SNAKES LURKING IN THE GRASS:

LINCOLN AND THE COPPERHEADS IN THE CIVIL WAR

In January 1863, Abraham Lincoln was confronted with a threat more dangerous than that of the Confederate Army. The Union Army was visibly struggling toward victory with each passing battle and it seemed as if the war was far from concluding. Lincoln's problems were not just limited to the battlefield, but the president was also burdened in dealing with intense opposition toward his government on the homefront. The threat was the Copperhead movement: Congressional Democrats were banning together in opposition to the war and proposing immediate peace through negotiations with the Confederacy. The Copperhead challenge came at an uneasy period in Lincoln's presidency as the American public became more hostile towards the war effort. Numerous setbacks for the Union troops and the hardships of the war at home wore at the patience of many Americans and the President himself. The Copperheads took advantage of the public agitation by attacking Lincoln's actions and character while deeming his expansion of power as unconstitutional and dangerous. Lincoln's suspension of habeas corpus and use of martial law agitated this political opposition. The Copperheads were successful in gaining support before the election of 1864 through their attacks on Lincoln's perceived abuse of civil liberties and expansion of power; however, Lincoln's ability to lead the nation in troubling times, as well as a turn in the tide of the war, prevented the election of a Copperhead president and exposed the weaknesses of the movement.

The supporters of the Copperhead movement were quite varied and diverse. Followers tended to have Southern sympathies or those had relatives who lived in the Confederacy. Other

dedicated supporters tended to believe in a strict interpretation of the Constitution, or they were immigrants of a Northern city who felt threatened by the cheap labor of newly freed slaves after Lincoln's Emancipation Proclamation. Despite the differences in their backgrounds, all Copperheads believed that the war was not beneficial for the Union and a peace needed upon by Jefferson Davis and Abraham Lincoln. Additionally, Copperheads believed that Lincoln was an incompetent leader and opposed most of his decisions pertaining to the war effort.

The Copperhead movement was most prevalent in the Mid-Western states and led by Congressional members most commonly representing Indiana, Ohio, and Illinois. Congressional Republicans coined the term "Copperhead" to describe the dissenting Democrats as a metaphor for the poisonous snake. The Copperheads were most notably led by leader Clement L. Vallandigham, a spirited lawyer turned politician from Ohio. Vallandigham served in the House of Representatives from 1852 to 1862, but failed in his attempt at re-election after his vocal opposition to the war effort. After he was ousted from the House, Vallandigham focused on asserting his influence within the Copperhead movement and spreading a strong anti-war ideology. The Copperheads were relentless in their critiques of Lincoln, and as the war dragged on, the propaganda and public attacks on his leadership escalated.

The Copperheads were not always a popular faction within the Democrat party, but the movement quickly picked up steam following a series of unfortunate and embarrassing defeats for the Union Army. In January 1863, General Ambrose Burnside was forced to turn his troops around and re-organize after his attempt to take the offensive in the Mud March, which destroyed

¹ Jennifer Weber, *Lincoln's Critics: Copperheads* (Ann Arbor, MI: Michigan Publishing, 2011), 97.

² Jennifer Weber, "Lincoln and the Copperheads," *New York Times*, January 28, 2013, 1.

³ Christopher Bates, "Vallandigham, Clement L," *Encyclopedia of American History: Civil War and Reconstruction, 1856 to 1869* (2010): accessed January 5th, 2014, 3.

the overall morale of his troops and the hope of many Americans. The Union suffered a devastating blow at the Battle of Chancellorsville. Chancellorsville was known as Lee's perfect battle because of his risky decisions that led to a Confederate victory. Weeks later at the Battle of Vicksburg in June 1863, the siege was a prolonged Union effort for the troops fighting in Mississippi. Despite the conclusion of the battle as a Union victory, Robert E. Lee's forces held off the attack for much longer than anticipated. The Confederacy's success at delaying the movement of Union troops can be compared to the Copperhead Party's attempt to slow down the efforts of Lincoln's leadership. It seemed that the war was far from a Union victory after the series of hardships. The Copperheads took advantage of the diminishing patience of the American public by attacking Lincoln's leadership through propaganda.

An example of an attack on Lincoln's leadership is the propaganda that targeted Lincoln's Emancipation Proclamation. The Copperhead movement scorned the idea of emancipation as a distraction from Lincoln's original military goals. They believed that the weakness of the Union army could be blamed on Lincoln's dedication to the Emancipation Proclamation. In a Copperhead pamphlet released in 1864, the Copperheads depicted Lincoln as "Abraham Africanus I." (Refer to Appendix A) The pamphlet emphasizes the expansion of Lincoln's power to an empirical domain. The depiction as "Africanus I" demonstrates the idea that Lincoln sympathizes with African-Americans and was determined to play the role as protector of the newly freed slaves. The civilian supporters of the Copperheads interpreted the pamphlet to describe how Lincoln had overreached his power as President. Most immigrants,

⁴ Weber, *Lincoln's Critics*, 97.

⁵ Simpson, America's Civil War, 102.

⁶ Brooks D. Simpson, America's Civil War (Wheeling, Illinois: Harlan Davidson, Inc, 1996), 113.

⁷ Edward L. Ayers, "The Tide is Set Strongly Against Us: Lincoln's Bid for Re-Election in 1864 Faced Serious From a Popular Opponent and a Nation Weary of War," *American Heritage* Winter 2010, 58.

⁸ "Abraham Africanus I," New York: J.F. Feeks, 1864.

specifically those from Ireland, were threatened by the influx of freed Blacks because the job market would be flooded. The New York City draft riots were the tipping point of Irish immigrant agitation. In July of 1863, violent crowds became a mob set on terrorizing the city in opposition to the nation's first draft. The crowds were made up of men who were disgusted by the idea that they would be fighting and risking their lives to free slaves that could one day take their jobs. The vicious mobs killed an estimated five hundred people, including a small African-American girl who was hiding under her bed when the mob attacked the Colored Orphan Asylum at 43rd and Fifth Avenue. The draft riots demonstrated the impact of Copperhead propaganda and the overall agitation of many Northerners.

In a pamphlet titled "Lincoln Catechism," the Copperheads attacked all aspects of Lincoln's leadership through a satire of the Christian doctrine used to educate children about the Sacraments. A line of the pamphlet reads, "What is the meaning of the word Law?" The answer is a blatant criticism of Lincoln: "The will of the President." In this line, the Copperheads referenced their greatest argument against the President, the suspension of the writ of habeas corpus in Maryland. Copperhead propaganda was predominantly centered around their main critique of Lincoln: his perceived abuse of civil liberties and expansion of power. Lincoln argued that no single law, particularly the writ of habeas corpus, was worth the failure of the Union. Lincoln believed that suspending this writ was necessary in order to preserve the Union, but the original purpose of the act was to ensure that the key border state of Maryland

⁹ Linda Wheeler, "New York City Draft Riots of 1863," Washington Post, April 29th, 2013.

¹⁰ Wheeler, "Draft Riots of 1863."

¹¹ Ibid.

¹² "Lincoln Catechism," American History Online, Facts on File, Inc.

¹³ Ibid.

¹⁴ David B. Wolcott and Tom Head, "A Nation Dissolved: 1855–1869," *Crime and Punishment in America*, American Experience, (New York: Facts On File, Inc., 2010.)

stayed in the Union. ¹⁵ Lincoln bestowed the power upon General Winfield Scott to arrest any Confederate sympathizers in order to preserve the loyalties in Maryland. If the Union lost Maryland to the Confederacy, Washington D.C. would have been vulnerable to attack as a Union island in a Confederate sea. Lincoln was also criticized for his expansion of presidential power when he declared martial law for the rest of the war in 1862. Lincoln's willingness to expand the realm of his influence was a topic of controversial debate during the Civil War. ¹⁶

Copperheads were not only debating the issue of the suspension of the writ of habeas corpus, they were fueled with passion towards the subject. As strict constitutionalists, the Copperheads immediately responded to the problem in Maryland with fiery opposition. They believed that Lincoln had overreached his constitutional powers and was extending the executive branch to overshadow the protection of civil liberties. Clement Vallandigham was the most outspoken opposition leader. In January of 1863, he addressed Congress in his last speech after failing to be re-elected. He spoke with zeal about how the war was failing in every aspect, including the inability to restore the Union. He attacked Lincoln for his careless bloodshed and once again emphasized the need for an immediate peace with the Confederacy. He proclaimed the separate governments between the Union and Confederacy as "folly" and "madness." Vallandigham's speech was romanticized and a dramatic demonstration of the views of the Copperhead movement.

As a response to brewing dissent in the Butternut region of Indiana, Illinois, and Ohio, General Ambrose Burnside issued General Order no. 38 in April of 1863, which stated:

¹⁵ Ibid.

¹⁶ Weber, Lincoln and the Copperheads, 1.

Bates, "Vallandigham," 3.

¹⁸ Clement L. Vallandigham, "Speech on the Civil War," *Speeches, Arguments, Addresses, and Letters of Clement L. Vallandigham*, New York: 1864, 418–453.

¹⁹ Ibid. 449.

"The habit of declaring sympathy for the enemy will not be allowed in this department. Persons committing such offenses will be at once arrested with a view of being tried. . .or sent beyond our lines into the lines of their friends. It must be understood that treason, expressed or implied, will not be tolerated in this department." ²⁰

Burnside was the commander of the Department of Ohio, and hoped to use the order to intimidate Southern sympathizers who lived in Southern part of the state. Ohio seemed to be a region that favored a peaceful resolution with the Confederacy due to pro-Southern sentiment that could be traced back to a historical allegiance to slaveholders in the South. Vallandigham and other Copperheads were angered by the order, specifically because they believed it violated the freedom of speech. At a Democratic Party rally in Mount Vernon, Ohio, two Union officers under Burnside's command witnessed Vallandigham rallying the supporters by attacking Lincoln's actions, spitting upon the order, and encouraging the ralliers to oppose Burnside's leadership.²¹ The officers, with Burnside's permission, arrested Vallandigham under violation of the General Order. Vallandigham's arrest posed a serious problem for Lincoln. ²² He had to tread lightly in this situation in order to make the decision that would be the most beneficial for the Union. Similar to his careful maneuvering at Fort Sumter, Lincoln chose to think rationally about his reaction to Vallandigham's arrest. 23 Lincoln could have left him in prison, as Burnside wished, however; this would make Vallandigham a martyr for the Copperhead movement and win him even more support with strict constitutionalists.²⁴ Another option would be to acquit Vallandigham of all charges and pardon his crimes, but this would also have negative consequences because Lincoln would appear weak to his opponents. Lincoln, demonstrating his

²⁰ Ambrose Burnside, General Order no. 38.

²¹ James McPherson, *Battle Cry of Freedom* (New York: Oxford University Press, 1988), 596.

²² McPherson, *Battle Cry*, 597.

²³ Weber, "Lincoln and the Copperheads," 1.

²⁴ Ibid.

mastery of politics and compromise, chose to exile Vallandigham to the Confederacy.²⁵ Lincoln's handling of this sticky situation shows the President's overall ability to maneuver through tough situations, find balance in his leadership, and overcome the opposition.

The Copperhead movement was gaining momentum in the summer of 1863 because of the American public's frustration with the war effort. Only months before, Lincoln has signed a federal draft act, which further contributed to the anti-war movement. The Union Army was failing in its effort to restore the shaky peace that existed before secession. ²⁶ The Copperhead idea that an immediate peace should be resolved through political negotiation was becoming more appealing to those who opposed the violence. In the same month as Vallandigham's arrest and exile, the Union forces under General Joseph Hooker suffered a devastating loss to Confederate General Robert E. Lee's force of nearly half the size. General Lee outwitted the Union strategy and shamed the Union troops, despite considerably overwhelming casualties for both sides. ²⁷

It seemed as if this war was far from ending for many Americans and the Union would not be victorious. The agitation of everyday Americans refueled the popularity of the Copperhead movement. Copperheads in the states of Ohio, Indiana, Illinois, and in big cities in the North took advantage of the lack of military victories. While Lincoln was attempting to reorganize the military leadership of the Union forces by firing Hooker, the Copperheads blamed the incompetency of Union strategy of Lincoln's ineffective leadership. In addition to the lack of military victories, the American people were horrified by the devastating number of casualties in each battle. Thousands of Union and Confederate soldiers were killed, wounded, or missing with

²⁵ Weber, "Lincoln and the Copperheads," 1.

²⁶ Carl Sifakis, "New York City draft riots," *The Encyclopedia of American Crime*, Second Edition, (New York: Facts On File, Inc., 2001,) 1.

²⁷ Simpson, *America's Civil War*, 114.

²⁸ Weber, "Lincoln and the Copperheads," 1.

each battle in the war. In the single Battle of Chancellorsville in May of 1863, there were approximately thirty thousand casualties.²⁹ Public criticism of the devastation of the war provided another opportunity for the Copperhead part to attack: the Copperhead plan for immediate peace appealed to those who were horrified by the atrocities of war. The movement attempted to tug at the heartstrings of the American people by emphasizing civility, peace, and friendship between the Confederacy and the Union. The Copperhead movement gained another follower every time a Union mother learned of her son's death on the battlefield.

The Copperhead movement was strong at the lowest point in the Union Army's success, but there were many flaws within the Copperhead plan for success. The weaknesses of the Copperhead movement included its' leaders shortcomings when compared to Lincoln's superior leadership skills, the contradicting ideals of the Copperhead platform in the election of 1864, and the turning tide of the war. A definitive demonstration of Lincoln's superior ability to lead the Union was his response to Erastus Corning in a letter defending his actions in Maryland. Two weeks after Vallandigham was arrested in May of 1863, Erastus Corning hosted a public meeting in Albany, New York where a handful of politicians drafted a letter to Lincoln outlining their opposition to Vallandigham's arrest. As a New York politician who sympathized with the Copperhead movement, Corning's letter ridiculed Lincoln's actions, and attacked the suspension of the writ of habeas corpus as unconstitutional. Lincoln's response to the letter drafted by Erastus Corning and others in Albany expressed his calm demeanor and his justification for his actions. Lincoln defends himself against the attacks of the Copperheads by justifying the suspension of the writ of habeas corpus. He cited from the Constitution itself: "the privilege of

²⁹ McPherson, Battle Cry of Freedom, 645.

³⁰ Abraham Lincoln, "Letter to Erastus Corning and Others," *Teaching American History.org*, (June 12, 1863), http://teachingamericanhistory.org/library/document/letter-to-erastus-corning-and-others.

³¹ Lincoln, "Letter to Erastus Corning."

the writ of habeas corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public safety may require it."³² Lincoln believed that suspending the writ of habeas corpus was necessary in order to preserve peace within the Union and in Maryland. Lincoln makes the case that arresting Vallandigham prevented further dissent and helped the Union cause because the Ohio Democrat was inciting the crowd as well as persuading potential soldiers:

Mr. Vallandigham avows his hostility to the war on the part of the Union; and his arrest was made because he was laboring, with some effect, to prevent the raising of troops, to encourage desertions from the army, and to leave the rebellion without an adequate military force to suppress it. He was not arrested because he was damaging the political prospects of the administration or the personal interests of the commanding general, but because he was damaging the army, upon the existence and vigor of which the life of the nation depends. 33

Lincoln had brilliantly found a weakness within the Copperhead argument. The Copperheads attacked Lincoln by declaring that his actions were unconstitutional, however; the suspension of the writ of habeas corpus, argued the President, could be found constitutional because it was necessary "in the case of Rebellion." ³⁴ If Vallandigham was inciting violence, damaging the efforts of the Union army, or preventing men from joining the army, he could be justifiably arrested. The Copperheads could not argue that Lincoln's actions were tyrannical if the purpose of the suspension of the writ of habeas corpus was to benefit the Union, not to suppress the opposition.

The election of 1864 saw the peak of Copperhead efforts to stop the war. The Copperheads opposed the Republican ticket with Lincoln and his running mate Johnson by nominating George B. McClellan with George Pendleton on the Democratic ticket.³⁵ The

³² United States Constitution, Article 1, Section 9, Clause 2.

³³ Lincoln, "Letter to Erastus Corning and Others."

³⁴ United States Constitution, Article 1, Section 9, Clause 2.

³⁵ Simpson, America's Civil War, 183.

resolutions of the Democratic party at the Convention in August of 1864 focused on Lincoln's suspension of habeas corpus, the importance of a strict interpretation of the Constitution, and the failure of the war. In one resolution, the Party stated: "That the direct interference of the military authorities of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware was a shameful violation of the Constitution.."³⁶

The attack on Lincoln's leadership gained the Copperhead party a solid following, but the weakness of the party was exposed by the holes in their platform that isolated potential voters. The Copperhead Party believed in an immediate peace with the Confederacy through a truce, but the campaign never touched upon the future between the Confederacy and the Union.³⁷ There was concern that the Copperheads would be too sympathetic to the Confederate cause, therefore putting the Union at risk. In a political cartoon entitled "The Copperhead Plan for Subjugating" the South" and illustrated in 1862, the Copperheads are depicted as weak negotiators. 38 (Refer to Appendix B) A man on the couch representing the South yawns as a demonstration of the ineffectiveness of the Copperhead plan as Peace Democrats surround the representatives and beg for reconciliation. The cartoon mocks the Copperheads for being too lenient and submissive to the South in their platform of peace through negotiation.³⁹ The Copperheads supported a platform that was focused on only the faults of Lincoln's administration, without proposing a real plan for the future of the Union.

Another weak aspect of the Copperhead campaign was their nomination for President, George B. McClellan. McClellan served as General of the Army of the Potomac early on in the war, and successfully organized the army for its first battles. Unfortunately, McClellan's

Democratic Party, "Democratic Party Platform, 1864," American History Online, Facts on File, Inc.
 Democratic Party, "Democratic Party Platform, 1864."

³⁸ Frank Bellew, "Copperhead Plan for Subjugating the South," Illustration, (*Harper's Weekly* 1864), GettDigital: Civil War Era Collection, Gettysburg College.

³⁹ Bellew, "Copperhead Plan for Subjugating the South," *Harper's Weekly*.

meticulousness and organization hurt his ability to keep up with his fast-moving opponent on the battlefield. 40 On many occasions, McClellan underestimated his enemy and failed to act with force when it was necessary. His mistakes on the battlefield cost the Union army considerable losses and prompted his removal from the position. McClellan was labeled as a weak and incompetent leader after his failed attempts with the Army of the Potomac. 41 In a political cartoon published by Currier & Ives in 1864, McClellan is depicted as a spineless, cowardly leader by attacking the failure of his time as Commander of the Army of the Potomac. The cartoon is labeled "The Gunboat Candidate at the Battle of Malvern Hill" which is a reference to the Battle of Malvern Hill, which was ultimately a Union victory but also the last battle in McClellan's Peninsula Campaign. 42 (Refer to Appendix C) Despite considerable Confederate casualties, the Battle of Malvern Hill determined that McClellan's campaign to capture Richmond would come to a failed conclusion. In the political cartoon, McClellan is seated on the USS Galena, a failed Union ironclad that surrendered to the Confederacy due to damage and was retired after excessive repairs. The cartoon depicts McClellan on the ship, watching the chaos from afar because he was not present at the Battle of Malvern Hill. 43 The cartoon attacks his cowardice and incompetence, considering that his image of a failed military leader impacted his popularity during the election.

In addition to his weak image, McClellan contradicted the beliefs of the party he was representing. As the former Commander of the Army of the Potomac, McClellan supported peace through the Union military victory, not a truce. 44 In a letter written to President Lincoln

⁴⁰ Richard Slotkin, "The McClellan Problem," New York Times, August 3rd, 2012, 1.

⁴¹ Slotkin, "The McClellan Problem," 1.

⁴² Louis Maurer, "The Gunboat Candidate at the Battle of Malvern Hill," Illustration, (Currier & Ives, 1864).

⁴³ Maurer, "The Gunboat Candidate at the Battle of Malvern Hill."

⁴⁴ George B. McClellan, "Letter to Abraham Lincoln," *Teaching American History.org*, (Facts on File, Inc, 1862).

while serving as General, McClellan argues his stance on the war and demonstrates his loyalty to the Union: "The Constitution and the Union must be preserved, whatever may be the cost in time, treasure and blood. If secession is successful, other dissolutions are clearly to be seen in the future." The Copperheads made a mistake in choosing McClellan as their candidate simply for the name-recognition: they needed a candidate for President who believed in their radical ideals.

Ultimately the tide of the war changed and assured Lincoln's victory in the election. The success of General William Tecumseh Sherman's March to the Sea greatly improved the morale of the Union troops. The American public that once scorned Lincoln for wasting precious life in the war immediately revitalized with support for the war effort and Lincoln's leadership. In addition to Sherman's victories, General Phillip Sheridan was successfully leading the Army of the Shenandoah to victory. The military successes came right in time for the election of 1864 and ensured Lincoln's victory. The Copperheads failed to reorganize after their failed campaign, and after the Union's victory over the Confederacy, the political faction dissolved as a unit.

Without the unifying factor of the criticism of the war effort, the Copperheads no longer had a platform. When Robert E. Lee's Confederate forces surrendered at Appottamox Courthouse, the Copperhead movement was practically destroyed and Lincoln's assassination in April 1865 proved that the failure of the Copperhead cause was inevitable. The Copperheads relied on the war and attacks on Lincoln's leadership in order to establish a platform; however, after Lincoln's death, the Copperheads did not differ from their War Democrat counterparts. As the United States transitioned from a period of Civil War to the Reconstruction Era, the Copperhead legacy faded into only a memory of the thorns that once burdened the side of President Lincoln.

⁴⁵ McClellan, "Letter to Abraham Lincoln."

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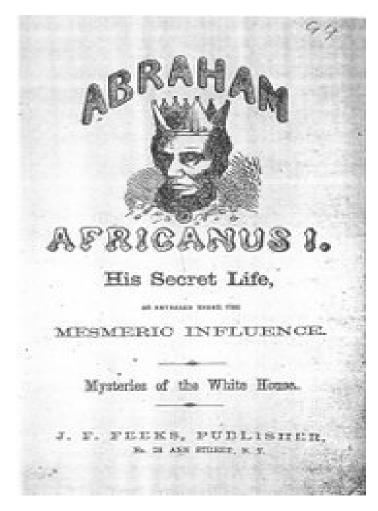
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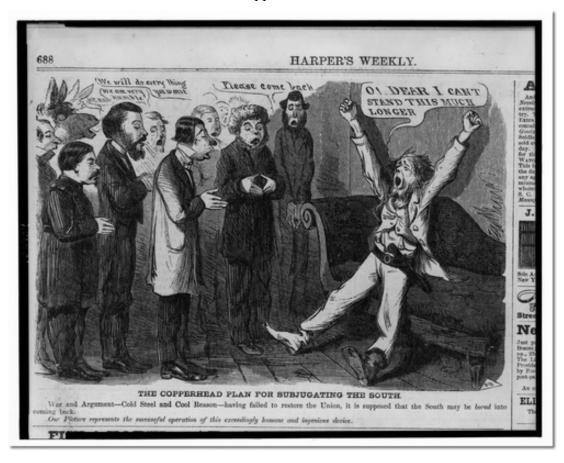
Appendix A



The pamphlet published in 1864 was a visual representation of the Copperhead propaganda that attacked Lincoln's Emancipation Proclamation. The depiction of Lincoln as "Abraham Africanus I" demonstrates the Copperhead belief that Abraham Lincoln was a tyrannical leader who was distracted from the war effort because of his slave sympathies.

"Abraham Africanus I." New York: J.F. Feeks, 1864.
http://www.library.illinois.edu/blog/digitizedbotw/2007/09/abraham_africanus_i_his_secret.html

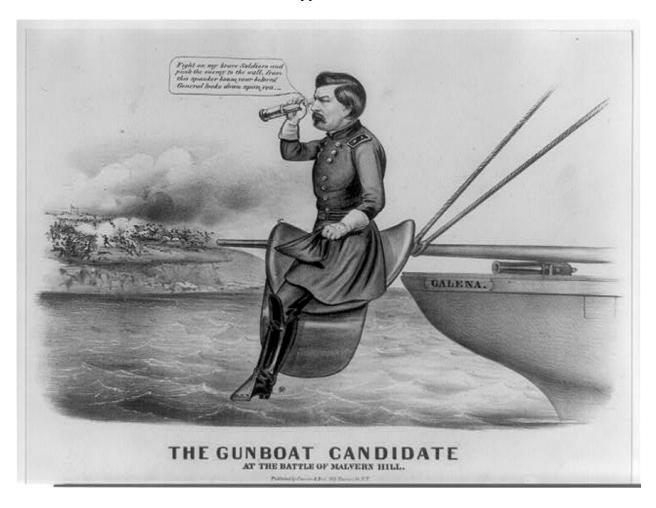
Appendix B



"The Copperhead Plan for Subjugating the South" is a Republican political cartoon that depicted the South as a figure yawning as a response to the pleas of Copperhead leaders for a peaceful end to the war. The political cartoon attacks the lack of real substance in the Copperhead platform for the reconciliation between the Union and the Confederacy.

Bellew, Frank. "The Copperhead Plan for Subjugating the South." Illustration. *Harper's Weekly*. 1864. GettDigital: Civil War Era Collection, Gettysburg College. http://gettysburg.cdmhost.com/cdm/ref/collection/p4016coll2/id/110>.

Appendix C



The political cartoon was published before the election of 1864 as propaganda that exposed the flaws in the Copperhead candidate for President. The political cartoon emphasizes McClellan's failure as the General of the Army of the Potomac and his weaknesses as a leader.

Maurer, Louis. "The Gunboat Candidate at the Battle of Malvern Hill." Illustration. *Currier and Ives* 1864. From Library of Congress Prints and Photographs Online Catalog. http://www.loc.gov/pictures/item/2008661663/>.