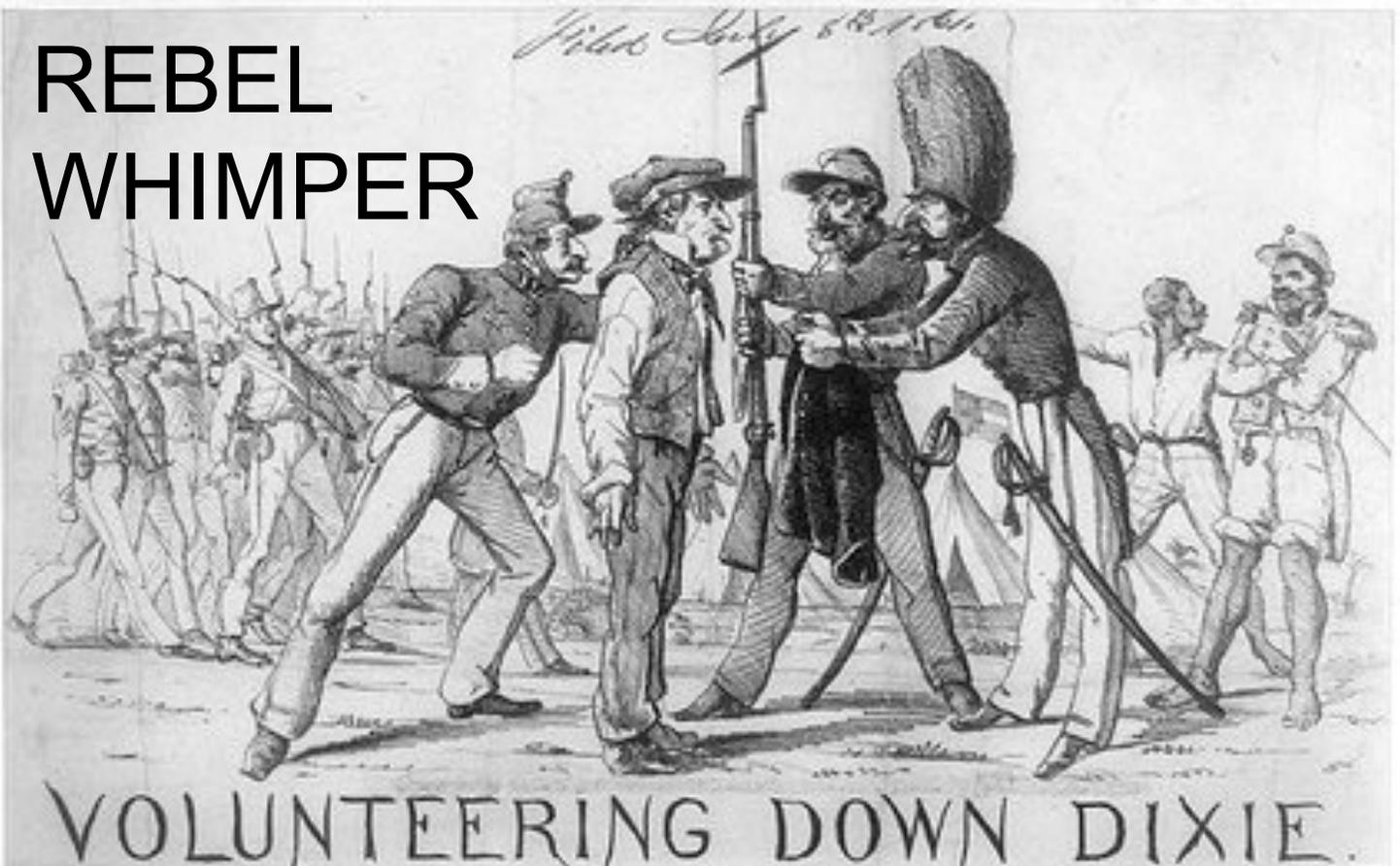


REBEL WHIMPER



By KENNETH W. NOE
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A cartoon satirizing Confederate Army efforts to recruit reluctant Southerners.

James H. Lee enlisted in the new 43rd Alabama Infantry in the spring of 1862. A man either poor enough or transient enough to have eluded the census taker two years earlier, Lee openly admitted that it was money, in the form of regular pay and a \$50 bounty (akin to a signing bonus), that finally convinced him to rally to the colors. Writing from camp near Mobile, Ala., a few weeks later, he already regretted his decision. "We have not drawn one red cent," he wrote his wife, "and from what I hear among the boys they havent more than one third of them ever drawn half of there bounty yet."

A week later, still unpaid, Lee wrote his father asking him to contact a friendly local judge and sue the government for his release. "I have been told by severel men," he explained, "that if they do not pay a soldier his bounty as soon as he is mustered in to service he is at liberty to come home if he sees cause to do so." The Confederacy had stiffed him on his bounty, and he wanted out.

Both the promise of a hefty bounty and the failure to deliver it to Lee were typical stories in the Confederacy by 1862. The South was desperate for men as the campaigns of 1862 loomed. A year earlier, in the new republic's first heady days, fears that not enough men to win the war would volunteer seemed unthinkable. Observers, like the British correspondent William Howard Russell, reported waves of excitement and enthusiastic volunteering across the south that accompanied secession and the creation of the new government. Weeks before Fort Sumter, the Provisional

Confederate Congress authorized Jefferson Davis to raise 100,000 volunteers for a period of 12 months, a quota the military met so easily that it sent many eager recruits home.

Three months later, after the victory at Bull Run and Abraham Lincoln's decision to raise a massive Union force, the Confederate Congress authorized an additional 400,000 soldiers. Never a proponent of short enlistments, Davis wanted the new recruits to serve for the duration of the war.

Compromising, legislators settled on three years, but even that term proved too much for many Southern men, and the results were disappointing. Worse, by the end of 1861, Davis and the Army faced the end of the 12-month enlistments, and it was obvious to a host of battlefield commanders that many of those war-weary soldiers would leave camp and head home for good, given the chance, in March 1862.

The Confederate Congress reacted to the threat of the bulk of its army marching home by passing legislation in December 1861 to keep the men in the field. The new act was long on carrot and short on stick: it authorized a \$50 bounty, a 60-day furlough and transportation home for soldiers willing to re-enlist. Once back in camp they could reorganize their units and, to the bitter consternation of West Pointers throughout the Army, elect their own officers. Men who had not served previously but who were now willing to sign up for three years or the duration of the war would also receive the bounty. Before the month was out, Congress authorized the creation of entirely new companies helmed by elected officers and brigaded with older state units.

To Richmond's chagrin, the December legislation still did not produce enough men; the manpower crisis continued through the winter. By April 1862, George B. McClellan's 100,000-man Army of the Potomac was massing outside of Washington. Davis, the presidential adviser Robert E. Lee and the Confederate military as a whole were worried enough about having adequate numbers of men to fight that spring that the ostensibly states' rights, anti-centralization government in Richmond instituted the first draft in American history. Unless exempted, men between the ages of 18 and 35 would owe the republic three years of military service.

Still hoping to raise troops without coercion, Congress continued the provisions of the December legislation. Men could still enlist voluntarily, and so choose their companies and officers as well as collect their bounties, or otherwise wait for the government to do the choosing for them. They also retained the right to hire substitutes. In a tradition going back to the American Revolution, and reaffirmed by the Richmond government as recently as October 1861, volunteers could leave the Army at the rate of one per company per month if they could persuade someone to take their place. The April conscription law allowed drafted men to provide substitutes as well, as long as they were recruits not otherwise draft-eligible.

In the end, enlistment and conscription legislation decisively shaped the Confederate Army. Raw numbers tell much of the story. Of all the men who fought in gray, 15 percent, roughly 120,000 men, were conscripts, unwilling soldiers who sometimes had to be jailed before being delivered to their commands. Draft evasion, meanwhile, undermined morale among common whites. Another 9 percent, some 70,000 soldiers, entered the Army as substitutes through conscription's side door. Substitution created a boom market for likely men, some of whom received hundreds of dollars, property and even land in exchange for taking a desperate soldier's or draftee's place. Comrades routinely scorned conscripts and substitutes for their lack of commitment, poor performance and

alleged tendency to desert.

Finally, 180,000 Johnny Rebs, 22.5 percent of all who fought for the Confederacy, enlisted for the first time as volunteers in the wake of Congress's December 1861 and April 1862 legislation — including James H. Lee. In a recent study I sampled 320 of these “later enlisters.” Generally a bit older and notably less ideological than their predecessors, these soldiers largely rallied to the colors for reasons that had much to do with their growing fears that invading Yankee “vandals” would deprive them of land, property, slaves and ultimately their families' economic survival. About 1 in 10 men also cited the bounty and a broader need for making a living in hard and inflationary times. For many of them, like Lee, soldiering was a job, and one of the few available.

For Lee, though, it was a job he usually wanted to quit. He tried and tried again to leave the Army that initially would not pay him his bounty. When he discovered that the camp rumor about men having contracts that guaranteed their release was mere wishful thinking, he turned to searching for a substitute. His father identified a likely man, but it was too late; yet another new law in September 1862 raised the upper draft age to 45 and made the potential substitute eligible for conscription and thus ineligible for substitution.

Serving as a nurse as well as a detailed carpenter, Lee embraced Christianity while in uniform but remained bitter. He managed to avoid combat until he was transferred to the 1st Confederate Engineer Troops as a sapper. Captured during the Battle of the Crater in July 1864, Lee died in captivity weeks later, a reluctant Rebel to the last.