

Targeting Civilians: Lincoln as War Criminal

by [Thomas J. DiLorenzo](#)

One hundred thirty-six years after General Robert E. Lee surrendered at Appomattox, Americans are still fascinated with the War for Southern Independence. The larger bookstores devote an inordinate amount of shelf space to books about the events and personalities of the war; Ken Burns's "Civil War" television series and the movie "Gettysburg" were blockbuster hits; dozens of new books on the war are still published every year; and a monthly newspaper, *Civil War News*, lists literally hundreds of seminars, conferences, reenactments, and memorial events related to the war in all 50 states and the District of Columbia all year long. Indeed, many Northerners are "still fighting the war" in that they organize a political mob whenever anyone attempts to display a Confederate heritage symbol in any public place.

Americans are still fascinated by the war because many of us recognize it as the defining event in American history. Lincoln's war established myriad precedents that have shaped the course of American government and society ever since: the centralization of governmental power, central banking, income taxation, protectionism, military conscription, the suspension of constitutional liberties, the "rewriting" of the Constitution by federal judges, "total war," the quest for a worldwide empire, and the notion that government is one big "problem solver."

Perhaps the most hideous precedent established by Lincoln's war, however, was the intentional targeting of defenseless civilians. Human beings did not always engage in such barbaric acts as we have all watched in horror in recent days. Targeting civilians has been a common practice ever since World War II, but its roots lie in Lincoln's war.

In 1863 there was an international convention in Geneva, Switzerland, that sought to codify international law with regard to the conduct of war. What the convention sought to do was to take the principles of "civilized" warfare that had evolved over the previous century, and declare them to be a part of international law that should be obeyed by all civilized societies. Essentially, the convention concluded that it should be considered to be a war crime, punishable by imprisonment or death, for armies to attack defenseless citizens and towns; plunder civilian property; or take from the civilian population more than what was necessary to feed and sustain an occupying army.

The Swiss jurist Emmerich de Vattel (1714-67, author of [The Law of Nations](#), was the world's expert on the proper conduct of war at the time. "The people, the peasants, the citizens, take no part in it, and generally have nothing to fear from the sword of the enemy," Vattel wrote. As long as they refrain from hostilities themselves they "live in as perfect safety as if they were friends." Occupying soldiers who would destroy private property should be regarded as "savage barbarians."

In 1861 the leading American expert in international law as it relates to the proper conduct of war was the San Francisco attorney Henry Halleck, a former army officer and West Point instructor whom Abraham Lincoln appointed General-in-Chief of the federal armies in July of 1862. Halleck was the author of the book, [International Law](#), which was used as a text at West Point and essentially echoed Vattel's writing.

On April 24, 1863, the Lincoln administration seemed to adopt the precepts of international law as expressed by the Geneva Convention, Vattel, and Halleck, when it issued General Order No. 100, known as the "Lieber Code." The Code's author was the German legal scholar Francis Lieber, an advisor to Otto von Bismarck and a

staunch advocate of centralized governmental power. In his writings Lieber denounced the federal system of government created by the American founding fathers as having created "confederacies of petty sovereigns" and dismissed the Jeffersonian philosophy of government as a collection of "obsolete ideas." In Germany he was arrested several times for subversive activities. He was a perfect ideological fit with Lincoln's own political philosophy and was just the man Lincoln wanted to outline the rules of war for his administration.

The Lieber Code paid lip service to the notion that civilians should not be targeted in war, but it contained a giant loophole: Federal commanders were permitted to completely ignore the Code if, "in their discretion," the events of the war would warrant that they do so. In other words, the Lieber Code was purely propaganda.

The fact is, the Lincoln government intentionally targeted civilians from the very beginning of the war. The administration's battle plan was known as the "Anaconda Plan" because it sought to blockade all Southern ports and inland waterways and starving the Southern civilian economy. Even drugs and medicines were on the government's list of items that were to be kept out of the hands of Southerners, as far as possible.

As early as the first major battle of the war, the Battle of First Manassas in July of 1861, federal soldiers were plundering and burning private homes in the Northern Virginia countryside. Such behavior quickly became so pervasive that on June 20, 1862 - one year into the war - General George McClellan, the commanding general of the Army of the Potomac, wrote Lincoln a letter imploring him to see to it that the war was conducted according to "the highest principles known to Christian civilization" and to avoid targeting the civilian population to the extent that that was possible. Lincoln replaced McClellan a few months later and ignored his letter.

Most Americans are familiar with General William Tecumseh Sherman's "march to the sea" in which his army pillaged, plundered, raped, and murdered civilians as it marched through Georgia in the face of scant military opposition. But such atrocities had been occurring for the duration of the war; Sherman's March was nothing new.

In 1862 Sherman was having difficulty subduing Confederate sharpshooters who were harassing federal gunboats on the Mississippi River near Memphis. He then adopted the theory of "collective responsibility" to "justify" attacking innocent civilians in retaliation for such attacks. He burned the entire town of Randolph, Tennessee, to the ground. He also began taking civilian hostages and either trading them for federal prisoners of war or executing them.

Jackson and Meridian, Mississippi, were also burned to the ground by Sherman's troops even though there was no Confederate army there to oppose them. After the burnings his soldiers sacked the town, stealing anything of value and destroying the rest. As Sherman biographer John Marzalek writes, his soldiers "entered residences, appropriating whatever appeared to be of value . . . those articles which they could not carry they broke."

After the destruction of Meridian Sherman boasted that "for five days, ten thousand of our men worked hard and with a will, in that work of destruction, with axes, sledges, crowbars, clawbars, and with fire.... Meridian no longer exists."

In [*The Hard Hand of War*](#) historian Mark Grimsley argues that Sherman has been unfairly criticized as the "father" of waging war on civilians because he "pursued a policy quite in keeping with that of other Union commanders from Missouri to Virginia." Fair enough. Why blame just Sherman when such practices were an essential part of Lincoln's entire war plan and were routinely practiced by all federal commanders? Sherman was just the most zealous of all federal commanders in targeting Southern civilians, which is apparently why he became one of Lincoln's favorite generals.

In his First Inaugural Address Jefferson said that any secessionists should be allowed to "stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it."

But by 1864 Sherman would announce that "to the petulant and persistent secessionists, why, death is mercy." In 1862 Sherman wrote his wife that his purpose in the war would be "extermination, not of soldiers alone, that is the least of the trouble, but the people" of the South. His loving and gentle wife wrote back that her wish was for "a war of extermination and that all [Southerners] would be driven like swine into the sea. May we carry fire and sword into their states till not one habitation is left standing."

The Geneva Convention of 1863 condemned the bombardment of cities occupied by civilians, but Lincoln ignored all such restrictions on his behavior. The bombardment of Atlanta destroyed 90 percent of the city, after which the remaining civilian residents were forced to depopulate the city just as winter was approaching and the Georgia countryside had been stripped of food by the federal army. In his memoirs Sherman boasted that his army destroyed more than \$100 million in private property and carried home \$20 million more during his "march to the sea."

Sherman was not above randomly executing innocent civilians as part of his (and Lincoln's) terror campaign. In October of 1864 he ordered a subordinate, General Louis Watkins, to go to Fairmount, Georgia, "burn ten or twelve houses" and "kill a few at random," and "let them know that it will be repeated every time a train is fired upon."

Another Sherman biographer, Lee Kennett, found that in Sherman's army "the New York regiments were . . . filled with big city criminals and foreigners fresh from the jails of the Old World." Although it is rarely mentioned by "mainstream" historians, many acts of rape were committed by these federal soldiers. The University of South Carolina's library contains a large collection of thousands diaries and letters of Southern women that mention these unspeakable atrocities.

Shermans' band of criminal looters (known as "bummers") sacked the slave cabins as well as the plantation houses. As Grimsley describes it, "With the utter disregard for blacks that was the norm among Union troops, the soldiers ransacked the slave cabins, taking whatever they liked." A routine procedure would be to hang a slave by his neck until he told federal soldiers where the plantation owners' valuables were hidden.

General Philip Sheridan is another celebrated "war hero" who followed in Sherman's footsteps in attacking defenseless civilians. After the Confederate army had finally evacuated the Shenandoah Valley in the autumn of 1864 Sheridan's 35,000 infantry troops essentially burned the entire valley to the ground. As Sheridan described it in a letter to General Grant, in the first few days he "destroyed over 2200 barns . . . over 70 mills . . . have driven in front of the army over 4000 head of stock, and have killed . . . not less than 3000 sheep. . . . Tomorrow I will continue the destruction."

In letters home Sheridan's troops described themselves as "barn burners" and "destroyers of homes." One soldier wrote home that he had personally set 60 private homes on fire and opined that "it was a hard looking sight to see the women and children turned out of doors at this season of the year." A Sergeant William T. Patterson wrote that "the whole country around is wrapped in flames, the heavens are aglow with the light thereof . . . such mourning, such lamentations, such crying and pleading for mercy [by defenseless women]... I never saw or want to see again."

As horrific as the burning of the Shenandoah Valley was, Grimsley concluded that it was actually "one of the more controlled acts of destruction during the war's final year." After it was all over Lincoln personally conveyed to Sheridan "the thanks of the Nation."

Sherman biographer Lee Kennett is among the historians who bend over backwards to downplay the horrors of how Lincoln waged war on civilians. Just recently, he published an article in the *Atlanta Constitution* arguing that Sherman wasn't such a bad guy after all and should not be reviled by Georgians as much as he is. But even Kennett admitted in his biography of Sherman that:

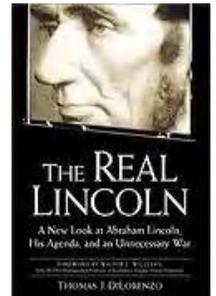


Had the Confederates somehow won, had their victory put them in position to bring their chief opponents before some sort of tribunal, they would have found themselves justified...in stringing up President Lincoln and the entire Union high command for violations of the laws of war, specifically for waging war against noncombatants.

Sherman himself admitted after the war that he was taught at West Point that he could be hanged for the things he did. But in war the victors always write the history and are never punished for war crimes, no matter how heinous. Only the defeated suffer that fate. That is why very few Americans are aware of the fact that the unspeakable atrocities of war committed against civilians, from the firebombing of Dresden, the rape of Nanking, Hiroshima and Nagasaki, to the World Trade Center bombings, had their origins in Lincoln's war. This is yet another reason why Americans will continue their fascination with the War for Southern Independence.

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