

War is Our Judge: contrasting the anti-partisan policies in the American Civil War and the Franco-Prussian War

A new problem presented itself to the political and military leaders of the western world when the whims of the citizenry began to dictate the duration and goals of warfare. For the Prusso-German coalition that fought the Franco-German War, the answer was to fight the organized enemy wherever he showed himself and seize the capital in order to finally end the war. The American Civil War proved to defy logic a fashion equal to the Franco-Prussian War. The southerners fought successfully in many battles in the east, but hemorrhaged defeats in the western sphere of battle. However, the only military hope of the Confederates, strategically speaking, was to force the northern populace to tire of war to such a degree that they demanded its swift conclusion.

The Prusso-German coalition, under Helmuth von Moltke's leadership, fought a war for the hearts and minds of the French populace. He consistently refused to fight what he considered a dishonorable war against the civilian populace. Prussian troops brought order and stability within the rear areas, while French troops often behaved poorly among their own countrymen. Moltke aimed at defeating

The northern American leaders utilized a starkly different policy towards civilians in the American Civil War from the Prussians in the Franco-Prussian War. Although one would expect, given the violent history shared by France and the Germans, that the Prussians would fight a brutal war against the French population; it was the Americans who targeted civilians in their Civil War. Without the modern concept of war crimes, the Prussians waged a relatively old-fashioned war that fit within the rules of warfare of the day. In contrast, the northern Americans waged a more vicious struggle against the civilians after the tide of the war had turned.

The United States in the American Civil War and the Prussians in the Franco-Prussian War struggled with similar problems in their own wars of unification. They were attacked by the forces that sought to deny unification to the American and German peoples. They struggled with internal and external dissent. In spite of the fact that the Franco-Prussian War was significantly shorter than the American Civil War, the Franco-Prussian War was more condensed and still contained the same difficulties faced by the Americans in spite of its lack of breadth.

Lincoln and his generals decided to target internal and external dissent; this type of war would discourage the southerners from successfully pursuing a martial style similar to George Washington's strategy for defeating the British in the 18th Century. George Washington fought a near guerilla style war that drew the conflict out until the British population no longer desired to continue the war. Lincoln feared that Robert E. Lee and the other southern generals would decide to adopt the Washingtonian strategy and roam to and fro across the vast expanses of the south. He also feared that internal support for the southern cause could also derail the war effort and he made many efforts to crush it quickly.

The Unionist generals maintained that the rebellion allowed for and even necessitated a vicious war. They noted that the Confederate population was significantly smaller than the northern population; however, no one had ever occupied so great a population that spanned such a great swath of territory. Furthermore, the Confederacy also possessed immense variation in terrain that could support guerilla warfare from the swamps of Florida and the mountains of Appalachia to the wide open plains of Texas. Any war with the committed population of the south necessitated a war against the citizenry supporting it.¹ The northern leaders simply realized how dangerous the south could be if they ceased their symmetrical warfare in favor of an

¹ Daniel E. Sutherland, *A Savage Conflict: the decisive role of guerrillas in the American Civil War*, (Chapel Hill: University of North Carolina Press, 2009), 246-277.

asymmetrical martial style. They could not count on the vainglorious nature of the southern leaders to continue as the war turned against them.

Sherman's opinions were violent, but not out of step with the war effort that many northern leaders felt were necessary by 1863. Sherman made his views very clear early on in the war in a letter to a judge in occupied Memphis in June of 1863. He stated that the southerners might "display heroic courage," upon the battlefield and they might even "elicit the admiration of the world" through their impressive display of "military genius". However, he quickly stated that "they cannot stay the hand of destruction, that is now setting adrift their Slaves, occupying with fruitless muskets their adult whites, consuming and wasting their fields and improvements, destroying their roads, bridges, and the labor and fruits of near a century of undisturbed prosperity." Sherman, like many of his counterparts believed that the war necessitated devastation of the south. He wrote that if the southern Americans prolonged the strife and "you may safely burn your library and turn your thoughts to some more lucrative trade than the Law."²

The northern leaders had a specific goal that went beyond the present troubles and pitfalls; they also wanted to secure the future. Sherman argued that by the end of August 1863 that "we have not yet killed enough, we must make this War so fatal and horrible, that a Century will pass, before new demagogues and traitors will dare to resort to violence and war, to achieve their ends."³ Leaders, like Sherman, had a clear set of goals that they intended to achieve through the death and suffering of the war. Only war would be the judge of their actions and the future would behold their vindication. They never intended to solely focus upon the present troubles, although those troubles always required the vast majority of their efforts, but they also wanted to secure the future.

²William T. Sherman, *Sherman's Civil War: selected correspondence of William T. Sherman, 1860-1865*, ed. Brooks D. Simpson and Jean V. Berlin, (Chapel Hill: University of North Carolina Press, 1999), 480.

³ *Ibid*, 525.

Sherman's views, as well as the views of many of his counterparts sometimes appeared to contradict one another. He believed that intentional acts of violence and destruction were admirable, such as bombarding a city or burning the crops of southerners. However, he argued that wanton acts of destruction by the individual troops for the purposes of plundering were deserving of death.⁴ Sherman, like his Unionist counterparts, believed that the terror he unleashed upon the south was necessary; but for the future's sake, the northern leaders needed to maintain it in a controlled method.

The Eastern and Western Theatres of war both failed to produce the type of popular victories that would bolster northern public opinion of the war. In the East, Lee and his skilled squad of officers continually won battles against the varying incompetent unionist leaders who suffered numerous defeats in spite of their numerical superiority. In the Western Theatre, the United States enjoyed a string of military victories, but these did not appear to bring the war any closer to a final decision. The West lacked the prestige of the Eastern Theatre due to the lack of newspaper attention and this hampered Lincoln's ability to use the victories to his political advantage.⁵ The lack of strategic victory in addition to the souring public opinion about the war brought Lincoln to change tactics in the war.

Gettysburg and Vicksburg provided the notable exceptions to the string of defeats and draws suffered by the northern armies. Lincoln's victory in Pennsylvania, however, did not appear to bring the war closer to a successful conclusion. The confederate army retreated back into Virginia, but reclaimed the same high ground that it had occupied for several years and dared the federal forces to push them off of the hills in northern Virginia.

⁴ Ibid, 519.

⁵ Thomas W. Osborn, *The Fiery Trial: a union officer's account of Sherman's last campaign*, (Knoxville: University of Tennessee Press, 1986), 1-24.

The situation throughout the continent had always remained tenuous, even including pro-Secessionist populations sprouting in southern Illinois where they threatened to hang Republicans.⁶ Bands of irregulars, like one group in Mississippi, roved to and fro within their Southern homeland with the expressed purpose of “repelling insurrection among the negroes” as well as “keeping down Toryism among the people.”⁷ These bands could easily be unleashed upon northern civilians or the armies of the north. The guerilla style of warfare fit the independent nature of many southerners. In order to prevent an increase to the length and horror of the war, the northern leaders labored to utilize the new tactics against the southern population.

The northern troops famously burned the Shenandoah Valley, commonly referred to as the ‘Breadbasket of the Confederacy’, and Atlanta which was one of the largest cities of the South. Sherman stated that he intended to “destroy Atlanta and make it a desolation.” He further deported the male and female workers in captured areas in Georgia during his offensive against Atlanta. He noted that the “poor women will make a howl”, but he insisted that enemy complaints were insignificant.⁸ Sherman’s ‘March to the Sea’ is the most famous expression of these tactics, but they had become widespread by 1864. While the tactics changed to break the will of the southern population, it still took over a year and a half for the northern troops to complete the war.⁹

The United States promoted a policy of suppression in regards to internal dissent. The government utilized the police and federal marshals to conduct surveillance on the Democrats as well as any others suspected of political dissidence. Secretary of State William Seward employed a veritable legion of private detectives to be the eyes of the government throughout the land of

⁶ Daniel E. Sutherland, *A Savage Conflict...* 38-39.

⁷ Ibid, 46.

⁸ Michael Fellman, *Citizen Sherman: a life of William Tecumseh Sherman*, (New York: Random House, 1995), 177.

⁹ McPherson, *The Battle Cry of Freedom: the Civil War era...* 806.

the free. In the summer of 1861, a mere couple of months into the war, Seward bragged that “I can touch a bell... and order the arrest of a citizen of Ohio... and the imprisonment of a citizen of New York, and no power on earth, except that of the President of the United States, can release them.”¹⁰ Lincoln’s suspension of habeas corpus aimed at crushing internal dissent that called for negotiations with the southern states or maintained solidarity with the southerners. The government’s actions against its own civilian population helped to prohibit an unsuccessful conclusion to the conflict. The Franco-Prussian War saw many of the same key ingredients as the Civil War, but led the Prussian leadership to make very different decisions.

Moltke enjoyed the blatant aggression of Napoleon III who alienated the southern German states and even Emperor Franz Joseph of Austria. Fortunately for Moltke, the French were unprepared for their jingoistic attack. Napoleon declared war against the Prussians and by extension all of the members of the German Confederation, but he had no plan. The Prusso-German forces battered the French forces that captured the Prussian city of Saarbrücken. In a series of bloody battles, the Prussian forces push the French forces out of their positions and into defensive positions around the fortresses of Metz as well as the town of Sedan. At Sedan, the German forces not only destroyed the best of the professional armies of the Second French Empire, but they also captured Napoleon III.. Their victories, however, did not bring about French capitulation. The French suffered devastating defeats and even overthrew the last vestiges of the Second Empire by establishing the Third Republic within a few short months. In spite of all of these setbacks and the inability to win the war, the French remained unwilling to seriously negotiate with the Prussians.¹¹

¹⁰ Jörg Nagler, “Loyalty and Dissent: the home front”, in *On the Road to Total War: the American Civil War and the German Wars of Unification, 1861-1871*, ed. Stig Förster and Jörg Nagler, (New York: Cambridge University Press, 1997), 345.

¹¹ Arden Bucholz, *Moltke and the German Wars, 1864-1871*, (New York: Palgrave, 2001), 139-181.

Bismarck, the Prussian chancellor, argued stridently for a more brutal policy that he modeled on the American Civil War. The French unwillingness to negotiate frustrated Bismarck to fight for a more vicious stance towards the French. The coalition, however, maintained Moltke's course, with only minor exceptions, and continued to fight standing armies wherever they presented themselves. While this policy allowed the German coalition to prevent many atrocities that would have inevitably occurred with a more violent policy, they willingly opened themselves to greater challenges that greater brutality theoretically could have prevented.

As the war dragged on, the German troops often carried out individual actions against the franc-tireurs, but they generally adhered to the laws of the day. When a partisan fired upon a Saxon artillery unit, they fired upon his supposed location and then demanded a fee from the nearby village. Their actions were within the parameters of the accepted practices of the day. The fee was intended to discourage civilians from harboring or supporting guerilla warfare that had been an encouraged method of repercussion since the days of the 30 Years War.¹²

The Prusso-German forces continued to hammer the French armies in the field. While both armies were comprised largely of conscripts; the French forces more closely resembled a motley band of brigands than the armed forces of a nation. Moltke explained that "It is lamentable and irresponsible to send an army like that into action... in spite of [their] undeniable bravery, [they] can hardly put up any resistance."¹³ Although the French armies did not have a standard rifle or any real training; these hastily assembled forces continued to fight the Germans with surprising ferocity. Almost regardless of the situation, Moltke intended to defeat the French armies in the field wherever they may appear even if this meant occupying the whole of France.

¹² Geoffrey Wawro, *Franco-Prussian War: the German conquest of France in 1870-1871*, (New York: Cambridge University Press, 2003), 264.

¹³ Robert Tombs, *The Wars Against Paris*, in *On the Road to Total War: the American Civil War and the German Wars of Unification, 1861-1871*, ed. Stig Förster and Jörg Nagler, (New York: Cambridge University Press, 1997), 545.

Moltke possessed a keen desire to avoid attacking the civilian population. He wrote on October 27 that the “war takes on an ever more hateful character,” and that “[i]t is bad enough that armies must slaughter each other; one must not lead whole peoples against each other.”¹⁴ Even though King William ordered the bombardment of Paris in January of 1871; Moltke aimed a vast majority of the guns at the fortresses surrounding the city and only a few were allowed to fire at the city itself. Moltke directed the guns to only fire upon the city at night in order to prevent widespread civilian casualties. Moreover, he instructed the guns that were technically tasked with bombarding the city to bombard the slivers of the Paris that the French used to bring ammunition to the surviving forts that protected the city. Moltke endeavored continuously to minimize civilian casualties and for the most part, he succeeded. Throughout the whole of the ‘Siege of Paris’ only 400 Parisians died from the bombardment.¹⁵

Internal dissent plagued the Prussian war effort, but the government refrained from officially acting against it. The Socialist Party, in particular, repeatedly called for an immediate end to the war constantly, in spite of the victories earned by the German armies. The primary example of suppression of free speech came in Braunschweig where the Prussian General Falkenstein arrested five members of the Socialist Party. He arrested them for writing in their newspaper that an immediate end to the war was necessary. Falkenstein argued that these men were “dangerous” and he imprisoned them in a military fortress in East Prussia for five months. After their release they sued Falkenstein, arguing that his actions were illegal and the government had no right to have them arrested without cause even in wartime. Bismarck directed the government to pay for Falkenstein’s court costs, because, Falkenstein had acted as “an agent of the state” and not a mere individual. While the government’s genuinely supported the general,

¹⁴ Helmuth graf von Moltke, *Moltkes Briefe*, vol. 2, ed. Willy Andreas, (Leipzig, Bibliograph. Inst., 1922), 412.

¹⁵ Robert Tombs, *The Wars Against Paris...* 544.

they condemned his actions and they refused to even help him cover the 4,300 mark settlement with the plaintiffs. The case demonstrated that Germany would hold troops and their leaders liable for their actions if they acted without orders.¹⁶

Prussia and the United States both struggled with the problem of guerilla warfare. Partisans attacked Prussian and American armies throughout their wars of unification hampering the war effort as well as presenting a massive increase to an old problem. The inauguration of large-scale conscription and the general abandonment of purely professional militaries led to an enormous change in the way nations considered civilians during wartime. The similar situations that confronted Lincoln in North America and Moltke in Europe brought about very different results.

Lincoln and his generals changed their tactics after their major victories in 1863; they targeted civilians in order to finish the war. While some civilians felt the hard hand of war before August of 1863, they were the exceptions to the rule. After the unionist leaders changed the civilian policy, the southern civilians became targets of a harsh stratagem aimed at breaking the will of the Confederate States to continue the war. Lincoln reacted to the real possibility of large-scale partisan warfare by the C.S.A. As Lee began to lose momentum in the Eastern Theatre, Lincoln faced the clear and present danger of a southern implementation of George Washington's strategy from the American Revolution. He believed that he needed to break the southern morale in order to prevent this possibility that would add years and theoretically decades to the war.

Lincoln and his administration harshly treated internal dissent throughout the course of the war. Although he shied away from attacking external dissent, at least at first, he never lost his

¹⁶ Alf Lüdtke, "The Permanence of Internal War: the Prussian state and its opponents, 1870-1871", in *On the Road to Total War: the American Civil War and the German Wars of Unification, 1861-1871*, ed. Stig Förster and Jörg Nagler, (New York: Cambridge University Press, 1997), 378-392.

fervor for assailing internal dissent. Secretary of State Seward vehemently combated any northerner who dared to voice opposition to the war effort.

While Bismarck, the Prussian chancellor, argued vociferously for a vicious policy that he modeled on the American Civil War; Moltke, the military leader, tirelessly contended for a clean war. Moltke desired a more old-fashioned war that could win the hearts and minds of the French populace. The coalition maintained Moltke's course, with only minor exceptions, and continued to fight standing armies wherever they presented themselves. This policy allowed the German coalition to prevent many atrocities that would have inevitably occurred with a more violent policy; they willingly opened themselves to greater challenges that greater brutality theoretically could have prevented.

The northern American leaders utilized a starkly different policy towards civilians in the American Civil War from the Prussians in the Franco-Prussian War. The Prussians began the war with a historical hostility against the French who had burned their way through Germany for centuries. The Prussian leadership, however, fought a clean war and defeated the guerillas by winning the support of wide swaths of the French populace. In contrast, the northern Americans waged a more vicious struggle against the civilians after the tide of the war had turned in their favor. Lincoln utilized the power of his armies as well as his power at home to break both northern and southern dissent. Lincoln and his leaders attempted to control any destruction in order to successfully conclude the war. The two wars of unification showed the disparity between the methods for dealing with dissent. Moltke successfully conducted his clean war and won the hearts of most of the French people; while Lincoln prevented the south from causing an even more destructive war through his use of force aimed at the civilians supporting the war.

Bibliography

- Bucholz, Arden. *Moltke and the German Wars, 1864-1871*. Houndmills: Palgrave, 2001.
- Fellman, Michael. *Citizen Sherman: a life of William Tecumseh Sherman*. New York: Random House, 1995.
- Förster, Stig, and Jörg Nagler, ed. *On the Road to Total War: the American Civil War and the German Wars of Unification, 1861-1871*. New York: Cambridge University Press, 1997.
- McPherson, James. *The Battle Cry of Freedom: the Civil War era*. New York: Oxford University Press, 1988.
- Moltke, Helmuth graf von. *Moltkes Briefe*, vol. 2, ed. Willy Andreas. Leipzig, Bibliograph. Inst., 1922.
- Osborn, Thomas W. *The Fiery Trial: a union officer's account of Sherman's last campaign*. ed. Richard Harwell and Philip N. Racine. Knoxville: University of Tennessee Press, 1986.
- Sherman, William T. *Sherman's Civil War: selected correspondence of William T. Sherman, 1860-1865*, ed. Brooks D. Simpson and Jean V. Berlin. Chapel Hill: University of North Carolina Press, 1999.
- Sutherland, Daniel E. *A Savage Conflict: the decisive role of guerrillas in the American Civil War*. Chapel Hill: The University of North Carolina Press, 2009.
- Waldersee, F. J. G. graf von. *Krieg gegen Dänemark im jahre 1864*. Berlin: Alexander Duncker, 1865.
- Wawro, Geoffrey. *Franco-Prussian War: the German conquest of France in 1870-1871*. New York: Cambridge University Press, 2003.