or the US government could claim rebel remains and furthermore, the congressional appropriation for removal and reinterment of the bodies was only for populating the Arlington Confederate section. However, two weeks later Root's own Judge Advocate General gave the opposite opinion, stating there was "no legal objection to disposing of the remains as requested" by the CSMA and even using the appropriation to pay for "disinterring and boxing of the remains." Meanwhile, the delay in beginning disinterments from Soldier's Home National Cemetery and Arlington continued to worry Lewis and Wright, as they were concerned the congressional appropriation would expire before reburial could commence.[398]

Behan and Randolph were undaunted. Realizing their petition to Secretary Root might fail, they concentrated their efforts on obtaining congressional approval, "appeal[ing] through our representatives to bring all possible influence to bear," on the Secretary of War. They realized they faced a difficult task, not only going against the plans of the War Department and executive branch, but needing to "overcome the opposition on the part of the Confederate Veterans Association in Washington." Behan and Randolph admitted a there was a "spirit of opposition" between the CSMA, the UDC, and UCV Camp 1191 which contained "very influential men." The ladies feared they would "have some difficulty in gaining our point." Randolph successfully obtained the endorsement of Virginia Senator Thomas Martin, Representative John Lamb, and

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2157, Entry 89, NM-81, RG 92, NARA. Behan to Patten, October 2, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA.

[398] Quartermaster General to War Department, October 10, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Judge Advocate General to Secretary of War, October 24, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA.

Tennessee Senator William Bate, who all pledged to obtain approval from Secretary Root or authority from Congress to bring the Confederate dead South.[399]

In addition to garnering support from politicians, Behan and Randolph kept up their letter-writing campaign to the Secretary of War and President McKinley. Randolph appealed again to Secretary Root while Behan wrote directly to the president. Behan pressed McKinley to authorize the return of the rebel dead "to their respective states in accordance with the wishes of the people of these states" pleading that it was "a sacred duty to care for our heroic dead." Behan then provided McKinley justification for returning the Confederate dead to the South instead of burial at Arlington contending, "now that the sons of these men have proved their loyalty to the Stars and Stripes, and have sacrificed their lives for this great and reunited country you cannot refuse this request---that their dead be given to them, to be buried with their fathers and kindred." Behan's use of southern service and patriotism in the Spanish-American War was a formidable argument. Mirroring McKinley's own words in his 1898 Atlanta speech when

[399] Behan to Randolph, October 15, 1900, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Martin to Randolph, October 18, 1900, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Lamb to Randolph, December 11, 1900, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Lamb to Quartermaster General Ludington, December 18, 1900, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Ludington to Lamb, December 21, 1900, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Lamb to Randolph, December 24, 1900, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Root to Senator Bate, December 26, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA. Thomas Martin was a Confederate veteran and a senator from Virginia for nearly 25 years, from 1893 until his death in 1919. From 1917-1918 he served as majority leader in the Senate. See Encyclopedia Virginia, "Martin, Thomas Staples (1847-1919)," Virginia Humanities, https://encyclopediavirginia.org/entries/martin-thomas-staples-1847-1919/#start_entry (accessed November 23, 2021). John Lamb was also a Confederate veteran who served in the US House of Representatives from 1897 to 1913. See Encyclopedia Virginia, "John Lamb," Virginia Humanities, https://encyclopediavirginia.org/8192hpr-9ced226e2ce1a3d/ (accessed November 23, 2021); William Bate was a thrice wounded Confederate veteran, served as the Governor of Tennessee from 1883-1887 and as a US Senator from 1887 until his death in 1905. Warner, *Generals in Gray*, 19-20; See William N. Chesney, "The Public Career of William B. Bate," Master's Thesis, (University of Tennessee, 1951).

he stated that "the cordial feeling now happily existing between the North and South…is found in the gallant loyalty to the Union and the flag so conspicuously shown in the year just passed by the sons and grandsons of the heroic dead." In December 1898 McKinley submitted that southern service in the short-lived war was evidence of southern national loyalty and used this demonstrated allegiance as justification for government care of Confederate graves. Behan, attempting to persuade the president to approve reinterment of rebels back to the South and not to Arlington, used the spirit of his speech, if not the exact words, as validation of her argument.[400]

1901 proved the pivotal year for Arlington's Confederate section. By the end of the year, all 264 rebel remains were reinterred in the completed plot, and, more surprisingly, most disagreements over the propriety of rebel burials in the national cemetery ended. However, the fight for control of the Confederate dead in the national capital region also reached its most voluble, accusatory peak during this critical year. Continuing their argument against relocation of remains to ANC, Janet Randolph and Katie Behan battled Samuel Lewis, Marcus Wright, and Hilary Herbert for influence with members of Congress, the President, the Secretary of War, and the US Army over the disposition of remains. Behan wasted little time, writing to Secretary Root on New Year's Day asking "permission to remove all the Confederate dead from the different places where they now lie buried" for removal "to their respected states." Responding to

[400] Behan to McKinley, November 30, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Randolph to Root, December 31, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; William McKinley, "Speech Before the Legislature in Joint Assembly at the State Capitol, Atlanta, Georgia, December 14, 1898," in *Speeches and Addresses of William McKinley, from March 1, 1897 to May 30, 1900* (New York: Doubleday & McClure Co., 1900), 159.

the argument that only relatives and the US government had legal right to take possession of remains, Behan claimed precedence already existed, reminding Root that in 1872 the Ladies' Memorial Association of Raleigh successfully secured the removal of North Carolina Confederate remains from Arlington for reinterment back home, and, shortly after the end of the war, the people of Virginia obtained many of their dead from Gettysburg.[401]

In addition to appealing to precedent, Behan attempted to convince Root of the legality of her claim that the CSMA could take possession of the rebel remains. She claimed that since the CSMA was "a chartered organization incorporated in the state of Arkansas, composed of memorial associations of women from every southern state, and enjoying all the rights and privileges of a chartered organization, [the CSMA was] authorized…to petition the government to give us our dead." Behan concluded her letter by engaging Root's compassion, declaring, "This march of 'The Deathless Dead' is the closing chapter of the southern women's memorial work…we appeal to your patriotism and recall the fraternal sentiments…by President McKinley…at Atlanta…that this administration will take advantage of the opportunity…to seal the bond of union between the North and South by obliterating all sectional feeling." Enclosed with the letter was a document listing twenty-two southern associations, including various UCV camps, UDC chapters and LMAs, who supported Behan's efforts.[402]

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[401] Behan to Root, January 1, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA.
[402] Ibid.

For the remainder of 1901, these arguments, that precedent already existed for releasing Confederate bodies to southern organizations, and that the CSMA could take legal control of rebel remains due to its status as an incorporated organization representing LMAs throughout the South, were Behan and Randolph's principle defense.[403] Behan even petitioned in person, attending a meeting on January 10 at the War Department with Representative Lamb, Secretary Root, Quartermaster General Marshall Ludington, and Colonel W.S. Patten, principle assistant to Ludington, in which she pressed her case. Although the meeting did not produce a resolution, newspaper reports indicate Secretary Root's main concern was his authority to release Confederate remains to the CSMA when congressional legislation only authorized the removal of the rebel dead for reinterment at Arlington, and not to other locations in the South.[404]

Eventually, Root's concern that he could only discharge rebel burials to Arlington, as stated under existing law, proved dispositive. Yet before making a final ruling, lobbying continued from both sides of the issue. Hilary Herbert, learning of Behan's interview with Root, requested an audience of himself and members of the local UCV with the secretary before he "act[ed] favorably upon her [Behan's] proposition." Root, citing his busy schedule, declined to meet the UCV in person, but asked Herbert to present their argument in writing for his consideration. Herbert and UCV No. 1191 submitted their petition to Secretary Root a few days later, taking issue with the CSMA's

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[403] Although Randolph advocated for removal of remains to Richmond and not for return throughout the South, like Behan's argument she contended the Hollywood Ladies Memorial Association had authority to take possession of the Confederate dead.

[404] "Removal of Confederate Dead," *Washington Post*, January 11, 1901; Behan to Ludington, January 10, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "To Move Confederate Dead," *Washington Evening Star*, January 11, 1901.

insistence that "existing law be set aside; and that all the remains of the dead of each state be placed in one separate box and shipped to that state for reburial there." Herbert and the local UCV directly refuted the CSMA's claim that their organization could claim the Confederate dead, arguing that "no one whatever has any right to these remains other than their relatives; and the United States government." Further, they contended that no members of the CSMA were related to the dead sighting the fact that "not one of these dead soldiers has been claimed by any one" even after publishing the names of the deceased in southern and northern newspapers. Herbert and the UCV, perhaps attempting to flatter Root, expressed their desire "that these dead comrades remain in the care of the United States Government, having every confidence they will continue to receive that honorable care which has heretofore been accorded them; and that they may remain here near to their numerous living comrades…in the District of Columbia." In addition, to avoid any misinterpretation of how Herbert and the UCV felt, they "view[ed] with great sorrow the carrying out of the plan proposed by the organization [the CSMA]; would deem it a *desecration*, a great wrong to our revered dead comrades, and their possible living descendants."[405]

The choice of terminology used by Herbert and the UCV No. 1191's plea to Secretary Root is telling. Clearly aggravated at Behan and Randolph's claim that 1191

[405] Herbert to Root, January 15, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Root to Herbert, January 15, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead Scrapbook, Vol. II, VMHC; Herbert to Root, January 17, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Headquarters Charles Broadway Rouss Camp, No. 1191 United Confederate Veterans to Root, January 18, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead Scrapbook, Vol. II, VMHC; Emphasis added; The UCV's letter to Secretary Root stated that the list of the names of the Confederate dead "was published in full by newspapers generally throughout the South, as also by some northern newspapers, notably the New York Journal and the Baltimore Sun.

had no right to pursue a segregated burial section at Arlington, they fought back with contempt, claiming that the removal of Confederate remains by the CSMA would be a "desecration" and a perpetual insult to those deceased comrades and their descendants. This response to the CSMA was somewhat disproportionate and questionable. How could removing rebel dead back to their state of origin be a desecration, especially when this process, as stated in Behan's letters, was not an unusual practice? The term "desecration" also conveys the same type of imagery used by numerous Southerners who periodically worried of GAR vandalism of Confederate burials (which never occurred at Arlington). In addition, 1191's claim that moving rebel dead out of Washington, DC would be "a great wrong" insulting both the deceased and descendants is farcical. Since none of the identified Confederate dead selected for burial in Arlington's new rebel section were from Washington, DC, it is more likely they would prefer burial in their native state than near where they died as prisoners of war. And as for the argument that reinterment anywhere than Arlington would amount to a perpetual insult to the relatives of the dead, this directly contradicts the UCV's argument that "not one of these dead soldiers has been claimed by any one." If the UCV was correct in their claim that no relatives remained of the identified bodies because no one requested return of any remains, how then could burial in the South insult future generations. If family members of the dead Confederates did not exist, there could not be any "possible living descendants."[406]

[406] *New York Times*, May 2, 1901; Headquarters Charles Broadway Rouss Camp, No. 1191 United Confederate Veterans to Root, January 18, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead Scrapbook, Vol. II, VMHC.

This debate between the CSMA, Behan, Randolph, and Herbert, Lewis, Wright, and the UCV No. 1191 continued for the rest of the year, often covered in the press. Lewis wrote a scathing letter, published in a Richmond newspaper, complaining of the poor condition of Confederate burials in Hollywood Cemetery, prompting an equally caustic response from Randolph claiming "Dr. Samuel Lewis is…entirely misleading." Even political pressure was unsuccessful in brokering a truce. The governor of North Carolina, Charles Aycock, wrote directly to Secretary Root requesting the return of the remains of forty-six North Carolinian Confederates from Arlington and the Soldiers' Home cemeteries. In one instance, Virginia State Representative Frank Hume met with Randolph unsuccessfully persuading her to accept the Arlington plan. He later commented in a letter to Lewis that "we old Confederates will stand no show in this matter if left to Mrs. Randolph." Representative John Lamb, who expressed early support for Randolph and was not able to achieve Randolph's goal (at one point Lamb attempted to placate Randolph by asking if she could have only the remains of Virginians for burial at Hollywood Cemetery), joked in a letter that he "expect[ed] to be court martialed by Mrs. Behan and herself [Randolph]," and requested "that the prettiest young women…in Richmond be selected to shoot me."[407]

The debate over the disposition of remains remained heated with many of the arguments now appearing in both newspaper coverage and correspondence. Behand and

[407] "Writes to Protest," *Richmond Dispatch*, February 6, 1901; "Makes a Spirited Reply," *Richmond Dispatch*, February 7, 1901; Aycock to Root, April 24, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Hume to Lewis, January 24, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead Scrapbook, Vol. II, VMHC; Lamb to Quartermaster General, USA, May 1, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Lamb to Major [unknown], February 5, 1901, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM.

Randolph, perhaps sensing their campaign was losing momentum, continued writing to Secretary Root and various US Army officials. Lewis and Herbert, concerned that further delays caused by their female adversaries would cause the expiration of the Arlington Confederate burial congressional appropriation, also pushed the secretary of war for a resolution. Root was concerned how the South would react to Arlington's reburial plan. Behan and Randolph represented an important segment of southern society but wondered how widespread their objections were in the former Confederacy. Lewis continued his lobbying campaign, receiving extensive support from numerous UCV camps. With this type of backing, Lewis and Herbert, who was a former member of Congress and Secretary of the Navy under Grover Cleveland, successfully cobbled together a group of congressmen and influential supporters to promote the Arlington endeavor.[408]

In March 1901, a meeting of the Confederate Veterans Association unanimously passed a resolution supporting the Arlington plan. This decision had a profound effect on the process, as a committee of five veterans presented the declaration to Secretary Root assuring him that although objections to reburial at ANC came "from highly esteemed and most reputable sources…it is a fact that a comparatively small number is represented." Smartly, the petition included endorsements from prominent former Confederates such as Stephen D. Lee and Joe Wheeler, as well as a list of supporters including the Ladies Southern Relief Society of Washington, DC This resolution appeared to reassure Root that Behan and Randolph only represented a minority of

[408] Herbert to Lewis, February 6, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; *New York Times*, May 2, 1901; Blair, *Cities of the Dead*, 190.

women in the South, and, together with the number of letters and media coverage supporting the Arlington plan, he was convinced most Southerners were supportive.[409]

Satisfied that the pan for reburial of rebels at ANC was welcome by most Confederate veterans as well as many Southerners, Secretary Root decided to act, issuing an order to the Quartermaster General on April 20, 1901 "To proceed to execute the provisions of the act of Congress relating to the burial of the Confederate dead."[410] With this order, work on Arlington' newest burial section began in earnest. Lewis, Herbert and others had prevailed in their contest with Behan and Randolph, although the latter two and a few other women continued to strongly protest Root's decision for many more months.[411] To conciliate Behan and Randolph, the secretary personally wrote to both

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[409] Resolution on Reburial of Arlington and Soldiers' Home DC Confederate Dead in Arlington Cemetery, Passed by the Confederate Veterans' Association, March 7, 1901, Unanimously, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument; Confederate Military History; Historical Materials, Confederate Dead Scrapbook, Vol. II (1901), VMHC; Lee to Herbert, February 28, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Charles Broadway Rouss to H.M. Marchant, April 16, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument; Confederate Military History; Historical Materials, Confederate Dead Scrapbook, Vol. II (1901), VMHC; Charles Broadway Rouss to Charles Broadway Rouss Camp, April 18, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument; Confederate Military History; Historical Materials, Confederate Dead Scrapbook, Vol. II (1901), VMHC; Committee of Five to Root, March 28, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Blair, *Cities of the Dead*, 190; "Confederate Dead: Veterans Heartily Favor Their Interment at Arlington," [Washington, DC] *Evening Star*, May 6, 1901;

[410] Memorandum, Root to the Quartermaster General, April 20, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA.

[411] See Behan to Root, April 10, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Behan to Root, April 27, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Randolph to Root, April 30, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Randolph to Quartermaster General, April 30, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Randolph to Ludington, April 30, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Mrs. Behan's Protest," *Washington Post*, May 1, 1901; "Mrs. Randolph Enters Protest," *Richmond Times*, May 1, 1901; Behan to Root, May 1, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Randolph to Root, May 1, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Internment of Confederates," *New York Times*, May 1, 1901; Garland Jones to Root, May 2, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA;

women. Attempting to deflect criticism, he stated that it was only after consulting with Southerners that he made his ruling writing, "the preponderance of sentiment and opinion on the part of representative former Confederates appears to be in favor of executing the act of Congress, which had the assent of the Senators and Representatives of all of the states formerly embraced in the Confederacy, and I do not feel at liberty longer to refuse compliance with the law."[412]

While Lewis, Herbert, Wright, and the UCV No. 1191 succeeded in their efforts to establish a separated Confederate burial plot at Arlington, it is important to examine not only their motivation for the section's creation, but also Behan, Randolph, and other southern women's strong objection to government care of rebel burials. Why was the most strident argument over the propriety of the Arlington section between fellow Southerners, and why did it generally pit Confederate veterans against women? For Lewis and his supporters, some of their incentive for creation of an ANC rebel section was practical. Having witnessed the amount of time, people, money and resources required to care for Confederate graves in the South, they knew this was not sustainable,

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Jones to Root, May 4, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Behan to McKinley, May 5, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Southern Women Object," *Washington Post*, May 16, 1901; Behan to Ludington, May 17, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Behan to Root, May 19, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Behan to Randolph, May 20, 1901, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Deputy QMG to Behan, May 21, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA.

[412] Root to Behan, May 6, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Root to Behan, May 6, 1901, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; Root to Randolph, May 6, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Root to Garland Jones, May 6, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Reburial of Confederates," *New York Times*, May 1, 1901; "South's Dead at Arlington," *Washington Post*, May 5, 1901; Ludington to Randolph, May 4, 1901, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM.

especially as the war-generation aged and died off. The government had the resource to provide perpetual care, something the CSMA and various LMAs could not guarantee in perpetuity. The fact that the women of Richmond routinely had to request funds from the Virginia state legislature to care for the Confederate graves at Hollywood Cemetery due to their lack of funds further proved his point. In addition, Herbert argued this was a time-sensitive decision, possibly never offered again when he reasoned that, "If we reject this appropriation…Congress can never again be expected to do anything more in the direction of caring for the Confederate dead."[413]

However, the principle motivation behind the Washington, DC based Confederate veterans' efforts to create an Arlington rebel section was perception. Establishing a unified Confederate burial section in the nation's most revered national cemetery sent a signal to the country that not only did the government recognize the rebel dead as worthy of care, but by increasing the number of Confederate burials at Arlington, and setting them in their own, honored area of the cemetery, they deserved as much recognition and praise as the US Army dead who surrounded them. It would be more practicable and simpler if the government had decided to simply care for the rebel graves in their original locations, without further identifying them or placing them near their comrades as had been the policy since 1864. By going to the time and expense of creating a segregated section, the government indicated they wished to honor the rebel dead, and recognized their service as on par with the Union dead, the same Union dead who died defending the country threatened by the Confederates now honored at Arlington.

[413] Herbert, quoted in Blair, *Cities of the Dead*, 190.

Congress, with support from both the North and the South, determined the rebels interred in the Washington, DC region deserved special recognition, in the form of their own plot at Arlington. Had the nation's representatives determined traitors did not merit burial in its most revered national cemetery, the secretary of war had the option of sending the remains to graveyards in the South, just as Behan and Randolph wished. Root felt he had to allow construction of the Confederate section. Congress passed legislation with little dissent, and as the secretary wrote to Behan and Randolph, he believed most of the South was in favor. Lewis and his friends wanted the rebel section at Arlington as a marker in the national capital, reinforcing the Lost Cause mythology that these soldier dead fought for a just and honorable reason. Leaving the bodies at Arlington, and constructing a new section for their congregated remains, would produce a greater influence in perpetuating that myth than sending the remains South. As Hilary Herbert wrote, removing all Confederate remains from the region "would be giving up the Capital of what is now our common country, entirely to the Union dead; the Confederate dead will have no interest and no memorial telling them of their deeds anywhere within the reach of the city that was named for GEORGE WASHINGTON, the greatest of American rebels."[414]

For Behan, Randolph, and those advocating for removal of the remains for reinterment in southern cemeteries, their motivations differed from the men. First, as Randolph claimed in her advocacy of reburial at Hollywood Cemetery, the South did not

[414] Committee of Five to Root, March 28, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Herbert, quoted in Blair, *Cities of the Dead*, 190. Capitalization in the original letter.

want federal charity, and could take care of the graves as southern women had done since the war. In addition, there was the oft-repeated rumor of potential GAR desecration of rebel graves if left at Arlington.[415] Another potential incentive for the women was to combat what some of them perceived was a too-cozy relationship between UCV leadership and the federal government. Randolph believed Lewis and others wanted a Confederate section simply to enhance their ability to obtain influence and patronage from the government. Perceiving a grand political conspiracy, Randolph wrote that "Genl [Fitzhugh] Lee is making a living out of the US Govt. and Genl. Gordon would like to, and McKinley would like a few Southern votes." The closer these men worked with both parties in Congress on bipartisan issues, the women believed, the better their chance at padding their pockets with federal funds.[416]

Another motivation behind the ladies' actions, and potentially the most compelling, was the precarious nature of the LMAs role in Confederate commemoration over the past twenty to thirty years. As the principle organization responsible for the memorialization and decorating of rebel burials in the South just after the war, LMAs grew accustomed to controlling southern memorial remembrance ceremonies and played an outsized role in organically crafting some of the initial tenets of Lost Cause mythology. During the 1870s and 1880s however, many of these organizations, who were autonomous from each other and not a unified, national association, lost membership and

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[415] *New York Times*, May 2, 1901; Blair, *Cities of the Dead*, 189. The rumor, despite the fact that there is no recorded instance of rebel grave desecration at Arlington, routinely appeared in newspapers and correspondence.

[416] Extract of comments by Janet H. W. Randolph, September 27, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Blair, *Cities of the Dead*, 188.

influence as southern men became more involved in commemoration of their comrades.[417]

The LMAs had difficulty recruiting during this period as the children of the Civil War generation came of age and were less enthused about activities that appeared less relevant. In addition, with the founding of the UDC in 1894, many LMA members worried the national structure, better funding, and political influence of the UDC might attract women away from local LMAs. In addition, LMA leaders worried that the UDC's mission "to fulfill the duties of sacred charity to the survivors of the war and those dependent upon them…to perpetuate the memory of our Confederate heroes and the glorious cause for which they fought…to endeavor to have used in all Southern schools only such histories as are just and true," might be more appealing to a younger generation than conducting memorial ceremonies and caring for graves. UDC historian Mildred Rutherford put it succinctly, writing, "The memorial women [LMAs] honor the memory of the dead-the Daughters honor the living." This perceived loss in relevance, at least for the LMAs, provided additional motivation for Behan, leader of the CSMA-formed of individual LMAs to consolidate their influence. Although she came to partner with Randolph, a prominent member of the UDC, on the common cause of removal of Confederate remains South, sending the bodies only to Hollywood Cemetery may have ended their trust. Secretary Root's order to create Arlington's Confederate section preempted this potential disagreement.[418]

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[417] Blair, *Cities of the Dead*, 189; Janney, *Burying the Dead*, 178.
[418] Blair, *Cities of the Dead*, 189; Mildred Rutherford Scrapbook Collection, Vol. 41, ACWM; Janney, *Burying the Dead*, 170, 178.

Clearly motivation for both opposing groups, Lewis and his cronies and Behan, Randolph and their associates, differed. Both factions had different goals in mind. Yet there was one reason behind their advocacy they possibly shared, that of conflicting gender roles. Southern women, who for decades were the principle actors in Confederate commemoration ceremonies, possibly resented southern men's increasing participation and influence over those events. LMAs, many formed shortly after the end of the war, not only decorated Confederate burials on commemorative occasions, but in many cases provided actual care and maintenance of the graves. These practices had occurred for years, and any encroachment by the UCV, or southern men in general likely engendered resentment in many women. After so many years of providing service to the rebel dead, men attempting to take over this position as principle mourners, a role traditionally established as the province of females, was upsetting to Behan, Randolph, and many southern women. This motivation, to push back against Lewis and the UCV's attempt to control Confederate burials and commemoration, a well-established responsibility of southern women, allowed Behan and Randolph to work together, even though their respective organizations had a complicated relationship.

As for Lewis, Herbert, and supporters, their correspondence revealed concerns over the role of women in the Arlington plan. Repeatedly identifying "women" as the cause of delay and controversy, even though some prominent male politicians such as the governors of Virginia and North Carolina endorsed removal of remains to the South, allowed Arlington advocates to categorize Behan, Randolph, and their cohort as something "other" than representative of the southern population or Confederate

veterans. Although Lewis and Herbert always described Behan and Randolph's efforts as honorable and respected, their continual categorization of them as a small group of women reinforced nineteenth century gender roles and helped convince the completely male federal executive and legislative branch leadership that these women were not representative of most southern females. In addition, Lewis and Herbert routinely emphasized in their letters to congressmen, Secretary Root, and military leadership that the wishes of Washington, DC Confederate veterans should decide the treatment of their fallen comrades, and not a small cabal of women located outside the national capital region.

As each side had their own internal motivations for relocating rebel remains, whether to reinforce the relevance of southern women in remembrance and commemoration, or to make a statement of the legitimacy of the Confederate cause in Washington, DC, they both unquestionably desired to honor their dead. The removal of remains for reinterment at Arlington or to southern cemeteries was not only a cynical ploy to achieve political or social gain, but also to conduct a genuine honorable relocation of scattered, forgotten soldiers. Although the disposition of remains remained contentious between the two sides, both clearly agreed that movement to a more respectable location would honor those dead and provide a venue for remembrance and tribute. Once Congress and Secretary Root authorized a segregated rebel burial plot, Arlington National Cemetery joined the ranks of other revered Confederate burial grounds and became a venue for an elevated remembrance of Confederate dead as well as for promotion of Lost Cause mythology.

CHAPTER SEVEN

"The glory of a reunited nation": Arlington National Cemetery, Promoter of the Lost Cause, 1901-1914

Soon after the establishment of Arlington's Confederate burial ground, many of the same Southerners responsible for the creation of the section garnered approval from the US government to erect the largest memorial to the South located outside of the former Confederacy. Taking inspiration from the success at Chicago's Oak Woods Cemetery, southern leaders helped craft an audacious Confederate monument, complete with symbolic Lost Cause tropes including depictions of loyal slaves and honorable enslavers. This chapter argues that the grandiose memorial and placement in a prominent location in the middle of the Confederate burial ground was intentional. Southern leaders quickly realized the importance and power of placing a massive three-dimensional justification and defense of secession within site of the Capitol, amidst the graves of the "invaders" from the North. The memorial placed a shockingly pro-Confederate marker in the heart of Union remembrance. After its erection, each Memorial Day commemoration would take place within sight of a giant symbol to the Lost Cause, the largest monument in the cemetery.

The necessary groundwork for the successful construction of Arlington's Confederate burial section and memorial occurred over a period of American history including Reconstruction through the Gilded Age and into the Progressive Era. It

required over thirty years of slow, gradual change in northern white society from expressions of anger and disdain for the South shortly after the end of the war, to notions of sympathy for the shared combat experiences of both sides, and then to eventual acceptance, or at least toleration of tenets of Lost Cause ideology.

Arlington's transformation from honored burial ground only allowing commemoration of Union dead to a venue that embraced remembrance of traitors to the nation and tribute to their mythical cause was not due to one singular event or incident. In addition, those Southerners most responsible for rebel remembrance at the nation's premiere national cemetery had no grand plan, starting after the end of the war, to successfully construct a testimonial to treason just outside Washington, DC These southern leaders simply capitalized on an opportunity created by changing conditions in white American society as the North and South navigated the post-war nation. Historians examining this period in American history point to numerous causes for this transformation, including successful propaganda efforts by Southerners to change the focus of commemoration and narrative behind secession, and sympathetic Northerners nostalgic for what they perceived was a more genteel southern lifestyle in opposition to rapid industrialization and urban growth occurring throughout the North. But by far the most impactful societal pressure came from northern exhaustion of, ambivalence for, and often outright hostility to the continual protection needed to secure African American civil rights. As Southerners continually pushed to reinvoke white supremacy and black degradation

throughout the former Confederacy, white Northerners at best ignored the reimposition of a pseudo-slavocracy, and at worst, fully embraced the reinforcement of white supremacy and "control" of African Americans throughout the United States.

Yet as white Northerners in general turned their attention away from the deteriorating treatment of African Americans and increasingly became more sympathetic to southern propaganda, its manifestation at Arlington poses specific questions. Why, when other venues such as battlefields like Gettysburg allowed Confederate regimental markers commemorating rebel combatants, did Arlington approve a shameful effigy, not solely to the rebel dead interred in the cemetery, but to southern mythology far removed from the actual cause of the war, the propagation of chattel slavery? Perhaps most importantly, why did Arlington National Cemetery impugn the remembrance of over 15,000 white and black soldiers, sailors and marines resting beneath its soil who paid the "last full measure of devotion" to their country, by allowing the construction of a monument on cemetery grounds that praised those who sought to kill members of the US military and destroy the nation? How did Arlington, with the full endorsement of the US government, transform from a site of patriotic remembrance of defenders of the Constitution to an active promoter of the treasonous Confederacy?

Construction plans for Arlington's Confederate section already existed, completed in August 1900.[419] Shortly after Root's order work began with a plot at ANC surveyed,

[419] Deputy Quartermaster Office, "Confederate Section, Arlington National Cemetery," August 1900, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA.

ground prepared to receive burials, and carriage roads created around the location. The site itself was in an unused but prominent location, near the gate to Fort Myer, one of the primary entrances to the cemetery prior to the construction of the Arlington Memorial Bridge in 1932. The new plot was also just to the west of the recent burials of the victims of the USS *Maine*, the US Navy armored cruiser whose sinking in the Havana, Cuba harbor on February 15, 1898 served as a prime catalyst inciting the Spanish-American War.[420] So pleased was Hilary Herbert at the location of the section that he remarked to Mrs. Randolph, "throughout the future, future visitors from all the world will see the honor in which not only the people of the South, but of America, hold the Confederate soldier."[421] That so privileged a location was used for the new section is further evidence of Arlington and the US Army's capitulation to southern interests.

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[420] The USS *Maine* exploded off the coast of Havana, Cuba on February 15, 1898, killing more than 260 sailors on board. Those who died in the explosion were initially buried in a Havana cemetery. On March 30, 1898 Congress approved a bill authorizing the return of the *Maine* dead for reinterment at Arlington National Cemetery. On December 28, 1899, 165 remains (63 known, 102 unknown) were reinterred in Arlington's newly created Section 24. This area of the cemetery, unused up to this date, gained some prominence with the burial of the *Maine* crew and helped transform ANC from a Civil War national cemetery to a burial ground for all the nation's war dead. Although records do not indicate the rationale for choosing the specific ground for the Confederate, it is likely the ease of access from Fort Myer, as well as the prestige of being located near the USS *Maine* section influenced planners. Ironically, shortly after the completion of the Confederate section, the land between the *Maine* dead and the Confederate section was developed as burial ground for African American veterans. This new plot (Section 23) was the first segregated burial section for black soldiers since Arlington's original Section 27. The fact that US Army planners chose to place African American burials adjacent to rebel burials presents the possibility that someone had a sense of humor, or justice. Dr. Stephen Carney, Arlington National Cemetery Command Historian, interview by author, December 3, 2021; Arlington National Cemetery, "USS *Maine* Memorial (Mast of the Maine)," Department of the Army, https://www.arlingtoncemetery.mil/Explore/Monuments-and-Memorials/USS-Maine (accessed December 3, 2021); Arlington National Cemetery, "African American History at Arlington National Cemetery," Department of the Army, https://www.arlingtoncemetery.mil/Explore/Notable-Graves/Minorities/African American-History-at-ANC (accessed December 3, 2021). After the construction of the Arlington Memorial Bridge in 1932, most visitor entered ANC from the eastern side of the cemetery. Up until that time, many came onto cemetery grounds from the north and west, including transiting through Ft. Myer.

[421] Herbert to Randolph, undated, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15.

Instead of locating the Confederate plot in another, less distinguished portion of the ANC such as in the lower cemetery where USCT and African American burials interments remained, Arlington decided to locate their newest section, soon to be full of traitors, in as important an area as those loyal sailors who perished in the nation's most recent war. Instead of construction a rebel burial ground as far away from the patriotic and the faithful as possible, Arlington decided to create an area right next to federal troops implying Confederate service and sacrifice was just as honorable and deserving of praise as all who fought to defend the nation from treason. Arlington's embrace of southern rationale and mythology, as evidenced in the willingness to create an honored rebel burial location instead of working to ship Confederate remains back to the South, represented and emphatic northern capitulation to Dixie.

The disinterment from Soldiers' Home National Cemetery and the scattered burials around Arlington and reinterment into the new Confederate section occurred relatively quickly. After requesting bids for burial services and awarding the contract, with a failed last-minute attempt by Mrs. Randolph to tender her proposal, relocation of remains occurred from June to July 1901. 128 bodies from the Soldiers' Home National Cemetery and 136 already located at Arlington compromised the new section. In total, the reinterment and reburial, along with construction and setting new headstones, cost $1,962.65, well below the $2,500 authorized by Congress. The plot was a circular design, with cart paths bisecting the section into four symmetrical portions. In the middle of the area was space for landscaping, ornamentation, or a memorial. Because the section was new, planners grouped burials by state. Unlike Arlington's federal burials, who lay in

straight rows, Confederate burials appeared as a circular island of treason within a national cemetery.[422]

In addition to the burials, each grave required a new marble headstone, and the design of these was unique. Unlike the standard rounded headstones marking the graves of federal soldiers, these new Confederate markers had pointed tops, deliberately distinguishable from Union interments, even from a distance. Carved in each headstone was the rebel's name, grave number, regiment, native state, and "C.S.A." for Confederate States of America. One urban legend that quickly arose, and is still well-known today, is that the distinctively pointed Confederate headstones prevented Yankees from disrespecting the burials by sitting atop each grave. Although there are no known instances of "headstone sitting" at national cemeteries, the fact that Southerners continued to worry about burial desecration proved their sustained uneasiness about treatment of Confederate graves, despite their success at Arlington. More likely than preventing tombstone mounting, the variation in design of the rebel headstones occurred simply to differentiate those graves from Union soldiers.

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[422] "The Confederate Dead: Bids for the Reinterment Invited," *New York Times*, May 1, 1901; "Public Poster and Circular," May 1, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead Scrapbook, Vol. II, VMHC; "To Move Confederate Dead," *Washington Evening Star*, May 10, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead Scrapbook, Vol. II, VMHC; "The Confederate Dead," *Washington Post*, May 11, 1901; Depot Quartermaster to Randolph, May 14, 1901, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; Depot Quartermaster to Quartermaster General, May 14, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Depot Quartermaster to Quartermaster General, July 24, 1901, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; *Charles Broadway Rouss Camp No. 1191, Report on the Re-Burial of the Confederate Dead in Arlington*, 4; Deputy Quartermaster Office, "Confederate Section, Arlington National Cemetery," August 1900, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA.

Southerners demanded the same respect and honor for Confederates as federals yet clearly did not want their comrades mingling indiscriminately among the Union dead, insisting on their own section as well as distinctive markers so no one would confuse southern bravery with northern loyalty. Reconstruction, it appeared, only went so far as Southerners desired "separate, but equal" treatment. On October 1, 1901, all Confederate headstones were set, and the new rebel section appeared to be complete. However, those responsible for Arlington's newest burial plot recognized an added opportunity to promote their interpretation of the war, through the design and construction of one of the most extreme monuments to the Lost Cause located in the North or South.[423]

Initially, men like Hilary Herbert, Samuel Lewis, and Marcus Wright, as well as members of the UCV Camp 1191 focused on obtaining approval for a rebel burial section, and not adorning it with statuary. While their initial petition to President McKinley did request "a suitable monument be erected to mark the site," this addition to the document read like an afterthought with the main thrust of the appeal relating to gaining approval for a rebel plot. Appropriate landscaping and construction of cart paths for access was desired, but further details on ornamentation was absent. This began to change in 1900 once the reality of the section began to take shape. Lewis, recognizing the opportunity to augment his ongoing efforts, led a committee of UCV Camp 1191

[423] Michelle A. Krowl, "'In the Spirit of Fraternity': The United States Government and the Burial of Confederate Dead at Arlington National Cemetery, 1864-1914," *The Virginia Magazine of History and Biography* 11, no. 2 (2003), 166-67; Memoranda Regarding Report of Commissioner Berry, file R#3, Box 5, Entry 696, RG 92, NARA; Stephen Carney, PhD, Command Historian, Arlington National Cemetery, interview by author, Arlington, VA, October 14, 2021; Depot Quartermasters Office, "Headstones for Confederate Dead Arlington, VA. National Cemetery," Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92; Charles Broadway Rouss Camp No. 1191, *Report on the Re-Burial of the Confederate Dead in Arlington Cemetery*, 4-5.

members to "further commemorate the valor and patriotism of these heroic [rebel] dead, and the better to perpetuate their memory." Lewis wrote that, "it is eminently fitting that an enduring monument of commanding and dignified character be erected in the center of said plot." Yet the preliminary idea behind a memorial, at least according to press reports, "was not intended to be a monument in the ordinary acceptation of the word." Due to a lack of congressional legislation authorizing a monument, "it was agreed that a large iron vase, with flowers and plants in season, would meet the end in view." Lewis and his committee kept with the idea of a vase as the centerpiece of the Confederate section well into 1901, just as the reburials at Arlington took place.[424]

Janet Randolph was one of the first Southerners who articulated a desire to create something grander for a Confederate monument over the reinterred dead. While still arguing with Lewis and the secretary of war over where reburials should take place, Randolph wrote that if Richmond's Hollywood Cemetery received the rebel remains, her organization (the Richmond chapter of the UDC)

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[424] "To the President of the United States, A Petition from the Charles Broadway Rouss Camp of Washington, DC being Camp No. 1191 of the United Confederate Veterans, Relating to the Confederate Graves in the National Military and Naval Cemetery at Arlington, VA," Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; "Petition to President McKinley June 5, 1899," Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Samuel E. Lewis, "Resolution to Erect a Monument to the Confederate Dead at Arlington," September 25, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; Samuel E. Lewis, "Confederate Dead in Arlington Cemetery," General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Will Care for South's Dead," (Ohio) *Evening Leader*, September 27, 1900; "Care of South's Dead," *Washington Post*, September 27, 1900; E.W. Anderson to Lewis, June 10, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC; Howard & Morse to Lewis, June 20, 1901, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC.

intended to place over the graves a "Monument to tell how & where & for what they died." Randolph recognized early on that this mass Confederate reburial was an opportunity to tell the "true" story of the southern cause for generations to come.[425]

The initial hesitancy of Lewis and company to explore a more grandiose memorial at Arlington stemmed, in part, from an incident at the Philadelphia National Cemetery. In 1897, the UDC attempted to donate to the cemetery a large obelisk monument to the Confederate dead. The local response was incredibly negative, catching the UDC off guard. The Ellis Post of the GAR, headquartered in Germantown, Pennsylvania, submitted a resolution in protest stating:

> "national cemeteries should be preserved exclusively as memorials for those who lost their lives in defence [sp] of their country…While some may believe it proper to erect monuments to the memory of those who lost their lives in an unparalleled effort to destroy the Union…those who sympathize with the cause which cost so much in blood and treasure should select a more suitable place for such monuments than the spot where lie the bodies of hundreds of Union soldiers…Because the national cemeteries are sacred to the dead soldiers of the republic…no monuments or inscriptions permitted which are not in honor of…its defenders [should be allowed]…No Union soldier would think of asking permission to erect national monuments in the cemeteries set apart for the Confederate dead…thinking people cannot forget that the Confederate soldiers fought to destroy the republic and that our country and its flag was only preserved by those who fought or the Union from 1861 to 1865."[426]

One prominent member of the Ellis Post and the ninth GAR Commander-in-Chief, General Louis Wagner allegedly threatened to "blow up with dynamite" any monument to treason. The response against this effort was so intense that the UDC decided to place the memorial in Hollywood Cemetery instead of in Philadelphia.

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[425] Extract of comments by Janet H. W. Randolph, September 27, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Blair, *Cities of the Dead*, 189-90.
[426] Ellis Post, GAR, "Hostile Resolution," June 2, 1897, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA;

Eventually, the UDC was successful in erecting a more modest, flush with the ground slab honoring the 224 unknown Confederate dead interred in the Philadelphia National Cemetery but their initial effort was strongly rebuffed.[427]

Although temporarily chastened from the incident in Philadelphia, once the final Confederate headstones were set at Arlington, serious discussions of monument creation began. The congressional legislation authorizing the Arlington rebel plot did not mention construction of a memorial. Yet the initial quartermaster design for the section placed the letter "M" on the central area of the circular burial plot. Assuming the "M" stood for memorial or monument, it is apparent even the US Army recognized the new burial section would eventually include ornamentation of some type. Many involved in the Arlington project from the beginning sought an appropriate memorial to fully complete the section. Since

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[427] "Movement to Bring Confederate Dead from the North to the South," January 16, 1897, newspaper clipping, Box 15, Randolph Papers, United Daughters of the Confederacy Collection, ACWM; UDC, *Minutes of the Ninth Annual Meeting of the United Daughters of the Confederacy*, (Nashville, TN: Foster & Webb, 1903), 145; National Cemetery Administration, *Federal Stewardship of Confederate Dead* (Washington, DC: US Department of Veterans Affairs, 2016), 172-74; "Confederate Monument in Philadelphia," *Confederate Veteran* VIII, no. 7 (1900), 309-10; "Wrought Up," newspaper clipping, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; Leslie Spencer to Randolph, July 19, 1900, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; Randolph to President McKinley, July 24, 1900, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; Q Marshall Ludington, Quartermaster General to Randolph, August 4, 1900, ACWM, United Daughters of the Confederacy Collection, Randolph Papers, Box 15; "Confederate Dead at the North," *Confederate Veteran* IX, no. 5 (1901), 196-98. Ironically, in 1912 the Philadelphia chapter of the UDC dedicated a large granite monument listing the names of Confederate prisoners of war at the Philadelphia National Cemetery. Unlike in 1897, resistance to this monument was minimal with approximately 1,000 attendees at the ceremony. The ceremony took place on October 12, 1912, the anniversary of Robert E. Lee's death. See Clerk of the Commissioner, War Department to W.K. Beard, May 31, 1911, Folder No. 6 From November 14 to July 21, 1911, Office of the Commissioner for Marking Graves of Confederate Dead, Records of Cemeterial Commissions, 1893-1916, Confederate Correspondence File, 1908-1916, 8 vols., Box No. 1, NM-81, Entry 693, RG92; Clerk of the Commissioner, War Department to S.N. Duer, May 31, 1911, Folder No. 6 From November 14 to July 21, 1911, Office of the Commissioner for Marking Graves of Confederate Dead, Records of Cemeterial Commissions, 1893-1916, Confederate Correspondence File, 1908-1916, 8 vols., Box No. 1, NM-81, Entry 693, RG92; National Cemetery Administration, *Federal Stewardship of Confederate Dead*, 175-76.

the end of the Civil War, Southerners used monuments, whether placed in front of courthouses, in cemeteries, or on public spaces, as a form of reinterpretation of the war, to take pride in southern sacrifice, and to lessen the stigma of failure and defeat. Arlington, with its annual prominence during Memorial Day and its proximity to Washington, DC presented a unique opportunity to potentially influence empathy for Lost Cause ideology.[428]

Various southern veterans' and women's organizations sought control of designing and fundraising for the monument. As with the construction of the Confederate section, these groups often fought each other for influence and authority over the process. Initially, the two main UCV camps in Washington, Lewis' Camp No. 1191 and Camp No. 171 attempted to work together, forming a Confederate monument committee. Rather quickly however, these two groups determined they could not work together (many members of Camp 1191 were former members of Camp 171 who resigned in May 1899 after accusing 171 of financial irregularities and complaints over camp administration) and the partnership dissolved. While these UCV groups disputed who should oversee the monument, various chapters of the UDC pressed the issue. Beginning in 1902, and again in 1903 and 1905, discussion

[428] Depot Quartermaster to Quartermaster General, June 22, 1900, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Confederate Section Arlington National Cemetery," August 1900, Records Relating to Functions: Cemeterial, 1828-1929, Papers Relating to Confederate Cemeteries, Interment of Confederate Soldiers in National Cemeteries and Isolated Confederate Graves, 1861-65, 1898-99, Box 1, Entry 585, NM-81, RG 92, NARA; Herbert, *History of the Arlington Confederate Monument*, 7; Karen L. Cox, "The Confederate Memorial at Arlington: A Token of Reconciliation," in *Monuments to the Lost Cause: Women, Art, and the Landscapes of Southern Memory*, eds. Cynthia Mills and Pamela Hemenway Simpson (Knoxville: University of Tennessee Press, 2003), 150; Blight, *Race and Reunion*, 76-77; Bertram Wyatt-Brown, *The Shaping of Southern Culture: Honor, Grace, and War, 1760s-1880s* (Chapel Hill: University of North Carolina Press, 2001), 282; Krowl, "In the Spirt of Fraternity," 179.

over an Arlington memorial occurred at the UDC's annual conventions. Individual UDC chapters also began fundraising for a monument.[429]

Demonstrating the UDC's growing importance in obtaining approval and funding for the Arlington memorial is the fact that it was their organization, and not a local UCV chapter as had been the case with establishment of a Confederate burial section, that finally secured permission to erect a monument. On May 4, 1906, Mrs. Magnus Thompson, UDC District President, with the assistance of Mississippi Representative and Minority Leader of the US House of Representatives John Sharp Williams[430], obtained permission from Secretary of War William H. Taft to

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[429] Lewis to Wright, October 28, 1905, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; "Memo of Action by Camp No. 171, UCV on the Resolution Adopted by Camp No. 1191, UCV," November 2, 1905, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; Adjutant, Camp 171, UCV to Adjutant, Camp 1191, UCV, November 8, 1905, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; "Extract from Minutes of Meeting of C.B. Rouss Camp No. 1191, CV of December 12, 1905; Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; Herbert, *History of the Arlington Confederate Monument*, 9; UDC, *Minutes of the Ninth Annual Meeting of the United Daughters of the Confederacy* (Nashville: Foster & Webb, 1903), 38; UDC, *Minutes of the Tenth Annual Meeting of the United Daughters of the Confederacy* (Nashville: Foster & Webb, 1904), 138; UDC, *Minutes of the Twelfth Annual Meeting of the United Daughters of the Confederacy* (Nashville: Foster & Webb, 1906), 133-36, 216; Robert E. Lee Chapter, UDC, "Appeal in Aid of Arlington Monument Fund," 1906, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; "Confederate Monument: Dead in Arlington Cemetery to be Honored," March 18, 1906, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; "Honor Confederate Dead: R.E. Lee Chapter, U.DC, Proposes Erecting Monument at Arlington," March 18, 1906, newspaper clipping, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; "A Bazaar for the Benefit of Confederate Monument at Arlington Cemetery," December 4, 1906, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; "Confederate Shaft Movement Grows," June 9, 1906, *New York Times*; "For Confederate Shaft: $1,500 Contributed for Monument to Be Erected in Arlington Cemetery," June 10, 1906, *Washington Post*.

[430] To give you some idea of Williams' motivation for championing a grand memorial to the Confederacy at Arlington and where his sympathies lay, in a speech given on December 20, 1898 he stated, "You could ship-wreck 10,000 illiterate white Americans on a desert island, and in three weeks they would have a

erect a memorial. Taft, in his response to Thompson and Williams, stated "it will give me pleasure to give the right to erect a monument to the Confederate dead at a proper location in the cemetery." Taft enthusiastically supported a Confederate monument. Six years later, this time as President, he attended the laying of the monument's cornerstone. Yet Taft also wanted to ensure the government retained control of the process, reminding Thompson and Williams in his letter that "the place for the monument, its location, the inscription, and all the details, would have to be left to the approval of the Quartermaster General, who is in immediate charge of the cemetery."[431]

Once Secretary Taft gave final approval (through the efforts of the UDC), veterans in the Washington region attempted to regain control of the proceedings. Although sources differ concerning the date of incorporation, in 1906 members of the UCV Camp No. 171 formed the Arlington Confederate Memorial Association (ACMA) with Hilary Herbert serving as chairman. Perhaps recognizing the role of the UDC in securing Taft's agreement, and their superior fundraising abilities, the ACMA invited various members of the UDC, including Mrs. Magnus Thompson to serve on their board of directors. Welcoming members of the UDC to participate in the ACMA

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fairly good government, conceived and administered upon fairly democratic lines. You could ship-wreck 10,000 negroes, every one of whom was a graduate of Harvard University, and in less than three years, they would have retrograded governmentally; half of the men would have been killed, and the other half would have two wives apiece." See Rayford W. Logan, *The Betrayal of the Negro: From Rutherford B. Hayes to Woodrow Wilson* (New York: Da Capo Press, 1997), 90-91.

[431] Williams to Taft, February 24, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Taft to Williams, March 6, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Williams to Taft, March 8, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Lizzie Henderson to John Sharp Williams, March 13, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Quartermaster General to Henderson, March 17, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Confederate Shaft Approved by Taft: No Objection to Monument in Arlington," March 8, 1906, *Washington Sunday Times*; District of Columbia UDC to Quartermaster General, February 13, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA.

proved fortuitous for the success of the Arlington monument. Very quickly after forming the ACMA, board members realized the amount of work required to successfully create the memorial was beyond the abilities of the organization. In November 1906 the ACMA requested the assistance of the UDC in construction of the monument, and at the UDC general convention November 1907 the ladies accepted overall control of monument creation and fundraising. The ACMA was now subordinate to the UDC.[432]

The UDC's involvement in and eventual control of Arlington's Confederate memorial was an important development that fundamentally changed the nature of the monument effort. Up to the creation of the ACMA, most descriptions of a potential memorial were decorative in nature, such as a "large iron vase, with flowers and plants in season," or, as many newspapers described, a Confederate "shaft" such as appeared in other cemeteries. The UDC clearly had other designs. Women of the South had always been primary in Confederate memorialization, remembrance, and in reinterpreting the history of the war. As historian Caroline Janney contends, it was the "women of the LMAs…[who] were responsible for remaking military defeat into a political, social, and cultural victory for the white South." Furthermore, as historian Karen Cox argues, it was the UDC who attempted to "transform military defeat into a political and cultural victory, where states' rights and white supremacy remained intact." Although

[432] "Honor Confederate Dead," December 30, 1906, *Washington Post*; "Granite Obelisk for Confederate Dead, June 24, 1909, *National Tribune*; Herbert, *History of the Arlington Confederate Monument*, v-vii, 8-9, 11-13; Cox, "The Confederate Memorial at Arlington," 150; UDC, *Minutes of the Sixteenth Annual Meeting of the United Daughters of the Confederacy* (Opelika, AL: Post Publishing Company, 1909), 281-85.

never expressly stated (or at least recorded), women of the UDC undoubtedly realized Arlington's monument presented a singular prospect of creating a grandiose homage to the Lost Cause, in support of their stated object "to unite with the Confederate veterans in the determination that the portion of American history relating to the late war shall be properly taught…" The UDC pursued this goal by rewriting southern textbooks and using memorials and monuments to "indoctrinate[e] schoolchildren and poor white Southerners with racial stereotypes and exaggerations about the benevolence of slavery," all with an intellectual foundation built on white supremacy. "The UDC dedicated itself to building Confederate monuments and writing and regulating history," one historian asserted, and it was "an association organized to promote the Lost Cause by defending, preserving, and transmitting the memory of the Confederacy."[433]

As part of the UDC taking control of the Arlington Memorial process, the ACMA reorganized, with three out of five board members also officers of the UDC. In addition, membership in the ACMA consisted of representatives from four UDC chapters, with only one UCV post (no. 171) and one Sons of Confederate Veterans chapter. With each post or chapter able to nominate seven individuals each, this populated the ACMA with twenty-eight female and fourteen male members in addition those in leadership of the

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[433] *Washington Post*, September 27, 1900; E.W. Anderson to Lewis, June 10, 1901, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, VMHC; Howard & Morse to Lewis, June 20, 1901, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; "Confederate Shaft Movement Grows," June 9, 1906, *New York Times*; "For Confederate Shaft: $1,500 Contributed for Monument to Be Erected in Arlington Cemetery," June 10, 1906, *Washington Post*; Janney, *Burying the Dead*, 3, 13; Karen L. Cox, *Dixie's Daughters: The United Daughters of the Confederacy and the Preservation of Confederate Culture* (Gainesville: University Press of Florida, 2003), 1; Censer, *Reconstruction of White Southern Womanhood*, 191-203; UDC, *Minutes of Organization and of 1st and 2nd Annual Conventions United Daughters of the Confederacy North Carolina Division* (Raleigh: Capital Printing Company, 1899), 4; Joan Marie Johnson, "'Drill into us... the Rebel Tradition': The Contest over Southern Identity in Black and White Women's Clubs, South Carolina, 1898-1930," *The Journal of Southern History* 66, no. 3 (August 2000), 528; Blight, *Race and Reunion*, 258-59.

association. Southern women, the UDC in particular, now dominated all decisions made by the ACMA. In addition, and arguably just as influential, the UDC became the primary source of funds for the Arlington monument, as their fundraising ability was preeminent. The UDC, whose name would adorn the monument's base, now determined the vision for the memorial. If Samuel Lewis and the UCV No. 1191 had only desired a modest monument to Arlington's Confederate dead, the UDC ignored those wishes. Lewis had only himself to blame for this loss of control. Because he and his group could not come to an arrangement with Hilary Herbert and UCV No. 171, this provided the opportunity for 171 to partner with the UDC, and organization that had the ability to raise more money than any individual UCV post, and who had the vision to create a monument that supported the myth of the Lost Cause. Women such as Janet Randolph and Katie Behan may have previously lost the battle for authority over Arlington's Confederate remains, but southern women, through the UDC, won the war for control of the creation of a symbol of an unreconstructed South, in the middle of the nation's most sacred national cemetery.[434]

The UDC's concept for what the monument could represent began in earnest with the first meeting of a Committee of Design comprised of four women and three men in May 1910. Prior to this meeting, numerous artists submitted potential designs to the UDC, but the ACMA ignored all submissions while fundraising for the monument continued. Many of these proposals were modest,

[434] Herbert, *History of the Arlington Confederate Monument*, v.

including statues of women holding hands with heads solemnly bowed, or a deceased Confederate soldier on a marble pedestal, cared for by an allegorical female figure of the South. The ACMA and UDC never seriously considered any of these designs, ones that focused more on honoring the dead than promoting a mythical history of the war. Instead, the Committee of Design's initial idea was a statue of "General Lee at the Wilderness in the act of leading his forces in person…" This preliminary proposal, however, met with criticism. Instead, the committee decided that they needed a "sculptor…and artist of renown" to design the monument. Someone "in whom the utmost confidence could be placed as to ability and one who would be fully equipped to meet the desires of the organizations which are erecting the memorial." What the committee desired was someone with the ability to create their vision of Confederate history, a symbolic representation of southern bravery and righteousness. To that end, the only sculptor seriously considered by the committee, and suggested by Hilary Herbert, was Moses Jacob Ezekiel.[435]

The choice of Ezekiel as sculptor was important. A native Virginian and, as a Virginia Military Institute (VMI) cadet fought for the Confederacy in the May 15, 1864 Battle of New Market, Ezekiel's love for his native state was fanatical, with one historian

[435] UCV, "Design for Arlington Monument," *Confederate Veteran* XVIII (July 1910): 310-11; Samuel E. Lewis, "Description of a Design for a Monument to be Erected in the Confederate Section in Arlington National Cemetery, Virginia," June 7, 1906, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; Samuel E. Lewis, "Monument at Arlington," December 13, 1903, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; "List of Local Artists & Sculptors & Architects, List of Famous Artists & Sculptors," 1906, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument, Confederate Military History, Historical Materials, VMHC; UDC, *Minutes of the Seventeenth Annual Convention of the United Daughters of the Confederacy* (Paducah, KY: Paducah FTG, 1911), 294; Herbert, *History of the Arlington Confederate Monument*, 13.

referring to it as a religious zeal writing, "He [Ezekiel] all but worshiped the state and had an unflagging devotion to memories of the Confederacy." As an example of this devotion, Ezekiel wrote shortly after the end of the war that, "the setting sun of Southern glory threw shadows that will lengthen to eternity." Hilary Herbert argued that Ezekiel's service to the Confederacy made him the perfect choice, writing, "All the experiences of active service, victory, defeat, feasting upon the full garner of the enemy and fasting on their own empty one, made impressions upon the youthful patriot that future years were to bring forth in deathless marble." [436]

Ezekiel, who after the war settled in Rome to study art, was already a well-known artist and his sculptures in the United States that predated Arlington's included *Religious Liberty* (1876) in Philadelphia, *Christopher Columbus* (1892) constructed for the 1893 World's Columbian Exposition in Chicago, the *Jefferson Monument* (1899) in Louisville, Kentucky with a smaller replica installed in 1910 at the University of Virginia, *Virginia Mourning Her Dead* (1903), honoring the ten VMI cadets who died at the Battle of New Market, a statue of Stonewall Jackson ordered by the Charleston, West Virginia chapter of the UDC, and *Southern*, a statue of a rebel soldier unveiled in 1910 at the Johnson's Island, Ohio Confederate cemetery, also commissioned by the UDC. Ezekiel also created numerous statues and monuments located in Europe.[437]

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[436] Moses Jacob Ezekiel, *Memoirs from the Baths of Diocletian* (Detroit: Wayne State University Press, 1975), 30-31; Herbert, *History of the Arlington Confederate Monument*, 14.
[437] Ezekiel, *Memoirs from the Baths of Diocletian*, 28-45.

Ezekiel's talent was in creating larger-than-life sculpture that he often described as "colossal." His training, as one historian described, was to "emulate the classical style of the previous masters, focusing on the full human figure and historical and allegorical subjects." Another historian, the editor of a 1975 edition of Ezekiel's memoirs, attempted to identify the artist's temperament, claiming, "His [Ezekiel's] prime concern was the literary and historical idea behind the work. He wanted the sculpture to a be a sermon in stone or bronze-easily read and comprehended…Ezekiel's aims were ultimately less sculptural than pictorial. Content was foremost in his mind, form was secondary…" Ezekiel's body of work, his preference for somewhat grandiose statuary with ostentatious ornamentation, and his emphasis on more traditional old masters-style art was well-known to members of the ACMA, especially Herbert. In addition, Ezekiel's reputation preceded him, as a temperamental and impatient artist unwilling to tolerate design suggestions from patrons. The committee knew that if he was willing to create the monument, it would be ambitious (colossal), resonate with Confederate symbolism, and, as Janet Randolph once wrote, would tell the "true" story of the southern cause for generations to come. The Committee of Design also knew that, once they employed Ezekiel, they would no longer have any control over the memorial itself.[438]

If any members of the UDC or ACMA were apprehensive about Ezekiel's devotion towards Lost Cause ideology, their concerns were unfounded. Ezekiel wrote to a

[438] Ezekiel, *Memoirs from the Baths of Diocletian*, 106, 143, 168, 284, 322, 413; Sue Eisenfeld, "Moses Ezekiel: Hidden in Plain Sight," *Civil War Times Magazine* (February 2019), Ezekiel, *Memoirs from the Baths of Diocletian*, 57; Kathryn Allamong Jacob, *Testament to Union: Civil War Monuments in Washington, DC* (Baltimore, MD: Johns Hopkins University Press, 1998), 165-66; Extract of comments by Janet H. W. Randolph, September 27, 1900, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC.

friend in 1910 that in his studio, he "still has the Confederate flag and colours [sp], and *his* coat of arms of the Old Dominion, as the chief ornament of his den." Ezekiel's memoirs present ample evidence of his unreconstructed nature. On the third anniversary of the April 3, 1865 Confederate evacuation of Richmond he described it as "the saddest days, never to be forgotten by the surviving lovers of a *lost but righteous cause*…We felt and saw the humiliation of our lot, witnessing, as we did, the parading and rejoicing along our main streets of bands of set-free Negroes and poor white carpetbaggers…" One of the most telling stories Ezekiel included in his reminiscences concerned a visit with Robert E. Lee in Lexington, Virginia, where Ezekiel was completing his studies at VMI and Lee was the newly appointed president of Washington College. Lee, who Ezekiel idolizingly described as "the grand old man, the hero of many battles, with his magnificent clear-cut features and athletic form…" wrote of meeting Lee's wife Mary. When the subject of Arlington arose, Mary Lee's former home and now a federal cemetery, she told Ezekiel, "If I ever get Arlington back, which I hope to do some day, I will dig up every bone that's buried there and pitch them in the Potomac River!" [439]

The ACMA and the UDC identified their sculptor. Members of the Committee of Design met with Ezekiel in November 1910, with Hilary Herbert stating directly to Ezekiel, "we desire to have you make us a monument for the Southern soldiers who are buried at Arlington, Virginia, in the National Cemetery.

[439] Ezekiel to Miss Early, January 18, 1910, Archives of American Art, quoted in Ezekiel, *Memoirs from the Baths of Diocletian*, 61, 125-26; emphasis added.

We…are perfectly willing to entrust the work to you. We do not want it made by anybody else…" Ezekiel immediately agreed to the commission, writing later that "I had been waiting forty years to have my love for the South recognized." He did stipulate, however, that if he agreed to create the monument, work would commence at his studio in Rome, and the committee would need to trust him as to the design. He would not take suggestions or input from the UDC, the ACMA or the Committee of Design, and he would not respond to inquiries about design elements or progress. As Herbert noted in his history of the monument, "The contract gave the artist a free hand."[440]

That the Committee of Design immediately agreed to Ezekiel's demands and signed a contract for the memorial is unsurprising. Ezekiel was a rebel veteran, an unrepentant Confederate, a believer in Lost Cause ideology, and an artist with experience at creating interpretive narrative in his sculptures. For the UDC and their efforts to promote a pro-Confederate history of the war, he was the perfect choice. Ezekiel immediately reassured the committee that their choice was shrewd when he sketched out his idea for the monument stating in his memoirs:

I told them that I would like to make a heroic bronze statue representing the South, a standing figure dignified and sorrowful with her right hand resting on the handle of the plough and her left hand extended, holding out a laurel wreath, whilst her head would be crowned with a wreath of olives. On the plinth upon which she stood, I would put in relief four cinerary urns overshadowed with palm leaves. Each of the urns would

[440] Ezekiel, *Memoirs from the Baths of Diocletian*, 438-39; Herbert, *History of the Arlington Confederate Monument*, 15; Jacob, *Testament to Union*, 165-66.

have a date of the War. On the base would appear the inscription from Isaiah 2:4: "And they shall turn their swords into ploughshares and their spears into pruning hooks." Underneath this would be a round disk with the shields or coats of arms of the Southern states in relief. Beneath this, the circular body of the monument ought to have a high relief upon it to represent the sacrifices and the heroism of the men and women of the South, and this ought to rest upon a base upon which proper inscriptions could be placed with two tripods on the right and left with the eternal flames burning on them. A granite polished substructure underneath would crown the mound which stands where the four roads cross each other and in the center of the ground where the Confederate soldiers are buried at Arlington.[441]

Ezekiel admitted he had already given the idea of a monument at Arlington some thought. His sketch "met with the hearty approval of the committee," who undoubtedly had little concern at that point that the memorial would be grand enough.[442] Strangely missing from the discussions of the ACMA, the Committee of Design, the UDC, and Ezekiel himself, was any actual emphasis on the 264 burials in Arlington's Confederate section. Debate over focusing on these specific rebel dead as opposed to creating an homage to the Confederacy was absent. None of the primary leaders gave any further documented thought to those buried in the cemetery, focusing entirely on the possibility of creating something reflective of the success of southern Lost Cause acceptance, or at least toleration, by much of the nation. Ezekiel recognized immediately what the

[441] Ezekiel, *Memoirs from the Baths of Diocletian*, 439.
[442] Ibid; Herbert, *History of the Arlington Confederate Monument*, 15.

monument could represent, a physical manifestation of the unreconstructed South, an opportunity, at least symbolically, to rewrite history and ensure that the "correct" interpretation was apparent for all to see located in the nation's premiere national cemetery, across the river from the government the Confederacy attempted to destroy. The location of this "colossal" memorial was as important as the monument itself. With Arlington's continually growing reputation as a nationwide site of mourning and remembrance[443], Ezekiel, Herbert and company clearly understood this rebel memorial would be one of Arlington's visual centerpieces for years to come. The monument, and even the rebel burial section, would no longer simply be a venue for remembering the dead, but a billboard for secession rationale, white supremacy, and defense of the Confederacy.

One final example of the enthusiasm aroused by a possible Arlington Confederate memorial and the delight shown in securing Ezekiel as sculptor occurred the day after the artist met with the Committee of Design. While awaiting the final draft of the contract with the ACMA, President Taft invited Ezekiel to visit him that morning. Ezekiel, who had met Taft in Rome a few years prior, along with his friend Thomas Nelson Page arrived at the White House where the president stated "he was very glad that the commission had been given to [Ezekiel]." Taft complimented Ezekiel on the monument he had created for the Johnson's Island, Ohio Confederate cemetery avowing it was

[443] Arlington's prominence in national commemoration was initially based on its role as the site of the annual Memorial Day commemoration and the presence of prominent military and government officials, typically the President, at each yearly ceremony. Adding to this reputation was the burial of prominent military and government leaders once veterans of the Civil War were allowed interment on the grounds. The recent burial of the dead of the USS *Maine*, casualties and veterans of the Spanish-American War, and eventually the interment of World War I dead and the creation of the Tomb of the Unknown Soldier in 1921 continued to separate ANC from other national cemeteries.

politically advantageous as the president heard veterans of the North and South "were fraternizing together there and had been photographed are in arm" at the dedication ceremony. "You have contributed a great deal towards the peaceful solution of our affairs," Taft counselled. According to Ezekiel, the rest of the interview centered on a discussion of Italy. At no time during the meeting did Taft ask for details of the Confederate memorial or wish to see a sketch of the monument, which Ezekiel had prepared to show him. Taft's enthusiasm for the Confederate monument and his approval of Ezekiel as the sculptor is apparent from the records of the meeting.[444]

Why would Taft be so effusive in his approval of the monument and chosen artist? And why would the President, who as Secretary of War in 1906 authorized construction of a Confederate monument at ANC while reserving the right of the US Army quartermaster general to have final say on any memorial design, not concern himself with Ezekiel's preliminary sketches? It is possible Taft simply believed public reconciliation was successful and a monument to

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[444] Ezekiel, *Memoirs from the Baths of Diocletian*, 439-40; Judith S. Lucas, "Moses Jacob Ezekiel: Prix de Rome Sculptor," *Queen City Heritage* 44 (Winter 1986): 13; Sue Eisenfeld, "Moses Ezekiel: Hidden in Plain Sight," *Civil War Times Magazine* (February 2019). Thomas Nelson Page was one of the foremost writers of fiction depicting a mythical version of the antebellum South. The *Encyclopedia of Southern Culture* describes Page as "author of short stories, novels, essays, and poetry…best known for his role as literary spokesman for the glories of the Old South. Born in 1853 and only 11 years old when the Civil War ended, Page, writing in the plantation genre…created of the antebellum South a mythical, would-be land of noble gentlemen and ladies, of contented slaves, a society ordered by the laws of chivalry… Page was consistently a proponent of the southern way of life, and in such stories as "Marse Chan" his finest sketches were realized. In this story, told by a faithful ex-slave, of a young southerner who died for the southern cause and who placed duty and honor above all personal gain, Page postulates a kind of heroism that seemed to be missing from modern life. Page's South, of course, was finer than any real place could ever be, but he satisfied the nostalgia of his readers for what might have been—a place where heroic men and women adhered to a code of perfect honor." See, Charles Reagan Wilson, William Ferris, and Ann J. Adadie, eds., *Encyclopedia of Southern Culture* (Chapel Hill: University of North Carolina Press, 1989); Anne E. Rowe, "Documenting the American South: Thomas Nelson Page, 1853-1922," University of North Carolina, https://docsouth.unc.edu/southlit/pageolevir/bio.html (accessed December 21, 2021).

Confederate dead in the nation's most revered cemetery would further cement ties between the North and the South. It is also possible that based on Ezekiel's previous sculpture at Johnson's Island, which depicted a bronze statue of a Confederate soldier standing on a granite base, Taft believed something similar was Ezekiel's intention at Arlington and was unconcerned with the design. Another consideration was political. This meeting with Taft occurred on November 7, 1910, the same day Ezekiel signed the final contract with the ACMA, and was one day prior to the 1910 mid-term congressional elections. These elections undoubtedly weighed heavily on Taft, and his pleasant demeanor possibly corresponded to his attempt to placate southern voters and attempts to garner Republican goodwill for the election. The President appearing cheerfully agreeable with a pro-Confederate southern initiative on the eve of voting could only help GOP prospects. Alternatively, a lack of enthusiasm for the Confederate monument, if leaked to the press, could engender hostility for Republicans throughout the South.[445]

While Ezekiel worked diligently on his design in Rome, fundraising for the monument also proceeded. Contributions came in from throughout the South, originating in UDC chapters, UCV posts, and from individuals including "voluntary donations from Union soldiers." Hilary Herbert noted that one $100 contribution (approximately

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[445] UDC, *Minutes of the Twentieth Annual Convention of the United Daughters of the Confederacy* (Raleigh, NC: Edwards & Broughton Printing Company, 1914), 345. If creating positivity for Republicans was Taft's intent, it did not influence the elections as Democrats became the majority in the House of Representatives by gaining 58 seats. See Office of the Historian, United States House of Representatives, "Party Divisions of the House of Representatives, 1789 to Present," United States House of Representatives, https://history.house.gov/Institution/Party-Divisions/Party-Divisions/ (accessed December 21, 2021); Find A Grave, 23rd New Jersey Infantry Monument," Find a Grave, https://www.findagrave.com/memorial/78720098/23rd_new_jersey_infantry_monument (accessed December 22, 2021).

$2,779.48 in 2022) came, unsolicited, from veterans of the 23rd New Jersey Volunteer Infantry Regiment, Union soldiers who fought in the December 1862 Battle of Fredericksburg and the May 1863 Battle of Salem Church. Of note, in 1906 the state of New Jersey erected a monument to this regiment near Fredericksburg, Virginia which, although "commemorate[ing] the services of the Twenty-Third Regiment New Jersey Volunteers Infantry, in the battle of Salem Church, Virginia, May 3rd, 1863," also praised their Confederate opponents with a tablet stating, "To the brave Alabama boys, our opponents on this field of battle, whose memory we honor...." With donations arriving from almost every state in the nation, both North and the South, as well as federal and Confederate veteran's contributions, by 1914 the ACMA's efforts exceeded expectations with $56,262.01 (approximately $1,563,791.04 in 2022) raised.[446]

By 1912, Ezekiel's worked progressed enough for a cornerstone laying ceremony to occur at Arlington. Deliberately scheduled for November 12 as this was also the opening day of the UDC annual convention taking place that year in Washington, DC This was only the second occurrence of the UDC's national conference outside of a former Confederate state.[447] The afternoon ceremony, with musical accompaniment provided by the US Army's Fifteenth Calvary Band,

[446] Herbert, Herbert, *History of the Arlington Confederate Monument*, 15, 32; US Bureau of Labor Statistics, "CPI Inflation Calculator," https://www.bls.gov/data/inflation_calculator.htm (accessed December 22, 2021).
[447] The UDC's 12th annual convention, taking place in 1905, was held in Sacramento, CA. See UDC, *Minutes of the Twelfth Annual Meeting of the United Daughters of the Confederacy,* (Nashville, TN: Foster & Webb, 1906).

included singing, prayer, placement of a time-capsule in the cornerstone,[448] as well as speeches by Hilary Herbert and former three-time presidential candidate William Jennings Bryan. Bryan, the keynote speaker, commended a fully reunited nation, also praising the women of the UDC and the South declaring female "ministrations invoke the sweet and sacred memories that link us to a brilliant past, while she points us to the brighter visions of the future." In a less extravagant portion of his speech, Bryan did his best to absolve the South from any greater responsibility for the Civil War than any other portion of the country stating, "The North and South jointly contributed to the causes that produced the war between the States." Blaming both sides equally, he propounded that both regions "share together the responsibility for the introduction of slavery; they bore together the awful sacrifices that the conflict compelled and they inherit together the glories of the struggle, written in bravery and devotion." Closing his speech with a rhetorical flourish, Bryan likened this Confederate monument to the *Christ the Redeemer of the Andes* statue, constructed in 1904 in the Andes Mountains between Argentina and Chile in honor of the peaceful resolution of a border dispute. Bryan claimed this South American statue represented "a pledge of perpetual peace" and the Confederate monument would do the same for the North and South, becoming a "bond of unity."[449]

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[448] Among the items placed in the time-capsule was a United States flag, a flag of the UDC, a facsimile of the Declaration of Independence, a plaster cast of the great seal of the Confederate states, and Confederate money and stamps. Interestingly, the Confederate national flag was not among the items selected. Perhaps the ACMA knew this might cause some controversy to collocate a US flag and a C.S.A. flag and, since the UDC flag incorporated the Confederate flag in its own flag, there would be, in fact, a Confederate flag in the time-capsule. See UDC, *Minutes of the Nineteenth Annual Meeting of the United Daughters of the Confederacy*, (Jackson, TN: McCowat Mercer, 1913), 326-28; Herbert, *History of the Arlington Confederate Monument*, 34.

Bryan's address fully captured the spirit of the day. It praised the efforts of southern women in remembrance and commemoration of the dead, and tried to remove any possible guilt still retained by southern attendees by laying equal blame for the war on the North, despite the obvious fact it was the Confederacy who fought for destruction of the United States while the US Army tried to preserve the nation. For Bryan, and undoubtedly most of the ceremony's guests, this rationale was no longer controversial. Yet Bryan's speech was tame compared to the next speaker of the day, Hilary Herbert. Herbert, one of the primary proponents of the Arlington Confederate monument and the master of ceremonies for the cornerstone dedication, took the opportunity, standing in the middle of a national cemetery, to defend the Confederacy, rewrite the history of the war, and profess allegiance to the doctrine of the Lost Cause.

Not surprisingly, Herbert took to the podium and began with a defense of secession, claiming that in the first dozen years of the nation's existence, "who should decide between the Federal Government and a State when a dispute should arise" was solved with the presidential elections of Thomas Jefferson, James Madison, and James Monroe who all held to the theory that co-equal states had the "right to judge for itself of infractions of the Constitution and of the mode and

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[449] Herbert, *History of the Arlington Confederate Monument*, 36-37. "Women Honor South's Dead," *New York Times*, November 13, 1912; *Cleveland Gazette*, November 16, 1912. William Jennings Bryan is buried at Arlington National Cemetery in Section 4, Grave 3118-3121. He was eligible for burial at ANC due to his command of a 3rd Nebraska Volunteer Infantry Regiment of the Nebraska National Guard during the Spanish-American War. Bryan and his regiment never served in combat as the war ended before they could be sent to Cuba. See History Nebraska, "William Jennings Bryan and a Spanish American War Roster," History Nebraska, https://history.nebraska.gov/blog/william-jennings-bryan-and-spanish-american-war-roster (accessed December 23, 2021).

manner of redress." Herbert used this interpretation of three Virginian's presidential policies as the "germ of secession" and a defensible rationale for the separation of the nation. Herbert then described the period of 1830 to 1860 as one of "unrest and discord" in which slavery "drifted into the South," likening the peculiar institution to an uncontrollable weather front rather than the fundamental social, cultural, and economic foundation of the southern states. This was the era when, as Herbert expounded, "Union sentiment [grew] in the North," while "States rights theory [grew] in the South, and finally a storm of passion and prejudice [drove] the Southern states into secession and the country into the vortex of war." Herbert claimed that only war settled the "question of secession" because the South "did not consider withdrawal from the Union…rebellion or revolution," but legally justified and "based…on Jefferson's idea that the Constitution was a compact." For Herbert, and undoubtedly many in attendance that day, while northern "might made right," southern secession was legal, reasonable, and permitted in the spirit of the founding generation.[450]

And what of the defining issue of the nineteenth century and the underlying foundation of the war, the existence and potential expansion of chattel slavery? Herbert directly addressed this topic. After citing as evidence of a reunited nation the unanimous congressional vote declaring war on Spain in 1898 and praising the former Confederate generals who served in the Spanish-American War, he continued his attempt to bring "justice to the motives and patriotism of both Union and Confederate soldiers." Attacking

[450] Hilary Herbert, "Speech of Col. Hilary A. Herbert, Arlington, VA, November 12, 1912, Confederate Monument File, Arlington National Cemetery History Office; UDC, *Minutes of the Nineteenth Annual Meeting of the United Daughters of the Confederacy*, (Jackson, TN: McCowat Mercer, 1913), 322-23. Herbert, *History of the Arlington Confederate Monument*, 29-30.

any suggestion that the propagation of slavery was a motivating factor during the Civil War, Herbert preached as fact that "The historian no longer repeats the falsehood that the men who lie here before us and their comrades who sleep on a thousand battlefields died that slavery might live, or that the soldiers who rest in those graves over there [the adjacent federal burial section] enlisted to set the negroes free. That was not the issue upon which war between the North and South was fought." Herbert then used the common Lost Cause argument that because "four-fifths" of Confederate soldiers did not own slaves the war could not have been about slavery. By his analysis, Northerners simply fought for the Union while Southerners fought for independence.[451]

As compelling as the attendees found Herbert's speech up this point with his defense of secession and dismissal of slavery as a root cause of the war, the most insightful sentence in his address came next when he contended that both sides fought for the "perpetuity of free institutions…and the survivors…and civilians…North and South, now vie with each other in honoring both the Federal and Confederate dead." By linking the fate of all participants in the war and commemorating the dead of both sides as equally brave, loyal, and praiseworthy, Herbert is using the same tactic increasingly exploited by Southerners since the end of the conflict; Honor the war's dead and veterans equally as kindred spirits who suffered deprivations equally thus bringing renown to federals and rebels

[451] Hilary Herbert, "Speech of Col. Hilary A. Herbert, Arlington, VA, November 12, 1912," UDC, *Minutes of the Nineteenth Annual Meeting of the United Daughters of the Confederacy*, 323-24. Herbert, *History of the Arlington Confederate Monument*, 29-30.

alike. If Confederates deserved recognition equal to that of loyal Union service members, and this point was no longer nationally contentious by the first few years of the twentieth century, then the cause for which Southerners fought must also have some merit. The cause that was lost could not survive as legitimate or bring honor to former Confederates if based on the inhumanely degrading institution of slavery, and therefore Southerners promoted a mythological history dependent on a foundation based on state's rights and the legality of secession, and not on bondage of fellow humans. Herbert even went so far, earlier in his speech, to praise the end of the peculiar institution stating, "Incidentally, thank God slavery disappear[ed]," although the addition of this sentence in an unrelated portion of his address reads more as an impromptu remark than something thoughtful and sincere.[452]

Herbert, now three quarters of the way through his address, finally mentioned the purported purpose of that day's ceremony, to dedicate the cornerstone of a memorial to those 264 rebels interred in the new Confederate section. Surely he would spend the final portion of his speech identifying some of these martyred dead, praising their individual service and sacrifice in support of Jefferson's alleged ideal of Constitutionality. It would be proper and fitting for Herbert to bring focus and attention back to the actual men who died as prisoner of war, never reclaimed by family and friends. Given this auspicious opportunity to praise those Southerners who made the ultimate sacrifice, Herbert failed, choosing instead to use their burials as a back-handed compliment of Confederate

[452] Hilary Herbert, "Speech of Col. Hilary A. Herbert, Arlington, VA, November 12, 1912," UDC, *Minutes of the Nineteenth Annual Meeting of the United Daughters of the Confederacy*, 322-23. Herbert, *History of the Arlington Confederate Monument*, 29, 31.

leadership. In his entire address, Herbert mentioned those buried around him only once, claiming "It is to these soldiers that we are to erect this monument-the rank and file of the Confederate armies…" Had he ended his sentence there, few would question the sincerity of the statement. But Herbert continued, adding, "…the men whose courage and devotion lifted Robert E. Lee, Albert Sidney Johnston, Joseph E. Johnston and Stonewall Jackson higher and higher till they wrote their names among the stars." While on the surface this statement appeared to compliment the "rank and file" as uplifting rebel generals into the pantheon of heaven, the fact that this is the only sentence in the entire speech that specifically mentioned casualties of the war makes one question whether Herbert was more interested in remembrance of Arlington's rebel dead for their sake, or as a convenient opportunity to promote pro-Confederate ideology and the genius of Confederate military leadership.[453]

The final portion of Herbert's speech praised those who donated to the ACMA, including contributions from the North and South and both Union and Confederate veterans. As evidence of the alleged warmth felt throughout a reunited nation, Herbert declared that even "The rank and file of the Grand Army of the Republic are joining northern orators and historians" in agreement about the true causes of the war. In closing, Herbert described the initial sketch of Moses Ezekiel's monument design and then read a telegram from the sculptor,

[453] Hilary Herbert, "Speech of Col. Hilary A. Herbert, Arlington, VA, November 12, 1912," UDC, *Minutes of the Nineteenth Annual Meeting of the United Daughters of the Confederacy*, 324. Herbert, *History of the Arlington Confederate Monument*, 31.

written in Latin. Ezekiel's flamboyant message to the assembled, translated by Herbert, read, "Where the eternal spirit of the Father of his Country still watches, announce to the nations that you have seen lying here heroes who nobly died that the majesty of the law and our republican institutions might stand." While a somewhat straightforward sentiment, one wonders if by "Where the eternal spirit of the Father of his Country still watches" Ezekiel meant George Washington, since the burials were in the Washington, DC area, or Robert E. Lee, because the interments were on the grounds of Lee's former home. In addition, Ezekiel provided no explanation how those "who nobly died" committing treason against their lawful, democratically elected government did so that "republican institutions might stand." In just a few years however, the symbolism included on Ezekiel's monument surpassed the apparent inconsistency in his cornerstone dedication telegram.[454]

Herbert, along with F.G. Odenheimer, Vice President-General of the UDC, Mary Custis Lee, daughter of Robert E. Lee, and Wallace Streater, Treasurer of the ACMA, laid the cornerstone. Assisting the group was one conspicuous participant, US Army and Civil War veteran James R. Tanner. The incongruous nature of Tanner's presence was due to his service during the Civil War and his post-war career. At the age of 17, James Tanner enlisted in Company C of the 87th New York Volunteer Infantry Regiment shortly after the beginning of the war. Tanner served in the Peninsula Campaign (March-July

[454] Hilary Herbert, "Speech of Col. Hilary A. Herbert, Arlington, VA, November 12, 1912," UDC, *Minutes of the Nineteenth Annual Meeting of the United Daughters of the Confederacy*, 324-26. Herbert, *History of the Arlington Confederate Monument*, 31-33.

1862), George McClellan's campaign to use the 120,000-man Army of the Potomac to capture the Confederate capital of Richmond.[455]

Although Tanner's company rarely came under fire during this operation, this changed during the Second Battle of Bull Run (August 28-30, 1862) when Confederate artillery fire "struck his legs just above the ankles, virtually tearing off one foot and mangling the other." An eyewitness to the event later recalled that "the butt end of the shell came down, struck Tanner's left ankle, and passing through that member, lodged in his right ankle, severing the left and shattering the right. Both feet hung by shreds of flesh." Later that day, a doctor in a federal field hospital amputated both legs below the knee. Astonishingly, Tanner survived his wounds, learned to walk with prosthetic limbs, and became a stenography for the War Department. And, to add to his remarkable life story all by the age of 21, it was Tanner, using his stenography skills, who recorded the testimony of eyewitnesses to the shooting of Abraham Lincoln on April 14, 1865, at the Petersen House in Washington, DC while the President lay dying in the next room. Tanner was even present in the room when Lincoln died on April 15.[456]

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[455] Compiled Military Service Record of Private James Tanner, Company C, 87th New York Infantry Regiment, Carded Records Showing Military Service of Soldiers Who Fought in Volunteer Organizations During the American Civil War, 1890 – 1912, RG 94, Records of the Adjutant General's Office, 1762 – 1984, NARA; James Marten, *America's Corporal: James Tanner in War and Peace* (Athens: University of Georgia Press, 2014), 8, 11-13, 15-17; James E. Smith, *A Famous Battery and Its Campaigns, 1861–'64* (Washington, DC: W.H. Lowdermilk & Co, 1892), 181-82; *Brooklyn Eagle*, November 26, 1879; *Salt Lake Herald*, August 9, 1909; James Tanner, "Before Red Cross Days; or, Second Bull Run and the End of the War for Me," *American Red Cross Magazine* II (October 1916): 345-53; James Tanner, "Experience of a Wounded Soldier at the Second Battle of Bull Run," *Military Surgeon* 60 (February 1927): 121-39.
[456] Ibid; Marten, *America's Corporal*, 1-2; Approved Pension File for Corporal James Tanner, Company C, 87th New York Infantry Regiment (SC-17405), Case Files of Approved Pension Applications of Veterans Who Served in the Army and Navy Mainly in the Civil War and The War With Spain ("Civil War and

Tanner's military and civil service was remarkable, but his presence at the cornerstone ceremony was due to his post-war career as a passionate advocate of benefits for Union Civil War veterans. Tanner served as Commissioner of Pensions under the Benjamin Harris administration in 1889 responsible for managing "hundreds of thousands of pensions and pension claims for Civil War veterans." After leaving government service, Tanner worked for years as a successful pension attorney, representing veterans and facilitating their pension applications. Tanner's advocacy for veterans also included membership in the GAR where he held numerous positions at the local, state, and national level including as a member of the national pension committee, Commander of the New York State GAR organization in 1876 during which he helped secure the funding and construction of a state-run home for Union veterans, and as judge advocate of the national GAR in 1892. The capstone to Tanner's celebrated career as a campaigner for veterans' rights came in 1905, with his election as Commander-in-Chief of the GAR.[457]

At first glance, it might seem unusual that an individual who for years worked to expand benefits to Union veterans would be present at a Confederate dedication ceremony. Yet Tanner, as described by historian James Marten, "became one of the more prominent advocates among veterans for…reconciliation, a cause he would promote

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Later Survivors' Certificates"): Nos. SC 9,487 - 999,999, 1861 – 1934, RG 15: Records of the Department of Veterans Affairs, 1773-2007, NARA.

[457] Marten, *America's Corporal*, 91, 126-27, 140; *Brooklyn Eagle*, April 23, 1883; *Brooklyn Eagle*, September 13, 1889; *Pittsburgh Dispatch*, January 18, 1890; *Brooklyn Eagle*, April 5, 1890; *Brooklyn Eagle*, July 9, 1890; *New York Times*, July 8, 1890; *Sedalia Weekly Bazoo*, June 17, 1890; *Knoxville Journal*, November 13, 1892; *Evening Bulletin* (Maysville, KY), June 6, 1890; *New York Times*, November 26, 1892; *Omaha World-Herald*, September 9, 1905; GAR, *Journal of the Thirty-Ninth National Encampment of the Grand Army of the Republic, Denver, Colorado, September 7th and 8th, 1905* (Boston: Griffith-Stillings Press, 1905), 302, 304-09.

throughout his GAR career." Tanner exhibited a willingness to accept Confederate services as honorable as federal service, using opportunities such as speeches and commemorations to emphasize the collective experience of combat shared by veterans of both sides. This was the same tactic used by many southern veterans to overcome initial reluctance of US Army veterans to recognize rebels as deserving of remembrance. Tanner exhibited this willingness whenever possible, including ordering the decoration of Confederate graves in New York on Memorial Day, the return of captured rebel battle flags, attendance and speaking at the 1896 UCV reunion, and even helping raise funds from Union veterans for a home for impoverished Confederate veterans in Richmond. Tanner's post-war reputation as a veterans' advocate and promoter of reconciliation placed him in good stead with veterans of both sides, and garnered his attendance at the Arlington Confederate cornerstone laying ceremony.[458]

Tanner took on an even larger role at the event when Hilary Herbert asked him to give an impromptu address to the crowd, which Tanner duly obliged. Tanner's was a short speech but impactful coming from a former commander of the UDC and nationally recognized Union veteran. He stated to the assembled that he "cordially approv[ed] with all my heart the purpose and the occasion which has brought us together." Recalling a discussion he once had with President McKinley on the appropriateness of a Confederate burial section at Arlington,

[458] Marten, *America's Corporal*, 76-78; *Macon Telegraph*, April 10, 1906; *Brooklyn Eagle*, June 16, 1887; *Dallas Morning News*, April 26, 1906; *Richmond Times*, July 2, 1896; "Reunion at Richmond," *Confederate Veteran* IV, no. 8 (August 1896): 242-46.

Tanner remarked that he approved of the plot, telling the President "[you] and I served and fought and that we did not make war upon dead men nor bear animosity toward them." Tanner then told the audience he had no issue with the "South erecting memorials to her battlefield heroes," and reminded them he was a forceful supporter of the Confederate Mound monument in Chicago's Oak Woods Cemetery. Tanner then recounted a letter he once wrote to an unhappy Union veteran outraged by the erection of memorials to rebel dead on northern soil. Tanner replied to this veteran with his support for Confederate monuments proclaiming that if "there exists a people who will encourage their manhood…to go out and battle for a cause and then will permit those who gave their lives in sacrifice to that cause to lie in unmarked sepulcher…they are a people…I have no power of expression with which to convey…the measure of scorn and contempt I feel…"[459]

Tanner's address concluded the ceremony and was an important indication of the acceptance many US Army veterans now felt about southern propaganda and Lost Cause ideology. This is not to argue Tanner represented the sentiment of all Union soldiers, as he attended the ceremony simply as a sympathetic individual, no longer Commander-in-Chief of the GAR. Yet Tanner, as one of the nation's most vocal advocates for veteran pensions and health care, and as an attorney who represented hundreds, if not thousands of veterans before the US government, is evocative of the state of reconciliation between the regions. His speech that day, completely ignoring the causes of the war, making no

[459] Herbert, *History of the Arlington Confederate Monument*, 37-38; "To Confederate Dead," newspaper clipping, Samuel Edwin Lewis Papers, 1861-1917, Box 14, Rouss Camp No. 1191, Confederate Dead: Arlington Monument; Confederate Military History; Historical Materials, Sketches, Drawings, Etc., VMHC.

acknowledgement of USCT contribution or the current state of race relations throughout the nation, mirrored many Americans depth of and willingness to understand the legacy of the Civil War. Tanner's presence at the ceremony, while only a single person, personified the ability and willingness of many federal veterans and Northerners to embrace the southern reconciliationist version of history, based not on what each side fought for, but on their willingness to fight courageously and all suffer the depravations of combat and military service.

If any in the assembled crowd retained any doubts concerning Tanner's sincerity or the entrenchment of pro-southern ideology in American culture, or at least national politics, reassurance came the same day as the cornerstone dedication. That evening, at the UDC convention in Washington, DC President Taft gave the keynote address to members. Some thought Taft might decline the invitation, as just days prior to the event he had lost the presidential election to Woodrow Wilson. However, Taft, who with his wife held a reception for UDC leadership at the White House prior to the convention, remained true to his word and gave a speech that reflected much of what Tanner stated earlier in the day. Taft complemented the ladies for celebrating the "heroism, the courage and the sacrifice to the uttermost of your fathers and your brothers…in a cause which they believed in their hearts to be right…" Interestingly, Taft never took a position on

the moral or legal validity of the southern cause thereby helping legitimize secession by a lack of condemnation.[460]

Taft continued on, praising rebel leadership and Confederate generals and, like Tanner and numerous southern speakers and writers over the past forty-seven years, talked of the common bond of military service, declaring, "no son of the South and no son of the North…can fail to rejoice in that common heritage of courage and glorious sacrifice that we have in the story of the Civil War and on both sides in the Civil War." Taft then goes into a defense of southern intransigence during much of the post-war period blaming it as a reasonable reaction to a lack of prosperity in the South and claiming the North should be more patient when "a little flash now and then of the old sectional antagonism" occurs. The President goes even further in providing excuses for the South, blaming his own Republican Party asserting that because the GOP controlled the US government after the war, "it was impossible for the Southerner to escape the feeling that he was linked in his allegiance to an alien nation and one with whose destiny he found it difficult to identify himself." Evidently for Taft it was the lack of southern representation in Congress, caused by those very Southerners who attempted to destroy the government by secession, that provided an understandable and reasonable excuse for the South to feel estranged from the rest of the nation. Taft closed his speech by happily recalling that in 1906, as Secretary of War in the Theodore Roosevelt administration he "issue[d] the order which made it possible to erect, in the National Cemetery at

[460] "Host at Reception," *Washington Post*, November 14, 1912; "Hosts to the UDC: Mr. and Mrs. Taft Will Receive Delegates Nov. 14," *Washington Post*, November 4, 1912; Herbert, *History of the Arlington Confederate Monument*, 18-19.

Arlington, the beautiful monument to the heroic dead of the South." The cornerstone laying that occurred earlier in the day, Taft asserted, showed proof of the "oblivion of sectionalism."[461]

Taft's address, spoken on the same day as Tanner's, lends further credence to the positive state of sectional reconciliation and success of southern ideology infesting the national zeitgeist. Like Tanner, Taft makes no mention in his speech of the causes of the war or the immoral and illegal foundations of the Confederacy. He ignores secession, slavery does not garner any attention, and Taft goes out of his way implicate both sides as equally responsible, which, by default, implied that northern and southern rationale for war had equal merit. And, while there were still some who complained about honoring Confederate dead and the UDC, these sentiments, at least publicly, were few.[462] The outgoing President, along with Tanner, captured the mood of the country, and the success of proponents of the Lost Cause in spreading propaganda and their interpretation of war history. Upon completion of the cornerstone ceremony, and the UDC concluding their annual meeting in Washington, DC, the only thing missing from

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[461] William H. Taft, *Address of President Taft at the opening session of the convention of the United Daughters of the Confederacy at Continental Memorial Hall, Washington, DC Washington, 12 November 1912*, Senate Doc. No. 971, 62nd Cong., 3d sess., serial 6364; UDC, *Minutes of the Nineteenth Annual Convention of the United Daughters of the Confederacy* (Jackson, TN: McCowat Mercer, 1913), 8-9 Herbert, *History of the Arlington Confederate Monument*, 19-21.

[462] "The Confederate Flag in Washington," *Confederate Veteran* XX, no. 12 (December 1912): 548-49; Isabel Worrell Ball, "The UDC's," *National Tribune*, November 21, 1912; Cox, *Dixie's Daughters*, 148-49. One correspondent for the *National Tribune*, Isabell Worrell Ball, was particularly upset the UDC was honored with an invitation to the White House where they, "insolently flaunted in that stately edifice the flag representing sectional strife and bitterness." Ball also claimed the UDC were "a menace to the South," never acknowledging "the war is over" and sowing "seeds of treason where the lilies of peace are trying to take root."

Arlington's Confederate section was the monument itself, which arrived two years later.

The unveiling ceremony for the completed Confederate monument occurred on June 4, 1914 one day after the 106th anniversary of Jefferson Davis's birth.[463] Over four thousand people attended, arriving in a "swarm of motors." In addition to the audience at the commemoration, many residents of Washington, DC showed their support for the new monument by decorating their homes and businesses in flowers and patriotic colors. The ceremony itself was a unique occasion, as both Northerners and Southerners listened to speakers pontificate on sectional harmony and reconciliation as well as a defense of the Confederate cause. The event included floral decorations surrounded by flags of the United States and the Confederacy, and a specially-built grandstand for selected dignitaries and speakers. Among the notables on the rostrum were Gen. Bennett Young, UCV Commander-in-Chief, Col. Robert E. Lee, grandson of the former resident of Arlington, UDC President-General Daisy Stevens, sculptor Moses Ezekiel, Hilary Herbert, the master of ceremonies, and numerous congressmen and US military leaders. While these attendees were predictable, the attendance of two other featured guests, Gen. Washington Gardner, GAR Commander-in-Chief, and President Woodrow Wilson, underscored the general acceptance of this monument as a proclaimed token of "peace." For this ceremony, the chief representative of the GAR attended and gave the organization's symbolic approval of the memorial as would Wilson, who accepted the sculpture from the UDC as a "gift to the nation."[464]

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[463] Davis occasionally stated his birth year as 1807 because, as he stated, there was some "controversy about the year of my birth among the older members of my family." Davis adopted 1808, he claimed, "because it was just as good, an no better than another." See David S. and Jeanne T. Heidler, eds., *Encyclopedia of the American Civil War*, 564.

Each speaker that day talked of the blessings of a reunited nation and the bravery of both sides during the war. Terms such as "unquenchable valor…lofty patriotism…heroic constancy…unswerving loyalty…call of duty…unfaltering courage" appeared throughout the speeches. Yet most of the selected presenters that day also took the opportunity to remind the audience of the Confederacy's loyalty to the Constitution, and to the righteousness of the southern cause. Beginning with the invocation given by Reverend Dr. Randolph H. McKim, who claimed that although the Confederacy "sank in defeat," the South "won a sublime moral victory, whose luster will never grow dim," McKim decreed that "truth to fidelity is better than success," and "though the patriot's banner may go down in disaster…his memory and his example will remain a benediction to his people." McKim completed his prayer by claiming it was God who determined the South's call to duty…who fought not for conquest or glory, but for the sacred right of self-government…for Southern Independence." Although McKim clearly wished "that this monument may stand as a perpetual memorial of the reconciliation between the people of the States," he had no intention of judging the southern cause as anything but an act of obedience to divinity.[465]

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[464] "Child to Bare Memorial," *Washington Post*, June 3, 1914; "Arrive for Unveiling," *Washington Post*, June 4, 1914; Cox, *Dixie's Daughters*, 70; "The Monument at Arlington," "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96; UDC, *Minutes of the Twenty-First Annual Meeting of the United Daughters of the Confederacy,* (Raleigh, NC: Edwards & Broughton Printing Company, 1915), 101-02; "Gray and Blue Join," *Washington Post*, June 5, 1914; Herbert, *History of the Arlington Confederate Monument*, 40-41.
[465] Herbert, *History of the Arlington Confederate Monument*, 42-44; "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96.

General Bennet H. Young, Commander of the United Confederate Veterans spoke next, and as a representative of "the survivors of the Southern army" spent much of his time recalling the "heroism and courage of the men on the Southern side." Invoking the memory of the bravery shown at Gettysburg, Shiloh, Chickamauga, and other battles, Young linked the shared sacrifice of both sides and the collective suffering endured. After praising the veterans of the war, however, Young turned his attention to the meaning of Arlington's memorial. "This monument," he proclaimed, "is a history, a pledge, and a prophecy: as a history, it memorializes the devotion of a people to a cause that was lost [but not a cause that was wrong, evidently]; as a pledge, it gives assurance that North and South have clasped hands across a fratricidal grave [secured by the acceptance of white supremacy throughout the nation and a southern interpretation of the war]; as a prophecy, it promises a blessed future in which sectional hate shall be fully transmuted into fraternity and good will [except for African Americans, especially those in the South]." Young also knew how important this memorial, and its chosen location, was to southern pride and conscience. "We are here," he declared, to dedicate on the Nation's ground, *on the space reserved for its most renowned and illustrious dead*, a Confederate monument. In its inception, its construction, its location, and in its mission, this structure stands in a class by himself."[466]

Had Young ended his speech at this point, mainly focused on the valor of soldiers on both sides, his duty to his fellow veterans fulfilled, perhaps the subsequent speakers would follow his example and avoid talk of southern justifications for the conflict.

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[466] Herbert, *History of the Arlington Confederate Monument*, 43-74; "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96. Emphasis added.

However, Young, as would most others who followed him, used his opportunity to propound southern virtuosity. He came to the ceremony, "without apologies or regrets for the past." He claimed, "The dead, for whom this monument stands sponsor, died for what they believed to be right. Their surviving comrades and their children still believe, that that for which they suffered and laid down their lives was just-that their premises in the Civil War were according to the Constitution." Only "the sword said the South was wrong," he argued, "but the sword is not necessarily guided by conscience and reason. The power of numbers and the longest guns cannot destroy principle, nor obliterate truth. Right lives forever…There is no human power, however mighty, that can in the end annihilate truth." Young's arguments were a full defense of the Lost Cause. No longer was he praising soldier bravery or reconciliation, he blatantly contended the cause of the Confederacy was right, constitutional, and only defeated by the greater numbers and more powerful weapons of the North. These arguments are some of the main tenets of the Lost Cause; southern righteousness, the constitutional legality of secession, and the overwhelming size of the US Army that led to an inevitable conclusion. Young clearly intended to "put the record straight" on behalf of Confederate veterans first, and talk of a reunited nation only as an afterthought.[467]

Surely those Union veterans in attendance would take issue with Young's remarks. Their representative, General Washington Gardner, Commander-in-

[467] Herbert, *History of the Arlington Confederate Monument*, 48-49; "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96.

Chief of the GAR had the perfect opportunity, as he spoke next. Yet Gardner made no attempt to disagree with Young. Instead, in one of the shortest addresses that day, praised how fitting the Confederate burial ground and monument were at Arlington as the former home of the "great soldier" Robert E. Lee "in sight of the Nation's Capital." Gardner continued that the valor of both sides in the war proved that "unsurpassed bravery is now a common heritage and pride" throughout the nation. Gardner, looking around the dais at President Wilson, his cabinet, and the numerous congressmen in attention claimed that their presence "serve[d] to illustrate anew that the sectional bitterness and hate…no longer find[s] a place in the hearts nor expression upon the lips of our countrymen." Gardner closed his speech by proclaiming that "we are indeed an indestructible Union of indestructible States. We are in very truth, "a government of the people, by the people, and for the people."[468]

This response, from the representative of all those veterans who remained loyal to the nation and survived the war, made no mention of Robert E. Lee's decision to commit treason, the illegality of secession, slavery as the root cause of the war, or attempted to disabuse any portion of Young's dogmatic address. Perhaps Gardner thought the unveiling ceremony in the cemetery was not the appropriate time or venue for debate. More likely, Gardner saw nothing wrong with Young's speech, and even agreed with him. Gardner's overzealous praise of Lee as a "great soldier" and quote from Lincoln's Gettysburg Address claiming national reunification provided evidence that he condoned

[468] Herbert, *History of the Arlington Confederate Monument*, 54-56; "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96; "Peace Dove Returns: G.A.R. Will Attending Unveiling of Confederate Shaft," *Washington Post*, May 31, 1914.

Young's sentiment. Furthermore, Gardner's speech caused very little negative reaction from GAR members. In the days and weeks after the ceremony, a surprising lack of letters or editorials appeared in northern newspapers including the *National Tribune*. Most reaction was positive, and at the next GAR encampment, delegates even heaped praise on Gardner for his performance at Arlington.[469]

The last two speeches before the removal of the shroud covering the sculpture occurred were by Colonel Robert E. Lee, grandson of General Lee, and Hilary Herbert. The second half of Lee's speech was a saccharine homage to "an old Southern home" and the "last voices of civilization" from the antebellum South. Lee's address expounded on the Lost Cause trope of the "faithful slave" and the beneficial nature of slavery. Lee told the assembled crowd that it was true that the "domestic light of the South shone through the dark veil of slavery, but that darkness was not great…it was the good old-fashioned patriarchal bond-men and bond-maids…These old southern plantations were the realms of the courtly gentlemen, the home of the contented servant and the kingdom of the white woman." Herbert, in his address, claimed the war was over the Constitution, and that, "to preserve that Constitution these soldiers in gray, here at our feet, died; to preserve it those men in blue over there died." These two speeches further reinforced the effort by most of the speakers to promote the Lost Cause and revel in the placement of a monument representing southern war interpretation right in

[469] GAR, *Journal of the Forty-Eight National Encampment of the Grand Army of the Republic, Detroit, Michigan, September 3 and 4, 1914* (Washington: Government Printing Office, 1915), 79, 180-81.

the middle of the nation's most sacred national cemetery. Lee's dissection of the antebellum South as a bucolic place of magnanimous patriarchal plantation owners surrounded by loyal, happy, dedicated slaves coupled with Herbert's invocation of Confederate constitutional righteousness simply reflexed the success of southern propaganda throughout the nation. From Arlington's new Confederate section, these two individuals argued that slavery "wasn't that bad" and the rebel cause was constitutional![470]

After Herbert completed his address, Paul Herbert Micou, the eleven-year-old grandson of Herbert, pulled the chord on the veil covering the monument, revealing it to the assembled crowd who "greeted [it] with tremendous applause." The choice of Micou was deliberate. As historian Karen Cox contends, the use of children in southern statue dedications "was an important element in the unveiling ritual…the decision to have a child unveil the monument symbolically linked future generations to the past." After the veil dropped Herbert, as master of ceremonies, introduced to the audience Moses Ezekiel "who bowed modestly and was greeted with prolonged applause."

The penultimate speech of the day, now near the uncovered monument, was by Daisy McLaurin Stevens, President-General of the UDC. It was McLaurin's duty to present the memorial to President Wilson as a "gift" to the United States. McLaurin, a prolific advocate of Lost Cause ideology, talked of the magnificence of the new memorial "unsurpassed in beauty in all the world." She discussed how some monuments were hypocritical, often praising a king or general whose success was determined by "bleeding

[470] Herbert, *History of the Arlington Confederate Monument*, 60-61, 63-64; "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96.

prisoners walk[ing] beneath the chariot wheels." This Confederate monument, she proclaimed, was genuine, built not to honor rebel leadership, but for the men who were on the front lines. This memorial, she contended, "show[s] the future how noble the past has been, and place it under bond to prove of equal worth." McLaurin appears to not understand, or refuses to acknowledge that enslaved African Americans were the "bleeding prisoners" forced to support the Confederacy. This statue was no more genuine than that to a tyrant who hounded prisoners "beneath the chariot wheels."[471]

McLaurin then launched into a defense of self-government arguing that the Founding Fathers "believed that the aim of government…was the promotion of the welfare of its citizens…and that there was *no treason except disobedience to duty*, no disloyalty except disloyalty to noble ideals and institutions nobly won." This was what the Confederacy stood for, according to McLaurin, "self-government and freedom of thought." Secession was legitimate, she implied, if the federal government no longer promoted the welfare of its citizens. She then claimed that this belief was universal to the nation and that, "Strange as it may seem, the great mass of soldiers in both armies of the war between the States fought for the same ideals." One should ponder, at this point, if the dead Union

[471] Cox, "The Confederate Memorial at Arlington," 157-58; Karen L. Cox, "Women, the Lost Cause, and the New South: The United Daughters of the Confederacy and the Transmission of Confederate Culture, 1894-1919," PhD diss., (University of Southern Mississippi, May 1997), 100-03; "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96; UDC, *Minutes of the Twenty-First Annual Meeting of the United Daughters of the Confederacy*, (Raleigh, NC: Edwards & Broughton Printing Company, 1915), 101-02; "Gray and Blue Join," *Washington Post*, June 5, 1914; Herbert, *History of the Arlington Confederate Monument*, 65-70; "The Arlington Monument," *Confederate Veteran* XXII, no. 8 (August 1914), 346-47.

and Confederate soldiers surrounding the memorial would agree that they all died for the same principle, especially those USCT troops interred in the lower portion of the cemetery, mainly forgotten by their nation. Regardless, McLaurin then turned to President Wilson, proclaiming that it is "well that there comes from the White House a President Southern by birth and breeding and Northern by choice of residence and training." She then presented the memorial to Wilson, declaring, "I surrender this monument into your keeping, and through you to that of the nation." McLaurin's last wish, before retiring from the podium, was to hope that children who gazed at this monument in the future, "shall thank God that they are Americans," and that the shall be reminded that "American ideals shall shape the future." McLaurin did not specify what ideals she meant, presumably the legality of secession, the right of insurrection, the decency of the institution of slavery, or the right to use violence and intimidation to maintain white supremacy, political and social power.[472]

President Wilson ended the speeches for the day, accepting the monument on behalf of the nation. Wilson praised the UDC for their work and reminded the audience that this was a joint effort, enabled by both southern men and women as well as sanctioned by the US government when President McKinley, a Civil War veteran, proposed the idea, Congress authorized the Confederate section, Secretary of War Taft approved the memorial and then was President during the cornerstone laying, and now another Wilson presided over its unveiling.

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[472] Herbert, *History of the Arlington Confederate Monument*, 65-70; "The Arlington Monument," *Confederate Veteran* XXII, no. 8 (August 1914), 346-47. Emphasis added.

This journey, involving many officials throughout the nation, was a fitting capstone to the success of reconciliation throughout the North and South. In support of this idea Wilson declared, "This chapter in the history of the United States is now closed, and I can bid you turn with me your faces to the future, quickened by the memories of the past…knowing as we have shed our blood upon opposite sides, we now face and admire one another." Ironically, a torrential rainstorm interrupted Wilson's speech forcing attendees to seek shelter including the President who escaped to his waiting car. Yet the rain did not dampen the enthusiasm for the ceremony. Many attendees had already placed floral arrangements around the monument as well as at the US Army tomb of the unknown near the Custis-Lee mansion. This gesture as well as the numerous speeches denoted the theme of the day, national reconciliation. As one historian described the lack of controversy surrounding the ceremony and statue, "Sectionalism by now had become an old shoe in the nation's closet-comfortable, familiar, and without threat." But what did Moses Ezekiel's monument provide to those in attendance and what would it represent to future visitors. What did the UDC, ACMA, and Ezekiel's crowning achievement in the cemetery symbolize?[473]

One historian described the memorial as "though billed as a 'peace monument,' the Arlington sculpture's design honored the Lost Cause version of

[473] "The Monument at Arlington," *Confederate Veteran* XXII, no. 7 (July 1914), 292-96; Herbert, *History of the Arlington Confederate Monument*, 70-71; "Turn Your Faces to the Future," *Washington Post*, July 5, 1914; "Forget the Past, Wilson Bids South," *New York Times*, June 5, 1914; "Arrive for Unveiling," *Washington Post*, June 4, 1914; "Confederate Monument at Arlington, *Evening Star*, May 19, 1914.

the past by presenting former Confederates as heroes." Another historian labelled the memorial the "cruelest monument in the country." Yet in 1914, these types of critiques were nonexistent. Providing proof of the uncontentious nature of the monument is the bipartisan admiration expressed for the South and the Confederacy by both Republican (McKinley, Roosevelt, Taft) and Democratic (Wilson) administrations during the process of creating Arlington's rebel section and memorial. Wilson even felt emboldened enough to initially decline attending the GAR Memorial Day commemoration at Arlington a few days prior to appearing at the Confederate memorial unveiling. However, after an outcry from various GAR posts, Wilson reversed his decision and spoke at Arlington's Memorial Day ceremony as well but reportedly received a "cool reception" from many in the crowd.[474]

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[474] Karen L. Cox, "The Confederate Memorial at Arlington," 157; Blair, *Contesting the Memory of the Civil War in the South*, 203; Ty Seidule, *Robert E. Lee and Me: A Southerner's Reckoning with the Myth of the Lost Cause* (New York: St. Martin's Press, 2020), 160-61; "Wilson Does Make Memorial Address," *New York Times*, May 31, 1914; "The President and the G.A.R.," *Cleveland Gazette*, June 27, 1914; "Clark Heeds G.A.R.," *Washington Post*, May 30, 1915; Woodrow Wilson, "Memorial Day Address," online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, https://www.presidency.ucsb.edu/documents/memorial-day-address (accessed January 3, 2022); "Clark and President Meet in Contrast at Arlington," *Washington Post*, May 31, 1914; "'Not for Their Sakes, bur for Our Own,' President's Tribute to the Union Dead," *Washington, Post*, May 31, 1914; "Times of Peace by No Means Yet Arrived Speaker Champ Clark Tells Men of G.A.R.," *Washington Post*, May 31, 1914; "Wilson Does Make Memorial Address," *New York Times*, May 31, 1914. Theodore Roosevelt lent his support for the monument in 1906, seeing it as an opportunity to promote sectional reconciliation. See *New York Times*, February 7, 1908. In addition, in 1903 Roosevelt was the first chief executive to send flowers to the rebel section on Confederate Memorial Day. He started a tradition adhered to by every President since, all of whom sent flowers at least once in their time in office. President Barack Obama broke with precedent by sending flowers to the African American Civil War Memorial in Washington, DC as well as the Confederate memorial. See "Confederate Memorial Day Marked at Arlington," *Washington Post*, June 5, 2011; History News Network, Edward Sebesta and James Loewen, "Dear President Obama: Please Don't Honor the Arlington Confederate Monument," Columbia College of Arts & Sciences, The George Washington University, http://hnn.us/articles/85884.html (accessed January 3, 2022); *History of the Arlington Confederate Monument*, 7; "To the Heroic Dead," *Washington Post*, May 31, 1903; "Deck Graves of Both," *Washington Post*, June 6, 1904; "President Sent Flowers," *Savannah Tribune*, June 10, 1905; *See* Kirk Savage, "Afterward: War/Memory/History: Toward a Remixed Understanding," In *Remixing the Civil War: Meditations on the Sesquicentennial*, Thomas J. Brown, ed. (Baltimore, MD: Johns Hopkins University Press, 2011).

The UDC, the ACMA, and various supporters of the creation of a monument to the Confederacy knew its location, and the number of visitors at Arlington each year was a singular opportunity for publicity and representation than at any cemetery in the South. Located next to the nation's capital at the former home of Robert E. Lee only increased the potential for this monument to boost advertisement for the southern claim that the Confederacy existed to guard states' rights and defend the Constitution, and not to protect and expand the institution of slavery. Hilary Herbert, for one, was all for creating a bold representation of the Lost Cause, writing to UCV Commander-in-Chief Stephen D. Lee, "This monument will be more conspicuous-that is to say, it will be seen by more people-and will attract wider attention than even the Davis Monument at Richmond."[475]

If supporters were concerned the Confederate monument would lack ostentatiousness, or that they would miss the opportunity to erect a memorial impressive enough for the "capitol of the country where all our people and visitors from all nations may see it," Moses Ezekiel's final design did not disappoint. The monument was enormous, the largest in the cemetery at over thirty-two feet high, the symbolism was vivid, and the narrative the memorial told was one of conspiracy and myth, a true tribute to the Lost Cause. Every inch of the Ezekiel's

[475] Blair, Cities of the Dead, 201-02; Herbert to General Stephen D. Lee, December 3, 1906, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC; Stephen D. Lee to Lewis, November 13, 1906, Samuel Edwin Lewis Papers, 1861-1917, Box 10, Rouss Camp No. 1191, Confederate Dead: Reburial at Arlington Cemetery, Correspondence, Folder 1, VMHC. The Davis Monument referred to is the Jefferson Davis Memorial unveiled on Richmond's Monument Avenue on June 3, 1907. This monument was subsequently toppled by protesters on June 10, 2020 during the protests over the Minneapolis Police Department murder of George Floyd by May 25, 2020.

creation dripped depictions of honorable southern sacrifice, a noble defense of the South, and a white-washed depiction of slavery. The monument makes no mention of the 264 rebels buried surrounding its base. Instead, it is a defense of secession and the attempted destruction of the nation, all intended to "teach our children [southern] patriotism," as well as to "correct history." The memorial is, as one historian described it, "a pro-southern textbook illustrated in bronze."[476]

The monument, which Ezekiel always referred to as "New South," stands on a polished granite base, three feet high. The dominant figure on the memorial, placed at the top, is a heroic-sized woman in flowing gowns, "typifying the South." This figure, as described by Herbert without a hint of irony, "stands for the mother of free peoples and their statesmen and heroes…she has survived her struggle for constitutional rights, and returns to the pursuits of peace." This claim, that somehow this figure stood for a society of "free peoples" when the Confederacy stood for the continual enslavement of African Americans is, of course, delusional and a complete fabrication. Herbert's second claim, that "New South" represented the struggle for constitutional rights, is equally absurd as, to name only one obvious reason, southern states only seceded after losing a democratically-held, constitutionally-mandated presidential election. Yet this interpretation is unsurprising as it is a main argument of Lost Cause ideology. The figure, crowned with olive leaves of peace and facing South, holds in one hand a wreath of laurel "to crown her fallen sons." Her other hand rests on a plow with the inscription beneath

[476] UDC, *Minutes of the Twentieth Annual Convention of the United Daughters of the Confederacy* (Raleigh, NC: Edwards & Broughton Printing Company, 1914), 339-349; Herbert, *History of the Arlington Confederate Monument*, 77; Cox, "The Confederate Memorial at Arlington," 158.

from the book of Isaiah stating, “They have beat their swords into plow-shares and their spears into pruning hooks.” This symbolized the South’s willingness, after defeat on the battlefield, to return to the peaceful pursuit of agriculture. One scholar interpreted the choice of this passage to mean, “a region, dignified in defeat, is willing to put its swords to more productive use.” The figure stands on a plinth adorned with four cinerary urns, one for each year of the war, and below the biblical quote are shields, each representing the states of the Confederacy plus the border states.[477]

Had the Confederate monument only included these details, other than its colossal size it would resemble many other war memorials. The symbolism of a defeated yet proud female figure welcoming her native sons home, along with the vanquished returning to peaceful pursuits is common in effigies of conflict. And having emblematic representations of each of the members of an alliance, this time in the form of shields for each Confederate state, was also predictable. Yet the remainder of the memorial depicted a decidedly pro-southern interpretation of the war. First, are two inscriptions, each sending an intentional signal to visitors to the memorial. On the north side of the monument reads, “Not for fame or reward, not for place or rank, not lured by ambition, or goaded by necessity; but in simple obedience to duty, as they understood it, these men suffered all, sacrificed all, dared all-and died.” This inscription, with its representation of justifiable heroic

[477] Herbert, *History of the Arlington Confederate Monument*, 75; Isaiah 2:4 (Revised Standard Version); Cox, “The Confederate Memorial at Arlington,” 160, Department of the Army, “Confederate Memorial,” Arlington National Cemetery, https://www.arlingtoncemetery.mil/Explore/Monuments-and-Memorials/Confederate-Memorial (accessed January 3, 2022).

sacrifice, is an important principle of Lost Cause ideology. It focuses on themes of willing sacrifice, the misery of conflict, and the adherence to duty without addressing the underlying rationale for secession or attempted national destruction. US Army veterans reading this inscription would understand the meaning behind the words and probably be sympathetic. This engraving was another link in a long history of using the shared experience of combat and military service to arouse sympathy and approval from the rest of the nation.[478]

Even this inscription, taken at face value, could read simply as an overly ornate praise of tragic souls lost on a nineteenth century battlefield. However, there could be no mistaking the message of the monument's other inscription, located on the south side of the memorial. Just below the great seal of the Confederacy is the Latin phrase, "Victrix causa diis placuit sed victa Caton." The English translation is, "The victorious cause was pleasing to the gods, but the lost cause to Cato." To comprehend the meaning behind this obscure epitaph you must understand the historical context of its authorship. The quote comes from Lucan in his Roman epic poem *Pharsalia*. Historian Jamie Malanowski colorfully explained the quote's context in a 2013 article in *The Atlantic* thus, "'You have to know your Latin history to know they're talking about the Roman Civil War, that the dictator Julius Caesar won, and that Cato was pleased with the republicans' sacrifice.' With that background in mind the inscription is 'a 'fuck you' to the Union. It's that

[478] "Arrive for Unveiling," *Washington Post*, June 4, 1914; Herbert, *History of the Arlington Confederate Monument*, 78; Cox, "The Confederate Memorial at Arlington," 160.

sneaky little Latin phrase essentially saying 'we were right and you were wrong, and we'll always be right and you'll always be wrong.'"[479]

This phrase, located directly under the Confederate seal, candidly reinforces the Lost Cause principles that not only was the Confederacy legally justified in seceding for defense of states' rights and upholding the Constitution, but their cause was morally and honorably just. Ezekiel placed the symbolic representation of the Confederacy, its great seal, above Lucan's quote to convert those who had any doubt that the South fought for a "constitutional right and not to uphold slavery." This monument, claiming to be a memorial for peace and reconciliation, was nothing more than an advertisement for southern Lost Cause righteousness. The acceptance of this memorial was due to the lack of a negative reaction from the federal government and northern public who should have seen it as mere propaganda, but instead either tolerated or embraced its insidious message.[480]

However, the ahistorical narrative Ezekiel's memorial portrayed was not complete simply with the inscriptions. The monument's focal point was a frieze, almost eight feet tall, wrapped around the entire memorial, containing thirty-two life-size figures depicting symbolic scenes of heroic Confederate soldiers as well as the effect of war on the southern home-front. On the front of the frieze is Minerva, goddess of wisdom and *defensive* war holding the arm of a woman

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[479] "Confederate Memorial," Arlington National Cemetery, https://www.arlingtoncemetery.mil/Explore/Monuments-and-Memorials/Confederate-Memorial (accessed January 3, 2022); Steven I. Weiss, "You Won't Believe What the Government Spends on Confederate Graves," *The Atlantic*, July 19, 2013 (accessed January 3, 2022); Seidule, *Robert E. Lee and Me*, 161.
[480] Cox, "The Confederate Memorial at Arlington," 160.

depicting the South. The woman is falling to the ground while clinging to a shield inscribed with the word "Constitution." Behind the woman, and beyond the mountains, "the Spirits of War are blowing their trumpets, turning them in every direction to call the sons and daughters of the South to the aid of their struggling mother." Also in the background are the Furies including Tisiphone, who punished offenses against blood kin including parricide and fratricide. Answering the trumpet's call are men of the South, seemingly coming from every direction. Ezekiel carefully represented every branch of Confederate military service depicting soldiers, sailors, sappers and miners. Ezekiel also depicted, amongst the Confederate soldiers marching off to war, a "faithful negro body-servant following his young master."[481]

Also depicted along the frieze are figures portraying the willing sacrifice Southerners made to voluntarily report for duty. These sculptures include a muscular blacksmith, "with determination in his face," leaving his anvil and buckling on his sword as his sorrowful wife looks on, a clergyman in his robes and wife, blessing their schoolboy son who leaves them with rifle at the ready, and a "young bride of war…her bridal gown hooped and flounced…binding his sword and sash around her lover's waist,

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[481] Thomas Bulfinch, *Bulfinch's Mythology* (New York: Gramercy Books, 1979), 107, 950; Edward Tripp, *The Meridian Handbook of Classical Mythology* (New York: Meridian, 1970), 231, 380; Herbert, *History of the Arlington Confederate Monument*, 76-77; "Arrive for Unveiling," *Washington Post*, June 4, 1914; Jacob, *Testament to Union*, 167-68. Parricide it the intentional killing of one's parents and fratricide is the murder of one's brother. Some have argued that the presence of the enslaved black servant amongst the rebel soldiers as proof that there were "thousands upon thousands of black soldiers who fought in the Confederate army and navy." However, Herbert's official history of the monument clearly defines the image as a "faithful negro body-servant" and not a black Confederate soldier. See Alister C. Anderson, "Address delivered on 6 June 1999 at Arlington National Cemetery by Fr. Alister C. Anderson, SCV Chaplain-in-Chief," http://www.arlingtoncemetery.net/anderson-address.htm (accessed January 4, 2022); James W. Loewen and Edward H. Sebesta, eds., *The Confederate and Neo-Confederate Reader: The "Great Truth" about the "Lost Cause"* (Jackson: University Press of Mississippi, 2010), 372-73. Emphasis added.

as he tenderly bends his head towards her." Yet the most disturbing scene is that of a Confederate officer, kissing his baby, held by a faithful, weeping "old negro 'mammy'" while his young daughter hides her face in the enslaved woman's skirts.[482]

The two most egregious depictions, that of the woman holding the "Constitution" shield and the depictions of faithful, loyal slaves marching off to war in support of their master or crying while holding her enslaver's children before he joins the Confederate Army, are direct references to the two principle foundations of Lost Cause ideology; Southerners fought for states' rights and to uphold the Constitution and not for the propagation of slavery, and race relations were irrelevant because the enslaved were happy, content, and loyal to their masters. Ezekiel freely admitted that his goal in creating the monument was to correct history, "emphasizing the fact that they were fighting for a constitutional right and not to uphold slavery." "Our struggle," he later wrote in his memoirs, "was simply a constitutional one, based on the constitutional state's rights and especially on free trade and no tariff." His depiction of a southern woman physically holding a "Constitution" shield makes the unsubtle claim that it was the South, and not the North, who fought for constitutional principles and although defeated in battle, were legally and morally

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[482] Herbert, *History of the Arlington Confederate Monument*, 77-78; Jacob, *Testament to Union*, 168; Cox, "The Confederate Memorial at Arlington," 158-60; Seidule, *Robert E. Lee and Me*, 161; Loewen Sebesta, eds., *The Confederate and Neo-Confederate Reader*, 371-74. The term "mammy," as defined by the *Encyclopedia of Southern Culture*, is a "stereotype derived from history and popular culture. She is a black, middle-aged woman who has a strong, loud voice and wears an apron and a kerchief on her head. Her ample body and open, honest expressions reveal that she is maternal and reliable…She is the all-loving, loyal mainstay to a white family, giving all of herself to the family in this life and asking for nothing in return but heavenly reward." See Wilson, Ferris, and Adadie, eds., *Encyclopedia of Southern Culture*, 1135.

vindicated. For the first time on the grounds of Arlington National Cemetery, a monument made the claim in bronze that the Confederate and Union rationale for war were not equivalent. The Confederate cause was right, and the Union cause was wrong. This was very different from prior emphasis on the communal experience of combat and military service shared by both sides. This monument declared the rightful defenders of constitutional democracy was the Confederacy.[483]

As for the depiction of loyal enslaved African American, this Lost Cause trope was also a blatant attempt to rewrite history. Herbert, in his official history of the monument admits as much when he states that the depictions of the enslaved illustrate the "kindly relations that existed all over the South between the master and the slave-a story that can not be too often repeated to the generations in which *Uncle Tom's Cabin* survives and is still manufacturing false ideas as to the South and slavery…" Herbert described the memorial as "history in bronze" and these vignettes reinforced the Lost Cause principle of happy race relations in the Antebellum South with contented, loyal slaves who benefitted from the benevolent, patriarchal slave owner. This was the history Ezekiel, Herbert, the UDC, the UCV, and others wished to portray throughout the nation. The UDC was particularly passionate concerning southern education. Historian Karen Cox gives a concise explanation of this UDC goal, writing that textbooks, among other forms of education, "offered children a version of the past that valued states' rights and white supremacy: benevolent masters, who subsequently became Confederate officers, ran southern plantations with the support of the devoted mistresses. Slaves acted only as

[483] Arrive for Unveiling," *Washington Post*, June 4, 1914; Ezekiel, *Memoirs from the Baths of Diocletian*, 188.

faithful servants. Confederate soldiers were always heroic figures…and southern women made enormous sacrifices." Herbert agreed that the "leading purpose of the UDC is to correct history," and he saw this monument as supporting that important objective.[484]

Arlington's history "written in bronze," was more successful than the UDC and other southern groups probably expected. The memorial's ostentatiousness, out of character with the solemn nature of the rest of the cemetery, defiantly declared the South fought for the constitutional principle of states' rights and not to defend slavery, all the while celebrating the heroic bravery of the Confederacy. The irony of its placement in the nation's most sacred national cemetery is that it towered over rebels who tried to destroy the Union as well as US Army soldier who attempted to save the country from treason. Both armies claimed their side fought for constitutional principles yet had directly opposite goals. Both sides could not be correct at the same time, and this memorial clearly stated it was the South that was just, and the North, by accepting the monument, agreed. The memorial was also a defense of white supremacy that now loomed over those who fought to create a more equitable Union, especially those USCT soldiers relegated to the lower portion of the cemetery. Ezekiel and

[484] Herbert, *History of the Arlington Confederate Monument*, 76-77; Blair, *Cities of the Dead*, 201; Cox, "The Confederate Memorial at Arlington," 158; Harriet Beecher Stowe, *Uncle Tom's Cabin; or, Life Among the Lowly* (Boston: John P. Jewett & Company, 1852). Herbert also mentioned the depiction of slaves in Thomas Nelson's story "Marse Chan" as realistic, especially for Nelson who grew up in Virginia "where 'Marse Chan' was so often enacted." See Herbert, *History of the Arlington Confederate Monument*, 77.

the UDC wanted to display a more "accurate" history of slavery, and not the brutality inherent in the institution.[485]

"Reconciliation" was the most conspicuous word used by all sides during the creation of Arlington's Confederate section and unveiling of the monument. But it was a peculiar type of reconciliation. Southerners demanded the sacrifices of Confederates be honored alongside loyal federals before reconciliation could truly occur. Only upon the vindication of rebel soldiers and their cause would much of the South, especially the UDC, feel truly reintegrated back into the nation. The UDC's role as monument advocates, complete with fundraising, selecting the type of memorials, their location, and controlling the unveiling ceremonies, displayed their desire for the nation to accept the region as patriotic, but only once the nation agreed that Confederates acted heroically for an honorable cause. The ANC Confederate monument was an important step towards southern vindication. In addition, due to the memorial's location and proximity to the national seat of power, it is one of the most commanding examples of the success of the UDC and others to preach the tenets of the Lost Cause movement and its story of Confederate exoneration and preservation of southern values.[486]

This was not true reconciliation, however, but mere tokenism. Southern leadership, whether the UDC, UCV, or politicians and community leaders, refused compromise in their historical interpretation of the war. Complaints of "biased" histories of the conflict by northern historians infuriated many, and Southerners could not accept

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[485] Cox, *Dixie's Daughters*, 68-70; Seidule, *Robert E. Lee and Me*, 161-62; Cox, "The Confederate Memorial at Arlington," 160; Jacob, *Testament to Union*, 165-68; Blair, *Cities of the Dead*, 201, 206-07.
[486] Ibid.

reconciliation with the North until they no longer felt disrespected or tarred with words such as "traitor" or described as "treasonous." Arlington played an important role in the South's quest for respect, as the creation of the Confederate burial section meant, to them, that their dead were just as heroic as the 15,000+ US Army soldiers interred nearby. The monument perpetuated this belief as it portrayed, with the blessing of the national government and northern leaders, military defeat but also Confederate justification and glorification. This was a monument for white Southerners and reconciliation on their terms. By accepting and praising Arlington's Confederate section and memorial, the federal government met the South's conditions for reconciliation, as well as supplying a tangible example of a nation's willingness to accept Lost Cause mythology. This monument did not stand for peace or reconciliation. The South never reconciled themselves to a northern interpretation of the war, or even a hybrid understanding incorporating histories of both regions. The South never wavered in its belief that their cause was just, and the North vindicated that belief by accepting Arlington's Confederate memorial and what it represented. The North never reconciled with the South. The North simply surrendered.[487]

The creation of a Confederate burial plot along with Moses Ezekiel's "peace monument," all located in the nation's most revered national cemetery provided proof that Lost Cause ideology had achieved its intended purpose, at least in this specific case. Beginning in 1903, Confederate Memorial Day commemorations commenced in the new

[487] Ibid.

rebel burial section with speeches and praise for the Confederacy projected from Arlington's amphitheater. By 1914 a grandiose testament to the South stood watch over the graves of the loyal and the treasonous. These changes to the cemetery, occurring in a relatively short period of time, demonstrated that by 1914 Arlington not only tolerated rebel burials, but celebrated the Confederacy and what it represented. The cemetery, the US Army, and the federal government all gave approval to the celebration of a mythical, ahistorical interpretation of the Civil War, one in which the Confederate cause was as just and righteous, if not more so, than the federal government's determination to preserve the nation. At Arlington, this celebration of the Lost Cause continued for over a hundred years, and continues today, all while providing perhaps a less than restive sleep to those US Army soldiers, both white and black, buried throughout the cemetery, who died to defeat that treasonous cause.[488]

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[488] "Confederate Dead at Arlington Decorated for the First Time," *The Lost Cause* IX, no. 5 (1903): 72-73. Ironically, although in 1906 then Secretary of War Taft approved the construction of the memorial, he left specific instructions that the "plans for the monument, its location, the inscription, and all the details would have to be left to the approval of the quartermaster general, who is in immediate charge of the cemetery," no known evidence exists that the War Department, US Army, the quartermaster general, or ANC officials every asked for, saw, or approved of Moses Ezekiel's plans for the memorial prior to its unveiling. The only evidence of any permission given is a 1913 letter sent from Hilary Herbert to then Secretary of War Lindley Miller Garrison asking for approval of the final monument, giving a very general outline of the monument, including the inscriptions and a description of the frieze as containing "fifteen allegorical figures, representing scenes connected with the Civil War, such as the departure of a young soldier from his loved one, of the husband from his wife and children, of women caring for the wounded, and of four arms of the service, infantry, cavalry, artillery, and the navy." In a hand-written comment at the bottom of the letter, someone in the War Department wrote, "no formal permit is necessary." In response to Hilary's letter, the office of the quartermaster general gave its endorsement to the War Department, stating, "While no drawing or plans of the monument, which is being constructed in Rome, Italy, have been submitted, its description as given by Mr. Herbert meets with no objection by this office and approval of the memorial and the proposed inscriptions thereon is recommended." The fact that any component of the US government would approve of a monument to a former enemy without first seeing detailed sketches of all aspects of the memorial further demonstrates northern and federal acceptance of memorializing the Confederacy on cemetery grounds. See Taft to Williams, March 6, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Williams to Taft, March 8, 1906, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; "Confederate Shaft Approved by Taft," *Washington Sunday Times*, March 8, 1906; Herbert to Secretary of War, June 17, 1913, General

Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA; Chief, Quartermaster Corps to Secretary of War, June 24, 1913, General Correspondence, 1890-1914, Box 2157, Entry 89, NM-81, RG 92, NARA.

CONCLUSION

Confederate Reckoning?

As the twentieth century progressed, controversy surrounding Arlington's Confederate section and monument was minimal. Confederate Memorial Day ceremonies continued, praising the cause that was lost and the sacrifice of the southern martyred dead. The commemoration itself grew in importance to Southerners as it was seen as emblematic of national acceptance of Confederate bravery, honor, and righteousness equal to that of the Union dead interred throughout the cemetery. US Presidents continued to periodically visit the rebel section, address southern audiences, and send bouquets of flowers on their Memorial Day, reinforcing the nation's approval of commemorating traitors and their cause. This continued elevation of Arlington as a principle venue for Confederate nostalgia coincided with the cemetery's sustained rise in prestige as subsequent wars brought hundreds of thousands of new burials to the grounds. Starting with burials from the Spanish-American War, Arlington transformed from a Civil War cemetery to a truly national burial ground, eventually containing the remains of service members from every American war.[489]

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[489] "'Southern Cross' Unveiled at Arlington, Where Children Strew Flowers on Confederate Graves," *Washington Post*, June 6, 1921; "Wilson at Arlington," *Washington Post*, June 1, 1915; "President Harding Addressing Confederate Veterans at Arlington," *Washington Post*, June 5, 1922. In addition, in 1903 President Roosevelt was the first chief executive to send flowers to the rebel section on Confederate Memorial Day. He started a tradition adhered to by every President since, all of whom sent flowers at least once in their time in office. President Barack Obama broke with precedent by sending flowers to the

After the end of the First World War, Arlington received the remains of over 2,000 soldiers killed in the conflict. This significant expansion in burials, along with the dedication of a new, larger Memorial Amphitheater in 1920[490] and dedication of the Tomb of the Unknown Soldier on Armistice Day, November 11, 1921 further enhanced Arlington's reputation as the nation's premiere national cemetery. As Arlington's reputation grew as a location for honoring and commemorating all American war dead, the Confederates in Section 16 were continually included, despite being the only individuals interred in the cemetery who fought to destroy the nation, not protect it.[491]

Americans of the twentieth century are not solely to blame for perpetuating the myth of the Lost Cause at Arlington, but the Civil War generation itself. Given the choice to fight for the memory of the war as strongly as they challenged secession and disunion, Northerners chose capitulation, deeming constant battles over the righteousness of one side too difficult to maintain against unrelenting southern propaganda. The Grand Army of the

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African American Civil War Memorial in Washington, DC as well as the Confederate memorial. See "Confederate Memorial Day Marked at Arlington," *Washington Post*, June 5, 2011

[490] In one of the strangest ironies in Arlington's history, the first memorial service held at the new Memorial Amphitheater was for Moses Ezekiel, Confederate veteran and sculptor of Arlington's Confederate monument. Ezekiel died in Rome, Italy on March 27, 1917 but because of the First World War he was not returned to the United States until 1921. The funeral service at Arlington occurred on March 30, 1921. Ezekiel is buried at the base of the Confederate monument. See "American Sculptor, Moses Ezekiel, Dies," *New York Times*, March 28, 1917; "Sir Moses Ezekiel Burial: Services for Confederate Soldier and Sculptor at Arlington," *New York Times*, March 31, 1921.

[491] For a discussion on how the First World War fundamentally changed military burial practices and the relationship citizens of the United States had with the federal government, see Lisa Budreau, *Bodies of War: World War I and the Politics of Commemoration in America, 1919-1933* (New York: New York University Press, 2010) and Tracy Fisher, "'For Us the Living': How America Buried Its World War I Overseas Dead," PhD diss., (George Mason University, 2016). ANC does contain three World War II POW burials, one German and two Italian soldiers. These soldiers died while in captivity and were given an honorable burial.

Republic (GAR), best situated to repel Lost Cause ideology, although diligent for many years after the war, ultimately chose to focus their efforts on more practical matters. Their attention turned toward procuring federal pensions for survivors and widows and orphans of the loyal dead, care for invalid and indigent veterans, and increasing membership numbers throughout the nation. Large-scale discussion and debate over the morality of each side soon waned. Perhaps this was inevitable. As victors, many assuredly believed there was no need to continually explain or advocate for the righteousness of their cause. "Might made right" and few Southerners, at least in the initial period after the war, publicly challenged GAR triumphalism. As the post-war years continued, the GAR, secure in their belief the right side won the war and the illegitimacy of the Confederacy, focused less on bolstering that claim and instead concentrated on procuring benefits for federal veterans and less on historical interpretation and advocacy.

However, even as the GAR became more of a bureaucratic organization, they still retained influential control over commemoration of the war. With their successful establishment of Decoration Day ceremony at Arlington in 1868, and with their continued control of the commemoration throughout the nation each May 30, they retained an annual opportunity to define appropriate commemorative and remembrance practices at national cemeteries in the North and South. Instead, the GAR went from posting guards to prevent decoration to adornment of graves alongside the loyal federal dead, to praise of both Union and Confederate bravery, to the eventual celebration of the Lost Cause from the GAR's own Memorial Amphitheater, influencing historical interpretation and war memory nationwide. This lack of diligence by an organization best

suited to remind the American public of the treason committed by the Confederacy created an opening which southern organizations and sympathizers exploited, slowly over time, to promote a pro-southern, white nationalist interpretation of the history of the war, normalizing the Lost Cause as righteous and just.

This process did not happen overnight. It would take a combination of southern organizations such Ladies Memorial Associations, and eventually larger, more organized, nationally reaching associations such as the United Confederate Veterans (UCV), the Sons of Confederate Veterans (SCV), and the United Daughters of the Confederacy (UDC) to relentlessly prosecute their version of southern history. Although smaller, and not as far-reaching as the GAR, these organizations had one distinct advantage, a singular focus on promoting Confederate righteousness and Lost Cause ideology. While these associations did pressure southern states to provide for former Confederates as well as widows and orphans (a few members even proposed the outrageous idea that the government should supply federal pension for former Confederates), these goals never superseded their desire to influence the historical perception of the Confederacy throughout the nation. This is evident in the importance each group placed on establishing historical committees. So important were these committees, that members were often given first-day speaking slots at national conventions and their reports appeared early on in the printed proceedings. With the GAR, historical committees were rare, and any reports presented appeared hundreds of

pages into the official proceedings. The UDC also had a well-known role in influencing the content of southern history textbooks, insuring they produced the "correct" story emphasizing Lost Cause dogma.

The GAR, as representative of Union veterans and their interests, had a choice to make in the last quarter of the nineteenth century. Place more resources and effort into combatting Confederate propaganda and its influence on commemoration and remembrance at national cemeteries, or continue focusing more on veteran concerns over health care, pensions, and treatment of those whose loyalty to the nation never wavered. Needing the support of both northern and southern legislators, GAR leadership undoubtedly made the calculation that continual debate with former Confederates over the constitutionality of secession or morality of slavery would solve nothing, and possibly endanger southern political support in Congress. Although leaders of the GAR never expressed this calculation in explicit terms, the often-demonstrated political savviness of the organization in other avenues supports this conclusion.

The somewhat dispersed attention of the GAR created an opening for former rebels, southern women, and eventually pro-Confederate organizations such as the UCV, SCV, and UDC. These groups realized that advocacy for a southern interpretation of war memory would potentially create animosity with Northerners and incur the wrath of federal veterans. They pivoted to identifying promoting commemoration of the dead as a mutually acceptable avenue of reconciliation. Relying on the empathy of Union veterans, continually emphasizing the shared experience of military service and the horrors of combat, trusting on the passage of time to dampen bitterness, former federal soldiers

increasingly found calls for remembrance and decoration of Confederate burials palatable. Eventually they accepted rebel commemorations as respecting a mutually acceptable brotherhood in arms. This change over time created the conditions that, along with many other cultural and social factors occurring in the nation such as northern abandonment of African American civil rights during the Jim Crow era, eventually led to Arlington's toleration and then celebration of Lost Cause propaganda. This was embodied in the Confederate burial section and colossal monument to white supremacy.

This is not to argue that every member of the UCV, SCV, UDC and GAR marched in lockstep to an inevitable conclusion. Newspaper editorials, speeches at Memorial Day ceremonies, and national conventions of each organization gave witness to periodic complaints on both sides as some Southerners advocated for removal of all Confederate remains to "southern soil" and Northerners and federal veterans filed periodic complaints refusing to countenance any equivalency between Confederate and Union war aims. However, for the vast majority of the nation, as manifest in the number of pro-appeasement articles, historical and political speeches, official organization statements, and votes by legislators from both regions, reconciliation was the preferred guide into the twentieth century, no matter the cost. Individuals complained, but Americans appeared ready to put the war in the past and celebrate the bravery and honor exhibited by both sides. At a minimum, Arlington's Confederate section and memorial did just that.

It begs the question, who suffered the most for a nation unwilling to fully confront the legacy of the war, and instead embrace grandiose memorialization portraying a mythical history of the conflict. Who suffered from the vision of an intentional white-washed, ahistorical interpretation promoting white supremacy? Arguably, the entire nation remained victims of this Faustian bargain, allowing unresolved animosity and acrimony between the regions to fester throughout the twentieth century. Yet it was African Americans who clearly suffered most due to national reconciliation at all costs. While approximately 1,500 United States Colored Troops (USCT) and over 3,800 African American freedmen and freedwomen lay in Arlington's lower cemetery with no monument to their service and sacrifice, an enormous monument to treason overlooks Confederate and Union dead alike. The existence of Arlington's Confederate section and monument, taken individually, is but a fraction of the suffering endured by African American veterans of the war and their descendants. Its erection was only a reflection of, and not the cause of post-war race relations. Yet the relative ease by which the burial ground and memorial were created is emblematic of the change in time that occurred during that thirty-plus year period when Arlington, the GAR, the federal government and the northern public decided, intentionally or not, to stop treating Confederate burials as the final resting place of traitors, and instead to begin to revere their service, and the cause for which they died as on par with loyal Union martyrs and more deserving of recognition than the remains of USCT languishing and disregarded in the lower portion of the cemetery.

After the creation of the Confederate burial section and monument, Arlington could no longer be seen as a venue of remembrance and commemoration only of loyal service to the United States. It would now be a site that honored all Americans who died in combat, regardless if faithful or treasonous to the nation. This change over time occurred due to a myriad of factors and took over thirty years to come to fruition. The exhaustion of the northern public over relitigating the causes of the war, the acceptance of Union veterans to calls of honor for their former enemy, the passage of time muting sectional animosity, and the unexpected success of southern propaganda all lead to a reevaluation of acceptable commemoration of Confederates. Arlington officials, along with US Army leadership, the federal government, and the American public, subconsciously or not, determined the honoring of rebel soldiers and acceptance of claims of southern moral righteousness and defense of the Lost Cause were more likely to achieve sectional reconciliation and national reunification than holding the former Confederacy accountable for the attempted destruction of the nation and fully committing to the protection of African American civil rights.

According to the United States Department of Veterans Affairs, eligibility for burial in a national cemetery is dependent on numerous qualifications, the first of which is “The person qualifying for burial benefits is a veteran who didn’t

receive a dishonorable discharge."[492] Committing treason against the federal government is an obvious disqualifying factor that would result, at a minimum, in a servicemember receiving a dishonorable discharge. Yet lying in honored rest at Arlington National Cemetery are hundreds of soldiers who fought to destroy the nation, the very definition of treason. Had they been active members of the US military when this occurred, dishonorable discharge would be without question, barring them from burial at any national cemetery. Yet they remain at Arlington. Towering over them is one of the most grandiose monuments to the Lost Cause in the nation. Depicting a mythical history of the war, celebrating an attempted dismemberment of the nation and the propagation of the continued enslavement of humanity.

Yet no comparable monument looms over the graves of the loyal federal dead, those who fought and died to save the Union. Many of whom, especially those USCT in the lower portion of the cemetery, fought to destroy the institution of slavery and free their fellow man. Perhaps all national cemeteries created during the war are memorials to those faithful dead, and no ornamental monumentation is needed. Walking the grounds of Arlington, through the graves of servicemembers from every conflict in American history, it is hard to imagine how a statue could further hallow the grounds. Yet the Confederate monument remains a blight on the memory of those who defended the nation when the permanence of the United States faced its greatest test. No soldier, once at rest, should be disturbed, and Arlington's Confederate burials are no exception. While committing treason as part of an immoral and illegal Confederacy, it is too late to correct

[492] US Department of Veterans Affairs, "Eligibility for burial in a VA national cemetery," US Department of Veterans Affairs, https://www.va.gov/burials-memorials/eligibility/ (accessed January 20, 2022).

their inappropriate location in a cemetery dedicated to loyal Americans. The continued existence of the Confederate statue on cemetery grounds, however, is another matter.

It is interesting to contemplate what those federal soldiers, killed on the battlefield, dying of wounds, or succumbing to disease and infection at area hospitals, would think of the existence of a thirty-two-foot monument glorifying their enemy's cause in a cemetery created to give sepulture to the remains of the Union dead. Perched above their graves, with no corresponding memorial to northern service and sacrifice, its presence undoubtedly would be confusing. Why, they might ask, would the federal government, who they died to persevere, allow such an insult to their memory to tower above them, calling into question the righteousness of the Union cause? How could their own generation allow such a travesty to occur? The answer would probably frustrate them. While the rebels were defeated on the battlefield, many Confederate ideals and beliefs lived on, much more difficult to combat than soldiers and artillery. Ideals of federal encroachment versus state sovereignty, white supremacy, and the inferiority of African Americans proved compelling enough to find adherents throughout the twentieth century. Because these principles were not vigorously defeated in the years following the Civil War, they metastasized and left a powerful legacy for succeeding generations. Arlington's Confederate section and monument did not cause these problems but are a visible reflection of how successfully Lost Cause propaganda infected the nation. Would Arlington's white and black Union dead,

knowing all of this, question their decision to join the federal army? In the end, would they now feel that giving the "last full measure of devotion" was worth it?

Afterword –

In August 2017, a rally of white supremacists, neo-Confederates, and antisemitic protestors converged on the town of Charlottesville, Virginia. Their intended purpose was to protest the removal of a statue of Robert E. Lee from a local park. This rally was in response to the ongoing debate over removal of Confederate monuments by local governments in the North and South following the June 17, 2015 mass murder of nine African Americans attending bible study at a church in Charleston, South Carolina. The murderer was a twenty-one-year-old white supremacist who posed for pictures with the Confederate battle flag. At the Charlottesville rally, groups carrying the Confederate battle flag, Nazi flags, as well as white supremacist banners clashed with counter-protestors, chanting racist and antisemitic slogans. During the event, one white supremacist deliberately drove his car into a group of counter-protestors, killing one individual and injuring thirty-five others.[493]

The controversy over the removal of Charlottesville's statue of Robert E. Lee was one of a number of high-profile disputes as communities across the nation began to readdress the legacy of the Civil War. From 2015, after the Charleston massacre, to 2020

[493] These horrific incidents, along with numerous murders of unarmed African American men such as Trayvon Martin on February 26, 2012, Ahmaud Arbery on February 23, 2020, and the brutal killing of George Floyd by Minneapolis, Minnesota police officers on May 25, 2020 enflamed racial tensions in many cities throughout the nation, with rallies and protests often centered around Confederate memorials and monuments. These incidents, along with historic and continued disproportionate and often brutal treatment of African Americans by law enforcement, also spurred the Black Live Matter movement. In addition, the January 6, 2020 attack on the US Capitol included numerous insurrectionists carrying Confederate battle flags and wearing neo-Confederate paraphernalia. This further exacerbated racial and political tensions and continued the debate over the meaning of Confederate symbology.

seventy-four Confederate monuments, memorials and statues were removed from public parks, state-controlled grounds, roadsides and cemeteries. Arguably the most significant removal of Confederate monumentation occurred from 2020 to 2021 in the former capital of the Confederacy, Richmond, Virginia. Five statues, all erected between 1890 and 1929 along Richmond's famed Monument Avenue, depicted the pantheon of Confederate leadership including Robert E. Lee, Jefferson Davis, J.E.B. Stuart, and Thomas J. "Stonewall" Jackson. Months of protests surrounding these statues and what they represented-white supremacy and pro-Confederate ideology-successfully pressured local and state governments to remove the monuments from the former heart of the Confederacy.[494]

Arlington's Confederate monument was not spared examination. As an active national cemetery, protests on the grounds could not occur, yet cemetery administration received numerous complaints from the public and requests for interviews from news organizations. As tensions over reexamining rebel monumentation rose throughout the nation, commentators and pundits began examining Arlington's role in the debate. One critic asked if Confederate bodies should be removed from the cemetery in order to make space for loyal members of the armed forces. Other articles advocated for and against the immediate removal of the memorial, or complained of the cost of maintaining Confederate

[494] Bonnie Berkowitz and Adrian Blanco, "A record number of Confederate monuments fell in 2020, but hundreds still stand. Here's where," *Washington Post*, March 12, 2021.

sculptures and graves. Even descendants of Moses Ezekiel, the monument's sculptor, argued that Arlington's memorial should be removed.[495]

During this period, staff at Arlington often provided members of the public and media information concerning the Confederate section and monument, with cemetery leadership asked to comment on the future of the memorial. Instead of addressing the debate over the appropriateness of maintaining a statue celebrating treason on federal property, Arlington leadership deferred, stating that only the Department of the Army and the Pentagon could determine what should be done and the cemetery had no authority to remove the monument. Arlington is one of two national cemeteries still administered by the Department of the Army and, as such, it is correct that any final decision on the fate of the monument would come from the Pentagon. However, the cemetery's denial of any responsibility for the Confederate monument left the impression that they were more concerned with negative public attention than a thorough historical inquiry, and wanted to deflect any criticism towards the Pentagon in hopes that the issue would disappear. The Department of the Army then failed to release any type of in-depth analysis or report on Arlington's Confederate monument or its future at the cemetery.

In an example of Arlington's concern over adverse publicity, the cemetery public affairs office analyzed the *Washington Post* article that published the letter from

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[495] Dan K. Thomasson, "As Arlington Cemetery's fills up, should Confederates make room?," *Orlando Sentinel*, June 27, 2017; Elliot Ackerman, "The Confederate Monuments We Shouldn't Tear Down," *New York Times*, July 7, 2020; Steven I. Weiss, "You Won't Believe What the Government Spends on Confederate Graves," *The Atlantic*, July 19, 2013; Karen L. Cox, "White supremacy is the whole point of Confederate statues," *Washington Post*, August 20, 2017; Brian Palmer and Seth Freed Wessler, "The Costs of the Confederacy," *Smithsonian Magazine*, December 2018; T. Rees Shapiro, "Descendants of Rebel sculptor: Remove Confederate Memorial from Arlington National Cemetery," *Washington Post*, August 18, 2017; Lara Moehlman, "The Not-So Lost Cause of Moses Ezekiel," *Moment*, September-October 2018.

Ezekiel's descendants, deeming the coverage "negative." Noting that some online comments in response to the article made unsubstantiated accusations questioning the ancestry of the authors, the public affairs office issued a memo stating that "An internal debate has been launched regarding legitimacy of facts," and that "ANC leadership and historians MUST be careful and thorough when or if communicating with 'Ezekiel family members.'" From the tone of the memorandum and lack of discussion over the merits of the letter, Arlington appeared to take the side of online commentators and not the legitimate concerns of Ezekiel's descendants vetted by the *Washington Post*.[496]

This response from cemetery leadership was curious. An investigation concerning the legitimate ancestry of Ezekiel's descendants, initially questioned by online commentators, seemed irrelevant and a distraction. The facts surrounding the monument's creation and purpose were indisputable, and instead of conducting a thorough analysis of the future of the memorial, Arlington leadership used internet-based complaints as an excuse to ignore the merits of the letter. This was clearly a tactic to refrain from addressing deeper issues and hoping the whole situation would disappear. In the ensuing years, it does not appear Arlington's initial decision to ignore and delay a legitimate investigation into the continued appropriateness of hosting and maintaining the Confederate monument has changed. In 2020 the cemetery's superintendent once again

[496] Arlington National Cemetery Public Affairs, "Response to 'Descendants of Rebel sculptor: Remove Confederate Memorial from Arlington National Cemetery'" (official memorandum, Arlington, VA: Arlington National Cemetery, Department of the Army, August 19, 2017).

refused to address the issue, stating neither he nor Arlington's executive director had authority over the monument and were required to follow orders from the Pentagon. A US Army spokeswoman claimed that the military branch, "is working with the Defense Department on guidance for display of divisive symbols" and "any review would include this memorial." As of February 2022, no known review of Arlington's Confederate memorial has been conducted, or publicly available, even as other branches have ordered that Confederate paraphernalia be removed from military facilities and as Congress passed legislation to remove Confederate names from military bases.[497]

Arlington's Confederate monument still stands, rising above an island of treason within the nation's most sacred burial ground. Surrounded on all sides by loyal American soldiers, sailors, airmen, and marines, it represents the nation's collective inability to honestly confront a difficult past, and address the true legacy of the Civil War. The monument's existence at Arlington, as a symbol of white supremacy and the Lost Cause, remains an insult to the over 15,000 Union dead within the cemetery who died to defend the United States from traitors to the nation. The continued existence of symbols and memorials to the Lost Cause, like Arlington's Confederate monument, contributes to racial, political, and sectional tensions currently engulfing the nation. It is correctly noted that the construction of monuments to the dead informs as much about the time and

[497] Ian Shapira, "At Arlington Cemetery, a Confederate monument to the South and slavery still stands," *Washington Post*, July 5, 2020; Richard Sisk, "Army Reviewing 'Confederate Memorial' Featuring Slaves at Arlington National Cemetery," Military.com, https://www.military.com/daily-news/2020/07/09/army-reviewing-confederate-memorial-featuring-slaves-arlington-national-cemetery.html (accessed January 20, 2022); Elliot Hannon, "Top General Orders Removal of All Confederate Paraphernalia From Marine Bases," *Slate*, https://slate.com/news-and-politics/2020/02/marine-general-orders-removal-confederate-flag-paraphernalia-bases-installations-white-nationalism.html (accessed January 20, 2022); Connor O'Brien, "The Pentagon has 3 years to strip Confederate names from bases. Here's what comes next," *Politico*, https://www.politico.com/news/2021/01/05/pentagon-confederate-name-bases-455180 (accessed January 20, 2022).

people who built them as memorializing the deceased. Cities, towns, and local governments throughout the nation continue to reexamine appropriate commemoration and remembrance of the Civil War generation, including removing symbols of treason and representations of a mythical past. Arlington has taken no such action and continues to ignore its own thirty-two-foot monument to secession. It begs the question that if statues of Robert E. Lee and Jefferson Davis are no longer fit to reside in the former capital of the Confederacy, why has no similar reckoning occurred at Arlington?

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