

DIPLOMATS AT WAR: A CRITICAL ANALYSIS OF AMERICAN  
AND CONFEDERATE DIPLOMACY, 1861-1862

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Art of War Scholars

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## ABSTRACT

DIPLOMATS AT WAR: A CRITICAL ANALYSIS OF AMERICAN AND CONFEDERATE DIPLOMACY, 1861-1862, by LCDR John P. Houston, 119 pages.

The period from winter of 1861 until fall of 1862 proved pivotal in the Civil War. There were key victories and defeats on the battlefield, there was political change, there was debate over slavery, and, often overlooked, there was diplomatic maneuvering. Concerning diplomacy, the task for the Confederacy was to convince European powers that it was in the vital interest of those nations to intervene in the war. Intervention, by way of recognition, mediation, or temporary armistice, would be a major success for the Confederacy. If recognized as legitimate by other major powers, the Confederacy would gain the right to negotiate alliances, acquire loans to finance the war, and call on allies to challenge the legality of the blockade. The task for the United States proved more simplistic. Its task was to prevent European powers from recognizing the Confederacy. The aim of this study is to examine the effectiveness of the application of the diplomatic instrument of power by the United States and Confederate States from the winter of 1861 to the fall of 1862. Specific events this study evaluates during that time period include the *Trent* Affair, the Blockade, the Second Battle of Bull Run, and Battle of Antietam.

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## CHAPTER 1

### INTRODUCTION

The period from winter of 1861 until fall of 1862 proved pivotal in the Civil War. There were key victories and defeats on the battlefield, there was political change, there was debate over slavery, and, often overlooked, there was diplomatic maneuvering. Concerning diplomacy, the task for the Confederacy was to convince European powers that it was in the interest of those nations to intervene in the war. Intervention, by way of recognition, mediation, or temporary armistice, would prove a major success for the Confederacy. If recognized as legitimate by other major powers, the Confederacy would gain the right to negotiate alliances, acquire loans to finance the war, and call on allies to challenge the legality of the blockade. The task for the United States proved more simplistic. Its task was to simply prevent European powers from recognizing the Confederacy.

The Confederate States made intervention, specifically through recognition, a top priority from the outset of war. As early as March 16, 1861 the Confederacy attempted to gain recognition. Confederate Secretary of State Mr. Robert Toombs instructed Confederate commissioners sent to Europe to state that, “The Confederate States, therefore present themselves for admission into the family of independent nations, and ask for that acknowledgement and friendly recognition which are due to every people capable of self-government and possessed of the power to maintain their independence.”<sup>1</sup>

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<sup>1</sup>Robert Toombs to William L. Yancey, Pierre A. Rost, and A. Dudley Mann, March 16, 1861, in *A Compilation of Messages and Papers of the Confederacy: Including the Diplomatic Correspondence 1861-1865*, ed. James D. Richardson (Nashville, TN: United States Publishing Co., 1905), 2:5.

United States Secretary of State William H. Seward, realized the potential detrimental effects of Confederate recognition. The policy and approach of the United States concerning foreign recognition proved aggressive and straightforward. In a letter to United States Foreign Minister to England Charles Francis Adams, Seward wrote: “You may even assure them promptly in that case that if they determine to recognize, they may at the same time prepare to enter into an alliance with the enemies of this Republic.”<sup>2</sup>

During the time period between winter of 1861 and fall of 1862, the probability of intervention by European nations increased. Confederate diplomats in Europe used economic, humanitarian, and political contexts in attempts to influence European intervention. Conversely, Union diplomats threatened European powers and insisted on non-intervention. This back and forth struggle was apparent in many key events during that time period. Those events include: the Trent Affair (November 1861-January 1862), the blockade of Confederate ports by the United States (increased emphasis during early stages of 1862), McClellan’s failure in the Seven Days Battle (June-July 1862), the Second Battle of Bull Run (August 1862), and the Battle of Antietam (September 1862). All of those events influenced how European nations viewed intervention. The way Union and Confederate diplomacy shaped that view was crucial to the decision to intervene or not.

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<sup>2</sup>William H. Seward to Charles Francis Adams, April 10, 1861, in *The Works of William H. Seward*, ed. George E. Baker (New York: Houghton, Mifflin, and Co., 1890), 5:207.

## Thesis

The aim of this study is to examine the effectiveness of the application of the diplomatic instrument of power by the United States and the Confederacy from the winter of 1861 to the fall of 1862. Ultimately, this study concludes that the United States diplomats performed more effectively than the Confederate diplomats during the *Trent* affair and the blockade debate and the Confederate diplomats performed more effectively than the United States diplomats during the battles of the summer and fall of 1862 and up to the period of time shortly after Lincoln issued the preliminary Emancipation Proclamation. Lastly, the study states that from winter of 1861 to fall of 1862 the United States diplomats performed more effectively than its Confederate counterparts.

## Structure

Chapter 1 defines the term effectiveness and offers a means in determining diplomatic effectiveness. This chapter also presents assumptions, limitations, and delimitations. Additionally, chapter 1 briefly reviews the relevant secondary literature that bears on this study.

Chapter 2 reviews the key actors who assisted in framing the foreign policy of the United States, the Confederate States, and European nations in 1861. This appraisal includes government officials at home and diplomats sent abroad. Additionally, chapter 2 inventories the long-term strategic goals of the United States, Confederate States, and European nations constructed in the initial stages of the war. By examining the actors of 1861 and long-term strategies set in 1861, the stage is set to critically evaluate diplomacy from the winter of 1861 to fall of 1862 and to successfully determine the associated effectiveness.

An examination of the diplomatic efforts of the United States and Confederate States vis-à-vis short-term and long-term goal accomplishment takes place in chapter 3, chapter 4, and chapter 5. Furthermore, those chapters also assess the internal processes of the United States and Confederate States diplomatic organizations. Chapter 3 focuses on the time period during winter of 1861 and 1862. Chapter 4 addresses the time period of the winter and spring of 1862. Chapter 5 covers the summer and fall of 1862. A conclusion comparing the diplomatic effectiveness between the United States and Confederate States occurs in chapter 6. Additionally, chapter 6 provides areas for future research.

#### Defining Effectiveness

Prior to determining the level of United States and Confederate States effectiveness in the application of the diplomatic instrument of power, the term effective requires definition. Merriam-Webster defines effective as producing a decided, decisive, or desired effect.<sup>3</sup> Synonyms include effectual and productive.<sup>4</sup> Unfortunately, effectiveness is a subjective term, relative in nature and difficult to measure. If this study strictly used the dictionary definition, it would produce an impartial and indistinct result. To help further define the term, an examination of the organizational effectiveness construct, to include the various models, is required and a construction of a model to specifically apply to the study of diplomacy is necessary.

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<sup>3</sup>Merriam-Webster, "Effective," <http://www.merriam-webster.com/dictionary/effective> (accessed May 19, 2014).

<sup>4</sup>Ibid.

In the past, organizational effectiveness was a primary method in measuring the success of organizations. In 1957, Basil S. Georgopoulos and Arnold S. Tanenbaum defined it as “the extent to which an organization as a social system, given certain resources and means, fulfills its objectives without incapacitating its means and resources and without placing undue strain upon its members.”<sup>5</sup> Over the course of the following decades, due to conceptual questions, such as what to measure and how, organizational effectiveness models were replaced by models that emphasized quantifiable factors.<sup>6</sup> In terms of measuring diplomatic organizations though, due to the nature of diplomacy and the difficulty in scientifically measuring the effects of diplomacy, quantifiable models are impracticable, and in many ways organizational effectiveness models are more viable. Therefore, with close examination of the various organizational effectiveness models, the conceptual issues of what to measure and how are answered. Furthermore, by reviewing the models, a specific model to measure the diplomatic instrument of power is constructed.

In describing the organizational effectiveness models, Kim Cameron identified the four most widely used in scientific investigation. The goals model is outcome driven and focuses on goal accomplishment. The resource dependence model ties the ability to

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<sup>5</sup>Basil S. Georgopoulos and Arnold S. Tannenbaum, “A Study of Organizational Effectiveness,” *American Sociological Review* 22, no. 5 (October 1957): 534-540, <http://www.jstor.org/stable/2089477> (accessed August 10, 2013).

<sup>6</sup>Kim Cameron, “Organizational Effectiveness: Its Demise and Re-emergence through Positive Organizational Scholarship,” in *Handbook of Management Theory: The Process of Theory Development*, eds., Michael A. Hitt and Ken G. Smith (London: University Press, 2005), 304-330; Joseph R. Matthews, “Assessing Organizational Effectiveness: The Role of Performance Measures,” *The Library Quarterly* 81, no. 1 (January 2011): 83-110, <http://www.jstor.org/stable/10.1086/657447> (accessed August 10, 2013).

acquire needed resources to organizational effectiveness. The internal processes model centers on the means to accomplish objectives; that is, organizational effectiveness is linked to internal functioning. Lastly, the strategic constituency model tackles the issue of multiple parties within the organization defining success differently. It states that effectiveness lies in satisfying the dominant constituency and all other constituencies are at least minimally satisfied.<sup>7</sup>

All of the models present constructive ways in determining effectiveness of organizations. However, each model contains imperfections and regarding diplomacy, some are more applicable than others. Concerning the goals model, where outcome is the primary factor, it doesn't entirely address effectiveness. Observe a well-run company that is headed by successful businessmen and women and achieves all its goals but fails due to external factors (e.g.: global economic depression, climate issues such as hurricane or flood, personal tragedy). If the goals model was applied to that company it would state that it was ineffective; however, that is impartial and does not entirely address the effectiveness of the company. The resource dependence model is not applicable to diplomacy. It is a more useful model in the domain of business and charities. The internal processes model is intriguing because it links means to the ends. However, it is imperfect for opposite reasons of the goals model. By primarily measuring the processes of the organization and not placing enough emphasis on outcomes, it risks overstating effectiveness of organizations that produce a poor product. When organizations have many constituencies to appease, the strategic constituency model is applicable. However, this specific study, in terms of diplomacy in the Civil War, assumes that there was one

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<sup>7</sup>Cameron, "Organizational Effectiveness."

dominant constituency and that was of the secretary of state, by direction of the president, for both the United States and Confederate States. Due to that assumption, the strategic constituency model is not applicable.

To measure diplomatic effectiveness during the Civil War from the winter of 1861 until the fall of 1862, this study submits an organizational effectiveness model that addresses both the means and the ends; a hybrid model combining the goals model and internal processing model. By merging elements of the goals model and the internal processing model, the outcome of diplomacy and the process of diplomacy will be addressed. Basil S. Georgopoulos and Arnold S. Tannenbaum submit that “organizational effectiveness must take into consideration these two aspects: the objectives of organizations and the means through which they sustain themselves and attain objectives.”<sup>8</sup>

To answer the question of what to measure, a criterion must be constructed. Georgopolous and Tannenbaum propose the following for general criteria in measuring organizational effectiveness: intra-organizational strain or conflict, or lack thereof, flexibility, and productivity.<sup>9</sup> This study loosely uses that criteria and focuses on three major areas to measure effectiveness in the form of three questions:

1. In terms of internal processing, was there clear guidance and vision communicated to diplomats and did those diplomats carry out that guidance? Additionally, did the diplomats communicate to their respective secretaries of

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<sup>8</sup>Georgopoulos and Tannenbaum.

<sup>9</sup>Ibid.

state about issues in Great Britain and France? This addresses both intra-organizational strain criteria and flexibility criteria.

2. Since much of diplomacy is based on human relationships, were the diplomats successful in cultivating relationships with foreign counterparts? A sub-question contained in this criterion is: Were the diplomats able to use those relationships with counterparts to influence change regarding their stated goals? This speaks to the flexibility of the diplomats and the ability to adapt to the ever-changing diplomatic environment. Like the first question, this too contains elements of the internal processing model.
3. Concerning the goals model, was the organization successful in accomplishing its stated long-term and short-term objectives? Regarding long-term goals, both the United States and Confederate States possessed policy (e.g., European intervention and the blockade) that spanned the entire war. Were the diplomats successful in influencing that policy from winter of 1861 to fall of 1862? In terms of short-term goals, a large portion of Civil War diplomacy concerned diplomatic maneuvering over pressing current events (e.g., the Trent Affair and battlefield successes and failures). Were the diplomats successful regarding accomplishments of short-term objectives? This addresses productivity of an organization.

Since organizational effectiveness is most useful in comparative organizational research, the criteria will address both the diplomatic effectiveness of United States and that of the Confederate States.<sup>10</sup>

To answer the how, this study will pose the three questions listed above regarding diplomacy of United States and Confederacy throughout the work (contained throughout the chapters and also addressed in the conclusion). Due to the intricacies and complexities of diplomacy relative to time, the answers to those questions may vary from the beginning of the study (winter of 1861) to the end (fall of 1862). However, if applied consistently, measurement of the internal processing of the organization in terms of communication and relationship construction can be accurately assessed. Additionally, by asking the question concerning success in accomplishment of stated goals, it can be assessed whether the diplomats were successful in achieving short-term and long-term objectives.

By constructing a model specific to diplomacy that contains an outcome assessment and an internal processes assessment, including appropriate criterion, the effectiveness of United States and Confederate States diplomatic efforts can more accurately be judged.

#### Limitations and Assumptions

The examination of the effectiveness of the United States and Confederate States diplomatic organizations contains assumptions, limitations, and delimitations. First, as for European powers, this study assumes that Great Britain held the majority of power,

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<sup>10</sup>Georgopoulos and Tannenbaum.

France was secondary, and other European nations, except for Russia, based their diplomacy regarding the American Civil War on that of Great Britain and France. To that end, the United States and Confederate States realized this dynamic and directed their efforts primarily to Great Britain and France. Therefore, this study limits the scope of investigation to that of the foreign offices of Great Britain and France. Second, the President and Secretary of State of the United States worked closely in developing foreign policy. A difficulty in assessing effectiveness, more specifically organizational effectiveness, lies in the determination of the primary constituents. The assumption that the President and Secretary of State acted as the primary foreign policy developers resolves this issue. The third assumption is that the President and Secretary of State of the Confederate States acted as the primary policy developers for the Confederacy. The fourth assumption states that the task of the Confederate State diplomacy was one of more difficulty than that of the United States. This assumption plays a role in chapter 6 in providing allowances for the Confederate States when determining diplomatic effectiveness. Due to travel, financial constraints, and access to archives, primary source material is limited to that of the Leavenworth, Kansas area. Finally, this study will be limited to the diplomatic efforts from fall of 1861 to winter of 1862. This delimitation is based on the likelihood of European intervention in the Civil War. European intervention proved most likely from winter of 1861 to fall of 1862.

### Review of Literature

When examining diplomacy in the Civil War, three sides require evaluation: the United States, the Confederate States, and the European nations the United States and Confederate States attempted to influence. Fortunately, for purposes of this study, many

works exist regarding these inter-relationships. Additionally, for purposes in defining effectiveness, many studies and books address the task of defining effectiveness. This section inventories the literature examined in conducting research for this study. It first discusses the literature applicable to effectiveness and then discusses significant literature from the different national perspectives of the three national groupings already identified.

To assist in defining the term effectiveness, this study uses an organizational effectiveness construct. Works that directly influenced this thesis include “A study of Organizational Effectiveness” written by Basil S. Georgopolous and Arnold S. Tannenbaum (1957), and the collection of essays gathered in the book *Organizational Effectiveness* edited by S. Lee Spray (1976). Georgopolous and Tannenbaum greatly assist in setting a baseline for understanding and Spray’s work further defines the construct. Additionally, Kim Cameron superbly defines the various models of organizational effectiveness in “Organizational Effectiveness: Its Demise and Re-emergence through Positive Organizational Scholarship” (2005).

Key actors, strategies, and diplomatic maneuverings of countries involved in the Civil War are addressed in chapter 2 through chapter 5. Many well regarded works describe the key actors and foreign policy vis-à-vis the United States. Perhaps the two greatest tools in evaluating diplomacy of the United States during the Civil War are *Foreign Relation of the United States: 1861-1865*, which contains all diplomatic correspondence of the United States during the Civil War, and *The Works of William H. Seward*, edited by George E. Baker (1890). These primary sources directly address the longterm goals of the United States’ foreign policy makers as well correspondence concerning critical events. One of the most famous multi-volume biographies that

attempts to bring understanding to the life of President Abraham Lincoln is *Abraham Lincoln: A History*, written by Lincoln's personal secretaries John G. Nicolay and John Hay (1886). Due to their personal relationship with Lincoln, Nicolay and Hay are afforded an opportunity to offer unique perspective on Lincoln's role in diplomacy. An additional valuable resource in describing Lincoln's role in diplomacy is Jay Monaghan's *Diplomat in Carpet Slippers: Abraham Lincoln Deals with Foreign Affairs* (1945). This resource helps identify and describe foreign diplomats working abroad during the Civil War including Ambassador to Court of St. James (Britain) Charles Francis Adams and Foreign Minister to France William L. Dayton. To fully examine Secretary of State William H. Seward's role, a thorough evaluation of Norman Ferris' *Desperate Diplomacy: William H. Seward's Foreign Policy, 1861* (1976) is suggested. Lastly, a great resource in understanding the United States' foreign policy and strategy is Howard Jones' survey, *Blue and Gray Diplomacy: A History of Union and Confederate Relations* (2010).

In helping understand the key actors, strategy, and foreign policy of the Confederate States, three works stand out. Burton J. Hendrick's *Statesman of the Lost Cause: Jefferson Davis and His Cabinet* (1939) greatly illustrates the inner workings of the Confederate government and helps identify Confederate policy makers and diplomats sent abroad. Frank Lawrence Owsley's highly regarded *King Cotton Diplomacy: Foreign Relations of the Confederate States of America* (1931) assists in defining Confederate foreign policy throughout the war. *Messages and Papers of the Confederacy: Including the Diplomatic Correspondence 1861-1865*, edited by James D. Richardson (1905), inventories all diplomatic correspondence of the Confederate States. This compilation of

primary work is an outstanding source in understanding Confederate foreign policy and how the Confederacy aimed to achieve recognition. To aid in comprehending Jefferson Davis and his role as president, a review of Hudson Strode's biography *Jefferson Davis: Confederate President* (1959) is suggested. Furthermore, an examination of Davis' correspondence, gathered in the multi-volume *The Papers of Jefferson Davis*, edited by Lynda Lasswell Crist (1971-1997), aids in understanding Davis and his diplomatic views. Judah P. Benjamin played a significant role in foreign affairs and Eli N. Evans' *Judah P. Benjamin: The Jewish Confederate* (1988) addresses this.

Many works address British and French involvement in the diplomatic affairs of the Civil War. Ephraim D. Adams' *Great Britain and the American Civil War* (1925) evaluates how England perceived the war and how they constructed policy. *Private and Confidential: Letters from British Ministers in Washington to the Foreign Secretaries in London, 1844-1867*, edited by James J. Barnes and Patience P. Barnes (1993), is a fine primary source inventorying correspondence from British diplomats relating to the Civil War. Regarding key British foreign policy makers, a review of Howard Jones' *Union in Peril: The Crisis over British Intervention in the Civil War* (1992), which specifically focuses on Britain's role in the Civil War, is suggested. Concerning French involvement, Dean Mahin does an admirable job in examining the French and their role in the Civil War in his survey, *One War at a Time: The International Dimension of the American Civil War* (1999). An additional resource in evaluating France's relationship to the Confederacy and their probability of intervention is John Bigelow's *France and the Confederate Navy: 1862-1868* (1888).

### Significance of this Study

As can be adduced from the literature review just conducted, historians have spent much effort evaluating diplomacy during the Civil War. However, historians have never applied an organizational effectiveness model comparing the efforts of the United States and Confederate States. This study aims to do that.

## CHAPTER 2

### BACKGROUND

Prior to examining the events that shaped diplomacy from the winter of 1861 to the fall of 1862, the likelihood of intervention requires explanation. Additionally, an inventory of the diplomats and statesmen from the United States, Confederate States, and European nations who possessed roles at the beginning of the period necessitates review. A thorough review of diplomats assists in examining the internal processes of an organization. Lastly, the long-term goals diplomats attempted to achieve entails definition. Long-term goals vis-à-vis foreign policy speaks to the productivity of an organization.

#### Before the Winter of 1861: Likelihood of Intervention

The reason for investigating the period from the winter of 1861 to the fall of 1862 is based on the likelihood of British and French intervention. Prior to the winter of 1861, the chances of intervention proved low for a number of reasons. First, European nations took a “wait-and-see” approach in attempt to evaluate the war.<sup>11</sup> Second, due to windfall cotton crop production from 1860, the economic consequences of the war had not substantially affected the people of Europe.<sup>12</sup> Lastly, European governmental leadership

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<sup>11</sup>Francis M. Carroll, “The American Civil War and British Intervention: The Threat of Anglo-American Conflict,” *Canadian Journal of History* 47, no. 1 (March 2012): 5, [http://www.thefreelibrary.com/\\_/print/PrintArticle.aspx?id=294193705](http://www.thefreelibrary.com/_/print/PrintArticle.aspx?id=294193705) (accessed November 7, 2013); Howard Jones, *Union in Peril: The Crisis over British Intervention in the Civil War* (Chapel Hill: University of North Carolina Press, 1992), 21.

<sup>12</sup>Frank Owsley, *King Cotton Diplomacy: Foreign Relations of the Confederate States of America* (Chicago: University of Chicago Press, 1931), 146-147; Howard Jones, *Blue and Gray Diplomacy* (Chapel Hill: University of North Carolina Press, 2010), 13.

feared the political dangers innate in intervention.<sup>13</sup> Simply put, there was not enough cause for European nations to intervene and possibly risk war. The decision of these nations to adopt a stance of neutrality made sense.

The probability of intervention from the winter of 1861 to the fall of 1862 increased. Reasons for the increase were numerous: seizure of Confederate emissaries off British mail packet *Trent* by the United States in November of 1861, European economic woes due to the United States blockade of Confederate ports limiting the cotton supply, humanitarian concerns over the duration of the war, and significant battlefield successes and failures.<sup>14</sup> European countries closely weighed the events from winter of 1861 to fall of 1862 in determining whether a strategy of neutrality was correct. The prospect for intervention increased during this time period.

#### Key Players

In examining the statesmen who influenced United States foreign policy during the Civil War, one must first observe President Abraham Lincoln and Secretary of State William H. Seward. When Lincoln received the Republican nomination for president in 1860, he was not well known outside the United States. Lord Richard Lyons, British Ambassador to the United States, wrote to his home office the following: “He is, I understand, a rough farmer who began life as a farm labourer and got on by a talent for

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<sup>13</sup>Jones, *Union in Peril*, 8.

<sup>14</sup>Jones, *Union in Peril*, 9; Carrol, “The American Civil War and British Intervention,” 10.

stump speaking. Little more is known of him.”<sup>15</sup> When Lincoln assumed the office of the President, he confessed that he knew little about diplomacy, and he was apt to make blunders.<sup>16</sup> Lincoln had never even been abroad.<sup>17</sup> He made up for shortcomings in experience, however, by possessing innate diplomatic virtues. Lincoln was trusting with a calm temperament, he was open to advice, he was willing to compromise without sacrificing principles, and he possessed integrity.<sup>18</sup>

Lincoln additionally made up for shortcomings in experience by surrounding himself with capable statesmen and diplomats. When Lincoln constructed his cabinet, he took a risk in naming chief political rival, William H. Seward, as Secretary of State. Throughout the late 1850s, Seward led the Republican Party. In some ways, many primary voters assumed Seward to be the 1860 Republican Presidential nominee. To that end, during the first round of balloting at the 1860 Republican National Convention, Seward, in fact, received 173 and a half votes to Lincoln’s 102.<sup>19</sup> When Seward eventually lost the nomination to Lincoln, he handled it poorly and contemplated exiting

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<sup>15</sup>Lord Lyons to Lord Russell, July 23, 1860, in *Private and Confidential: Letters from British Ministers in Washington to The Foreign Secretaries in London, 1844-1867* eds. James J. Barnes and Patience P. Barnes (Selinsgrove, PA : Susquehanna University Press, 1993), 234.

<sup>16</sup>Jones, *Blue and Gray Diplomacy*, 21.

<sup>17</sup>Jay Monaghan, *Diplomat in Carpet Slippers: Abraham Lincoln Deal with Foreign Affairs* (Indianapolis: Bobbs-Merrill, 1945), 13.

<sup>18</sup>Jones, *Blue and Gray Diplomacy*, 21

<sup>19</sup>Dean Mahin, *One War at a Time: The International Dimensions of the American Civil War* (Washington, DC: Brassey, 1999), 6.

politics.<sup>20</sup> Lincoln, however, recognized Seward's talents. He offered Seward the position of Secretary of State and in turn Seward accepted.<sup>21</sup>

Seward's personality, in many ways, was the opposite of Lincoln. Seward possessed objectionable diplomatic traits. He was loud, outspoken, brash, and overconfident. However, Seward made up for those traits with diplomatic experience. He travelled extensively, met with Emperor Napoleon III in Paris, visited British Foreign Minister Lord John Russell in London, and had previously served on the Foreign Relations Committee of the Senate.<sup>22</sup> The differences between the two men presented a challenge in the early stages of their relationship. Seward saw himself as the rightful leader of the Republican Party and displayed little respect for Lincoln. Lincoln, to his credit, displayed patience. Over the course of a number of political affairs in which Seward attempted to disrespect the President, Lincoln tactfully exerted his authority.<sup>23</sup> Eventually Lincoln gained the respect of Seward. In June of 1861 Seward wrote his wife: "There is but one vote in the cabinet and that is cast by the President . . . The President is the best of us all."<sup>24</sup>

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<sup>20</sup>Jones, *Blue and Gray Diplomacy*, 21.

<sup>21</sup>Monaghan, 25.

<sup>22</sup>*Ibid.*, 51.

<sup>23</sup>Seward disrespected the president on a number of occasions during the beginning of his first term. Those include the following: Seward's attempt to manipulate Lincoln into constructing a cabinet that he preferred over Lincoln's selections, Seward's attempt to trick Lincoln into acting a certain way concerning the Fort Sumter expedition, and Seward's comments to foreign dignitaries alluding to the fact that he was the de facto leader of the government and not Lincoln. For further reading, see Amanda Foreman, *A World on Fire* (New York: Random House, 2010), 66-77; Monaghan, 55-57.

<sup>24</sup>Monaghan, 63.

At the beginning of the Civil War, many thought that Seward alone would handle foreign affairs and Lincoln would focus on domestic issues.<sup>25</sup> This proved not the case. Lincoln clearly understood the direct relationship of domestic and foreign affairs and ensured that he remain involved in all issues abroad. Lincoln instructed Seward to handle foreign diplomacy with the order that the President retained final approval. This is evident in many early dispatches from Seward that noted the President's approval of their contents.<sup>26</sup> Other examples of Lincoln displaying intimate involvement in foreign diplomacy include Lincoln's modification of Seward's dispatch dated on May 21, 1861 and Lincoln's involvement in selecting diplomats to represent United States abroad.<sup>27</sup>

The diplomats sent abroad to act as ambassadors on behalf of the United States played key roles in foreign affairs. Lincoln and Seward selected Charles Francis Adams for the post of Ambassador to St. James Court (Britain). Adams possessed an exceptional lineage. His father and grandfather, John Quincy Adams and John Adams, previously held the office of President of the United States. Additionally, John Adams and John Quincy Adams had both held the portfolio of Minister to Britain. As a child, Charles Francis Adams spent time abroad in Russia and in London. He was educated in England and was well known in English social circles. Adams possessed great patience and demonstrated ideal temperament for diplomacy. Perhaps most importantly in the eyes of

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<sup>25</sup>Jones, *Blue and Gray Diplomacy*, 22.

<sup>26</sup>*Ibid.*

<sup>27</sup>Seward sought to threaten the British by suggesting a discontinuation of diplomatic relations but Lincoln modified the approach by altering the aggressive expressions of the original dispatch. Ephraim D. Adams, *Great Britain and the American Civil War* (New York: Longmans, Green, 1925), 1:126; Monaghan, 44.

British society, Charles Francis Adams played a prominent role in the anti-slavery movement as a member of Congress.<sup>28</sup>

For the post of United States Ambassador to France, Lincoln chose William L. Dayton. Dayton, a former United States Senator, Attorney General of New Jersey, and presidential nominee, held a keen grasp on politics.<sup>29</sup> Well regarded, Lincoln considered Dayton the primary candidate for Secretary of State if Seward refused the nomination.<sup>30</sup>

Throughout 1861, much of the Confederate States' political, military, and diplomatic decisions went through the office of President Jefferson Davis. Davis possessed a fine reputation as a statesman who advocated state rights, previously serving in the Senate. He owned a highly-regarded military background.<sup>31</sup> He graduated from West Point, was a greatly respected veteran of the Mexican War, and held the position of Secretary of War under Franklin Pierce.<sup>32</sup> However, Davis lacked significant executive traits. A Jefferson Davis biographer wrote of him, "Patience was not a quality inherent in Jefferson Davis . . . he was sometimes impatient, and, on occasion, irritable."<sup>33</sup> Additionally, Davis struggled to build relations with cabinet members and proved stubborn in taking advice from subordinates. His impatience and poor relations with

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<sup>28</sup>Adams, 1:80-81.

<sup>29</sup>Monaghan, 31.

<sup>30</sup>Foreman, 68.

<sup>31</sup>Burton Hendrick, *Statesmen of the Lost Cause: Jefferson Davis and His Cabinet* (Boston: Little, Brown and Company, 1939), 42.

<sup>32</sup>*Ibid.*, 16, 42, 51.

<sup>33</sup>Hudson Strode, *Jefferson Davis: Confederate President* (New York: Harcourt, Brace and Company, 1939), xiv.

cabinet members is apparent in early diplomatic decisions. First, he ignored conservatives by insisting on constructing the first Confederate Commission with radical pro-slavery advocates.<sup>34</sup> Second, he ignored Secretary of State Robert Toombs' and Vice President Alexander Stephens' suggestion to rapidly export cotton to gain money to pay for a navy by instead favoring a "cotton famine policy."<sup>35</sup>

Robert Toombs first held the seat of Confederate Secretary of State. Hailing from the influential Georgia delegation, which included Confederate Vice President Alexander H. Stephens, Toombs held a reputation as an effective orator and debater.<sup>36</sup> At the outset of the war, Stephens and Toombs attempted to preserve the Union.<sup>37</sup> Once secession proved a reality, Toombs reluctantly supported Jefferson Davis. Davis, in turn, offered Toombs the Secretary of State and Toombs accepted. Toombs possessed diplomatic experience. He visited London in 1855, specifically the House of Commons, and was fond of the British Parliamentary system.<sup>38</sup> Unfortunately for the Confederacy, Toombs struggled playing a role lesser than that of President and complained of little to do as

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<sup>34</sup>Strode, 14.

<sup>35</sup>James Morton Callahan, *The Diplomatic History of the Southern Confederacy* (Baltimore: The Johns Hopkins Press, 1901), 89. Davis' inability to foster relationships with cabinet members is further evidenced by the turnover rate among cabinet portfolios. For example, by March of 1862 three men had already held the post of secretary of state.

<sup>36</sup>Hendrick, 69.

<sup>37</sup>*Ibid.*, 74.

<sup>38</sup>*Ibid.*, 102.

Secretary of State.<sup>39</sup> Yearning for more action, he resigned his post in July of 1861 and joined the Confederate Army as a brigadier general.<sup>40</sup>

Robert M.T. Hunter held the position of Confederate Secretary of State from July 1861 to March 1862. He grew up in politically powerful Virginia and earned a reputation as a well-balanced Southern aristocrat.<sup>41</sup> Previously serving in Congress as Speaker of the House afforded Hunter the status as an effective politician. During Hunter's time as Secretary of State, Davis and Hunter often quarreled. Much of the bickering was attributed to Hunter's resentment in taking orders from a Mississippian and Davis' lack of patience. The combative relationship reached a climax when Davis embarrassed Hunter during a cabinet meeting. Outraged, Hunter resigned the following day.<sup>42</sup>

Davis selected three outspoken advocates of slavery for the role of the first Confederate Commission charged with visiting European nations. To lead the commission, Davis chose prominent orator William L. Yancey.<sup>43</sup> British Consul Robert Bunch described Yancey as, "impulsive, erratic, and hotheaded; a rabid secessionist, a favourer of a revival of the Slave-Trade, and a 'filibuster' of the extremist type of 'Manifest Destiny'."<sup>44</sup> The second Confederate Commissioner, Dudley A. Mann, was

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<sup>39</sup>Strode, 138.

<sup>40</sup>Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 141.

<sup>41</sup>Hendrick, 186.

<sup>42</sup>Eli Evans, *Judah P. Benjamin: The Jewish Confederate* (New York: Free Press, 1988), 154.

<sup>43</sup>Hendrick, 142.

<sup>44</sup>Jones, *Blue and Gray Diplomacy*, 16.

viewed in a similar fashion. Bunch described Mann as person with poor character and a “son of a bankrupt grocer.”<sup>45</sup> Pierre Rost, the final diplomat on the commission, previously lived abroad. Unfortunately, Rost’s attempt to appear *nouveau riche* and speak the native language offended the French court.<sup>46</sup>

Turning now to the Primary European statesman, of critical importance is Prime Minister Lord Ridley Palmerston, who led the British Government during the American Civil War. Palmerston, born in 1784, was elected a member of the House of Commons in 1806, held a seat during the War of 1812, and served as Foreign Secretary in three British Governments. He placed the welfare of Britain above all else and aggressively pursued British interests in foreign affairs.<sup>47</sup> Palmerston disliked and mistrusted the American model of government in which governments were elected by all the people; this informed his policy towards the United States.<sup>48</sup> Under Palmerston’s government, Lord John Russell headed The British Foreign Ministry office as the Foreign Secretary. Similar to Palmerston, Russell was a veteran of government. He was elected a member of the Parliament in 1813 and previously held the position of Prime Minister. Foreign policy officially fell under the control of Russell but direction came from Palmerston.<sup>49</sup> In Washington, Lord Richard Lyons acted as British Minister to the United States. Lyons arrived in Washington in 1858 affording him the opportunity to witness the events

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<sup>45</sup>Hendrick, 141.

<sup>46</sup>Ibid., 140.

<sup>47</sup>Carroll, “The American Civil War and British Intervention,” 1-26.

<sup>48</sup>Mahin, 32.

<sup>49</sup>Carroll, “The American Civil War and British Intervention.”

leading up to the war. He preferred peace, disliked slavery, and strictly insisted that British consuls in America present a stance of impartiality.<sup>50</sup>

In 1861 French Emperor Napoleon III began his tenth year in power. As the nephew of the first Emperor Napoleon, Napoleon III deeply cared about public opinion and legacy. His concern of legacy drove his unpredictable and over-reaching foreign policy.<sup>51</sup> Early in the conflict, Napoleon possessed enthusiasm for French intervention. However, French Foreign Minister Edouard Thouvenal tempered this enthusiasm. Thouvenal, a lawyer and diplomat, held the role of Foreign Minister until late 1862.<sup>52</sup> In Washington, Edouard-Henri Mercier acted as French Minister to the United States. Mercier sympathized with the Confederacy, although, for most of the war he concealed his feelings from American diplomats.<sup>53</sup>

#### Long-Term Objectives

The primary diplomatic objective for the United States and Confederate States centered on recognition and intervention. The differences in approach defined the strategies of the warring nations. Abraham Lincoln's primary goal in all deliberations, both foreign and domestic, focused on the preservation of the Union.<sup>54</sup> Lincoln first exemplified this stance in his first inaugural address by offering concessions to the

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<sup>50</sup>Eugene Berwanger, *The British Foreign Service and the American Civil War* (Lexington: The University Press of Kentucky, 1994), 22-30.

<sup>51</sup>Mahin, 96.

<sup>52</sup>*Ibid.*, 96, 97.

<sup>53</sup>*Ibid.*, 100.

<sup>54</sup>Jones, *Blue and Gray Diplomacy*, 20.

Southern States. He claimed “I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States. I believe I have no right to do so, and I have no inclination to do so.”<sup>55</sup> Although unpopular to European nations, Lincoln, at the outset of the war, chose to not focus the war on slavery for domestic reasons. He realized the importance of retaining border-states. If the war focused on slavery, the risk of losing border-states to the Confederacy increased. The preservation of the Union, in Lincoln’s eyes, constituted a domestic issue. Although unpopular with European powers, he adopted a stance that intervention by European nations in an American domestic affair was unacceptable.

Seward, like Lincoln, also preached non-intervention. His non-intervention stance bore from his experience as a Senator. In an 1856 speech he clarified his thoughts:

We are the centre of one system, an American one; Great Britain is the centre of another, a European one. Almost in spite of ourselves we are extending and increasing our control over these continents. Notwithstanding her tenacity, she is constantly losing her dominion here. This is within the order of nature. It was for three hundred years the business of European nations to colonize, discipline and educate American nations. It is now the business of these nations to govern themselves.<sup>56</sup>

For reasons of international law, Seward agreed with Lincoln’s appraisal of the war as a domestic issue. Seward claimed that intervention by European powers would be an act of

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<sup>55</sup>Abraham Lincoln, “First Inaugural Address: March 4, 1861” in *A Compilation of the Messages and Papers of the Presidents: 1789-1897*, ed. James D. Richardson (Washington, DC: Government Printing Press, 1897), 6:5.

<sup>56</sup>Baker, *The Works of William H. Seward*, 33.

war.<sup>57</sup> Realizing the complexity of mixing domestic issues with foreign policy, he also adopted a stance in defining the war as the preservation of the Union instead of slavery.<sup>58</sup>

The two primary goals Seward set forth to United States diplomats were the following: complete non-intervention of European powers in the Civil War, and prevention of foreign officials in meeting with Confederate diplomats. In a letter to Dayton, Seward addressed the first goal by writing, “Foreign intervention would oblige us to treat those who should yield it as allies of the insurrectionary party, and to carry on the war against them as enemies.”<sup>59</sup> To address the second goal, Seward wrote Adams, “You alone will represent your country at London, and you will represent the whole of it there. When you are asked to divide that duty with others, diplomatic relations between the government of Great Britain and this government will be suspended.”<sup>60</sup>

Confederate diplomatic strategy proved more complex. At the outset of the war, leaders of the Confederacy adopted a strict economic policy promoting reasons for intervention. President Davis and his advisors thought the strategy, termed “King Cotton,” so influential that the goal of recognition would shortly arrive after secession.<sup>61</sup> In a letter written to Yancey, Rost, and Mann, Toombs wrote:

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<sup>57</sup>Seward to Dayton, April 22, 1861, in Baker, *The Works of William H. Seward*, 5:232.

<sup>58</sup>Ibid.

<sup>59</sup>Ibid.

<sup>60</sup>Seward to Adams, April 10, 1861, in Baker, *The Works of William H. Seward*, 5:207.

<sup>61</sup>Owsley, 20-22.

The Confederate States produce nearly nineteenth-twentieths of all cotton grown in the states which recently consisted of the United States. There is no extravagance in the assertion that the gross amount of yield of the manufactories of Great Britain from cotton of the Confederate States reaches 600,000,000. The British Ministry will comprehend fully the condition to which the British realm would be reduced if the supply of our staple should suddenly fail or even be considerably reduced.<sup>62</sup>

Toombs recognized the British reliance on American cotton, and he directed the Confederate Commission to influence British counterparts on the necessity of remaining allies of the Confederacy.

When recognition did not occur as quickly as expected, the Confederacy adjusted its strategy. In a letter to diplomats, Hunter, who had since replaced Toombs, provided guidance and direction. First, he instructed diplomats to portray the Confederacy as a victim of the United States and as a nation forced to take up arms in its own defense. He desired to demonstrate that the Confederacy had no choice but secession from the United States' oppression. Second, he ordered diplomats to focus on moral reasons for intervention. He wrote, "If the recognition of our independence must finally come, and if it be only a work of time, it seems to be the duty of the nations of the earth to throw their moral weight of their recognition into the scale of peace as soon as possible; for to delay will only prolong the suffering of war." Third, he instructed diplomats to continue highlighting economic reasons. However, instead of directing a focus on the lack of cotton, he urged diplomats to spotlight the importance of economic relationships with the Confederate States. A relationship with the Confederate States equaled a relationship with a country abundant in cotton. Lastly, he required diplomats to challenge the legality

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<sup>62</sup>Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:7,8.

of the blockade of Confederate coasts by the United States. He wrote, “You will be furnished with abundant evidence of the fact that the blockade of the coasts of the Confederate States has not been effectual, or of the character as to be binding according to the declaration of the conference at Paris.”<sup>63</sup>

In the mid-1800s Great Britain possessed a powerful navy. With this power, it owned the ability to dictate terms regarding international affairs, especially on the high seas. The British could influence policy concerning privateering (the issuance of letters of Marque by Congress), piracy, search and seizure laws, and legality of blockades.<sup>64</sup> To this end, the United States and Confederate States, as well as other European countries, recognized British naval power as decisive and that Great Britain potentially held the key in affecting the outcome of the Civil War.<sup>65</sup>

France factored as a European power, but due to Emperor Louis Napoleon III’s international unpopularity, its options were limited. In the late 1850s and the early 1860s, Napoleon III’s position in France proved insecure. He had little to show for France’s role in the Crimean War, Austria disliked France, Italy disliked France, Prussia saw France as its primary impediment to German leadership, Russia did not trust France, and the only significant ally France maintained was its traditional archenemy Great Britain.

Furthermore, Napoleon III possessed long-term plans to expand the French empire into

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<sup>63</sup>Hunter to Mason, September 23, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 5:84-92.

<sup>64</sup>U.S. Constitution, art. 1, sec. 8.

<sup>65</sup>The Confederate Commission charged with gaining European recognition was directed to approach England first and then proceed in order to France, Belgium and Russia. Owsley, 54.

North America (as had his more famous uncle) by way of Mexico making his stance on the American Civil War precarious. By engaging in the Civil War, he potentially risked these plans for proxy expansion. This dilemma forced France to work in union with its ally Great Britain.<sup>66</sup>

Great Britain and France acted multi-laterally concerning strategy in the American Civil War. By working in the construct of an ad hoc spirit of cooperation, Great Britain and France held the most international influence over the United States and Confederate States. Furthermore, if Great Britain and France decided to take a position on intervention, and possibly war, they would share the burden. In early May of 1861, Britain struggled with classification of the war. Upon coming to the conclusion that the Civil War was not simply a domestic affair but one of a regular war, Lord John Russell invited France's Edouard Thouvenel to view the war in the same light. Thouvenel agreed.<sup>67</sup> With this understanding, Britain and France developed a joint strategy and issued a proclamation of neutrality granting belligerent rights to the Confederacy.<sup>68</sup> To inform Seward of this proclamation, Lyons and Mercier together visited Seward's office.<sup>69</sup> This act evidenced that Great Britain and France worked together in constructing

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<sup>66</sup>Mahin, 96-101.

<sup>67</sup>Adams, 1:87-88.

<sup>68</sup>Yancey and Mann to Hunter, July 15, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:42; Seward to Adams, May 21, 1861, in Baker, *The Works of William H. Seward*, 5:243.

<sup>69</sup>Adams, 1:87-88.

a strategy of neutrality and would work jointly in terms of potential Confederate recognition and other diplomatic issues.<sup>70</sup>

Interestingly, Seward received information of Lyons' and Mercier's visit prior to their arrival at his office and he knew of their plan to formally present the proclamation of neutrality.<sup>71</sup> To that end, rather than allow Lyons and Mercier to formally present the proclamation, and consequently directly oppose his stated priority of complete non-intervention, Seward refused their visit.<sup>72</sup> Seward told Lyons and Mercier that further discussions of the neutrality issue should take place in London and Paris, and if they desired to officially announce anything to the United States then they should "do so by the Official communication addressed to the Government of the United States itself."<sup>73</sup> Lyons wrote to Russell his belief that Seward delayed in addressing the proclamation of neutrality because "he is divided between the fear that Congress may after all blame him for putting the country upon bad terms with Europe; and the apprehensions that any lowering of the tone he so unfortunately assumed may lose him his mob popularity."<sup>74</sup> Although Lyons clearly viewed Seward's position as insecure, he also felt that Great Britain must "consider ourselves at any moment, open to a declaration of war."<sup>75</sup> Lord

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<sup>70</sup>After 1862, France explored recognition of the Confederacy without the help of Britain. However, for the purposes of this study and the timeline of fall of 1861 to winter of 1862, France and England worked jointly in terms of diplomacy and the Civil War.

<sup>71</sup>Adams, 1:102.

<sup>72</sup>Ibid.

<sup>73</sup>Ibid.

<sup>74</sup>Lyons to Russell, June 18, 1861, in Barnes and Barnes, 250.

<sup>75</sup>Ibid.

John Russell and the British Foreign Ministry Office never sent official correspondence. They viewed the proclamation as a message to British citizens to warn them of a de facto war.<sup>76</sup> By not sending official correspondence to the United States, Great Britain avoided potential war. However, by announcing to her citizens the proclamation of neutrality, they effectively sent a proxy message to the United States and the Confederacy.

Due to political and military contexts in Europe, other nations looked to Great Britain and France to set their own policies concerning the American Civil War. Spain possessed the reputation of a non-interventionist power and lacked the will to take a lead in recognition. Similar to France, it possessed plans for expansion into North America and feared risking war with the United States.<sup>77</sup> Austria and Prussia lacked legitimate naval interests outside of Europe and maintained only small navies to protect those. Outside of Russia, other European countries did not possess requisite military power to effect change.

Russia, former opponent to France and Great Britain in the Crimean War, held military power to affect the war. However, due to the neutrality the United States had displayed during the Crimean War, Russia felt it necessary to repay the United States by remaining neutral towards affairs in America.<sup>78</sup> In many ways, Russia in fact possessed pro-union sentiments. Russia, not trusting the British and French after the Crimean War,

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<sup>76</sup>Adams, 1:111.

<sup>77</sup>Monaghan, 46.

<sup>78</sup>Seward to Cassius Clay, May 6, 1861, in Baker, *The Works of William H. Seward*, 5:243.

viewed a powerful, singular, United States as a counter-weight to that of the Great Britain and France.<sup>79</sup>

### Summary

Chapter 2 provided context on the circumstances surrounding intervention during this early period and detailed the likelihood of intervention. With an inventory of key diplomatic personalities and leaders, a baseline now exists to judge the internal processes of the diplomatic organizations. Furthermore, describing the diplomatic strategies of the United States, Confederate States, and the European nations also helps set the framework for evaluating long-term goals. The upcoming chapter analyzes the time period from November of 1861 to January of 1862 with emphasis on the *Trent* Affair.

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<sup>79</sup>Mahin, 24.

## CHAPTER 3

### THE *TRENT* AFFAIR

Prior to November 8, 1861, European nations generally remained clear of affairs in the American Civil War. However, when United States Navy Captain Charles Wilkes ordered United States sailors to board the British mail packet *Trent* and seize Confederate envoys, European avoidance in American affairs proved no longer possible. Chapter 3 evaluates the diplomatic efforts pertaining to the period of time between November of 1861 and January of 1862; specifically the period covering the *Trent* affair.

#### Maritime Law

Before conducting study on the *Trent* affair and the blockade (addressed in chapter 4), maritime law during the Civil War requires review. In 1854, during the Crimean War, Great Britain and France agreed to respect neutral commerce under a neutral or enemy flag.<sup>80</sup> One purpose for the agreement on neutral commerce was in respect to the United States, a neutral in the Crimean War. Great Britain and France feared that disturbance of United States' commerce would force the United States to side with Russia, Crimean War opponent to Great Britain and France.<sup>81</sup> Upon conclusion of the Crimean War in 1856, principle countries of Europe assembled in Paris to discuss the agreement on neutral commerce and general maritime law. The 1856 Congress of Paris

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<sup>80</sup>John Nicolay and John Hay, *Abraham Lincoln: A History* (New York: The Century Co., 1890), 4:277.

<sup>81</sup>Adams, 1:139.

resulted in the Declaration of Paris (also called the Declaration Respecting Maritime War). The four issues covered in The Declaration of Paris are as follows:

1. Privateering is, and remains, abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.<sup>82</sup>

Ultimately, 55 nations throughout the world ratified the declaration.<sup>83</sup> Ironically, the United States withheld. The United States concurred with points two, three, and four, but opposed point one.<sup>84</sup> Throughout its history the United States lacked a decisive navy resulting in a naval defense strategy focused on the practice of privateering.<sup>85</sup> Since the treaty was written in a way that nations must accept the treaty in its entirety, all four points, the United States refused to sign. The matter rested until 1861 when the Confederate States began the practice of privateering in the Civil War. Now residing on the receiving end of privateering, Lincoln and Seward consequently judged the

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<sup>82</sup>Adams, 1:140.

<sup>83</sup>International Committee of the Red Cross, "Declaration Respecting Maritime Law. Paris, 16 April 1856," [http://icrc.org/aaplic/ihl/ihl.nsf/states.xsp?xp\\_viewstates=VPages\\_NORMStatesParties&xp\\_treatySelected=105](http://icrc.org/aaplic/ihl/ihl.nsf/states.xsp?xp_viewstates=VPages_NORMStatesParties&xp_treatySelected=105) (accessed May 19, 2014).

<sup>84</sup>Adams, 1:140.

<sup>85</sup>Ibid.

Confederate practice as piracy and illegal.<sup>86</sup> In an attempt to influence Russell and Palmerston to view the Confederate privateering as illegal, Seward offered a treaty with Great Britain recognizing the Declaration of Paris. As a neutral however, Great Britain avoided involvement in the conflict. To that end, Russell offered to enter into a treaty with the United States with one provision: “not intend to undertake any engagement which shall have bearing, direct or indirect, on the internal differences now prevailing in the United States.”<sup>87</sup> Simply put, Russell agreed to enter a treaty with the United States recognizing the Declaration of Paris but he refused to apply the treaty to the American Civil War.<sup>88</sup> Not surprisingly, Seward declined to sign the treaty with Great Britain’s added provision.<sup>89</sup> Although Seward’s attempt to persuade the British to view Confederate privateering as illegal failed, he did achieve clarity vis-à-vis maritime law. Through dialogue, Seward acknowledged points two, three, and four of the Declaration of Paris as widely observed.<sup>90</sup> The acknowledgement of these points set the framework for diplomatic discourse concerning the *Trent* affair and the blockade.

### The Trent Affair

During the late stages of 1861 Jefferson Davis decided to replace the Confederate Commission with country-specific diplomats. Davis chose James M. Mason for

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<sup>86</sup>Adams, 1:141.

<sup>87</sup>Nicolay and Hay, 4:278.

<sup>88</sup>Adams, 1:141.

<sup>89</sup>Ibid.

<sup>90</sup>Ibid., 159; Seward to Adams, May 21, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 5:244.

ambassador to Great Britain and John Slidell for ambassador to France. Mason and Slidell's assignment to Europe, as well as their travel plans, were widely known.<sup>91</sup> On November 7, 1861 Mason, Slidell, their secretaries, and their families boarded British mail packet *Trent* in Havana, Cuba for the transoceanic voyage to Great Britain. On the following day off the coast of Havana, United States war steamer *San Jacinto* confronted the *Trent*. The *San Jacinto* fired a shot across the course of the *Trent* and a second shot across the bow of the *Trent*. The British ship came to. A United States boarding party embarked the *Trent* and insisted on seizing the Confederate officials.<sup>92</sup> The captain of the *Trent* refused compliance and disagreement ensued. Eventually, the boarding party removed Mason, Slidell, and their secretaries and transferred them to the *San Jacinto*.<sup>93</sup> The *Trent* proceeded to London and the *San Jacinto* steamed for Boston via Fortress Monroe at Hampton Roads, Virginia.<sup>94</sup>

Reaction to the *Trent* affair in London was one of outrage. The popular British magazine, *Punch*, read, "You do what's right, my son, or I'll blow you out of the water."<sup>95</sup> After a meeting with Parliament, Palmerston claimed "a gross outrage and violation of international law has been committed."<sup>96</sup> Perhaps most worrisome, British Secretary of War Sir George Cornwall Lewis assured Parliament, "We are making all

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<sup>91</sup>Carroll, 6.

<sup>92</sup>Nicolay and Hay, 5:23.

<sup>93</sup>Adams, 1:204.

<sup>94</sup>Nicolay and Hay, 5:24.

<sup>95</sup>Adams, 1:217.

<sup>96</sup>Monaghan, 174.

our preparations on the assumption that there is to be a war.”<sup>97</sup> After careful deliberation, Russell addressed the *Trent* affair. He wrote:

For the Government of the United States must be fully aware that the British Government could not allow such an affront to the national honor to pass without full reparation . . . namely, the liberation of the four gentleman and their delivery to your Lordship, in order that they may again be placed under British protection, and a suitable apology for the aggression which has been committed.<sup>98</sup>

The United States held the burden. The way Lincoln, Seward, and Adams handled the affair would inform Great Britain’s decision to potentially go to war with the United States and possibly recognize the Confederacy.

#### United States’ Response to the *Trent* Affair

Whereas Great Britain felt outrage over the *Trent* affair, the United States “rang with exultation.”<sup>99</sup> Crowds across the country rejoiced and Congress voted Wilkes a resolution of thanks.<sup>100</sup> Lincoln, to his credit, almost immediately recognized the dangers and complications of Wilkes’ actions. He claimed, “I fear the traitors to be white elephants. We fought Great Britain for insisting . . . on the right to do precisely what Captain Wilkes has done.”<sup>101</sup> In order to cool British sentiments and buy time to develop a response, Adams, Lincoln, and Seward all attempted to downplay the affair. Charles Francis Adams, often meeting with Russell, wrote that his role in cooling British sentiment was as follows: “the chief thing for a diplomatic agent to guard against was any

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<sup>97</sup>Carroll, 8.

<sup>98</sup>Nicolay and Hay, 5:29-30.

<sup>99</sup>Ibid., 5:24.

<sup>100</sup>Monaghan, 170.

<sup>101</sup>Nicolay and Hay, 5:25.

hasty action or ill considered utterance. . . . He must possess his soul in patience, be enigmatical—and wait.”<sup>102</sup> Lincoln attempted to calm sentiment initially by deciding not to reference the *Trent* affair in his annual message to Congress on December 2, 1861. Secondly, he assured a visiting British official that America did not want any quarrel with Great Britain.<sup>103</sup> Seward bought time by choosing not to address the affair until Russell officially presented a list of grievances to the United States.<sup>104</sup>

By Seward deciding to delay response to Russell, Adams gained time to draft communication to Seward vis-à-vis specific British issues with the United States. In a letter to Seward on December 6, 1861, he wrote, “The passions of the country are up and a collision is inevitable if the Government of the United States should . . . have assumed the position of Captain Wilkes in a manner to preclude the possibility of explanation.”<sup>105</sup> In other words, Adams was notifying Seward of the importance in ensuring Russell that the United States did not authorize Wilkes’ actions. Concerning British sentiment and potential consequences of the affair, Adams wrote, “Some think it will be a declaration of war. The better opinion is that it will be a recognition of the Confederates and a refusal

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<sup>102</sup>Mahin, 67.

<sup>103</sup>Ibid., 64.

<sup>104</sup>Seward to Adams, November 30, 1861, in Baker, *The Works of William H. Seward*, 5:294.

<sup>105</sup>Mahin, 70.

further to abide by the blockade as ineffective.<sup>106</sup> Simply put, Adams understood the magnitude of the affair and warned Seward of the consequences of not yielding.<sup>107</sup>

To Lincoln and Seward, the situation proved more complex than simply sending an apology note to Great Britain and yielding.<sup>108</sup> There were many issues at hand. The first issue was the delicate balance between domestic and international sentiments. Just four months earlier, the Union Army suffered a humiliating defeat against the Confederate Army at the First Battle of Bull Run.<sup>109</sup> Since the Battle of Bull Run, the public's confidence in the United States government and military had decreased significantly.<sup>110</sup> The public was starved for good news and the seizure of two confederate envoys offered remedy.<sup>111</sup> Lincoln, realizing that the capture of the envoys struck a chord in Northerners' sentiments, feared that turning the prisoners loose would dampen the newfound enthusiasm. He struggled with balancing American enthusiasm and appeasement of the British.<sup>112</sup>

The second issue complicating the *Trent* affair was the matter of maritime law. Point Two in the Declaration of Paris stated that "The neutral flag covers enemy's goods,

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<sup>106</sup>Mahin, 72.

<sup>107</sup>Adams, 1:231

<sup>108</sup>Monaghan, 171.

<sup>109</sup>Nicolay and Hay, 4:341-369.

<sup>110</sup>Mahin, 52.

<sup>111</sup>Jones, *Union in Peril*, 83.

<sup>112</sup>Monaghan, 171.

with the exception of contraband of war.”<sup>113</sup> Based on this declaration, the only possible argument the United States government held was that the envoys constituted “contraband of war.” However, never before had a human being been considered contraband.<sup>114</sup> As for past precedent for Wilkes’ action, there was none.<sup>115</sup> Secretary of the Navy, Gideon Wells, warned Wilkes that “the forbearance exercised in this instance must not be permitted to constitute precedent.”<sup>116</sup> Lincoln and Seward struggled with the decision to regard the envoys as contraband. Furthermore, even if the envoys were in fact considered contraband, Lincoln and Seward worried that Wilkes did not properly conform to maritime law vis-à-vis taking the vessel before a prize court.<sup>117</sup>

The third, and perhaps most alarming, issue at hand was that many Americans came to admit that the act amounted to a violation of their own country’s opposition of right to search laws.<sup>118</sup> In the 1790s and early 1800s the Royal Navy used impressment, the right to search for Royal Navy deserters and seize them off neutral foreign vessels, as a way to man its fleet in the wars against Napoleon and the French. This contained consequences against American trade and in many instances, the Royal Navy impressed

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<sup>113</sup>Adams, 1:140.

<sup>114</sup>Jones, *Union in Peril*, 83.

<sup>115</sup>Ibid.

<sup>116</sup>Monaghan, 171.

<sup>117</sup>Nicolay and Hay, 5:38.

<sup>118</sup>Jones, *Union in Peril*, 83.

native-born Americans.<sup>119</sup> The British argued that impressment proved “essential to the Royal Navy and thus to British security.”<sup>120</sup> Thomas Jefferson and James Madison counter-argued that the British had no right, whatever the alleged reason, to seize any man from a vessel flying the American flag.<sup>121</sup> Eventually, the British and the United States went to war over the issue, among many others.<sup>122</sup> Upon conclusion of the war, the British adopted a policy of accommodation to the United States, marking a fundamental change, and the practice of Royal Navy impressment upon American vessels halted.<sup>123</sup> To that end, Lincoln and Seward struggled to justify Wilkes’ act. By seizing the Confederate envoys from a vessel flying the British flag, Wilkes, in effect, acted in a similar fashion to the captains of the Royal Navy just 50 years earlier.

By the time Seward wrote correspondence to Lord Lyons concerning the release of the prisoners, over seven weeks had passed since the *San Jacinto*’s confrontation with the *Trent*. In the official note to Lord Lyons addressing the *Trent* affair, Seward attempted to salvage American honor yet accede to Great Britain. He did so by “concealing America’s surrender in a fog of legal arguments.”<sup>124</sup> Seward informed Lyons

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<sup>119</sup>Harry L. Coles, *The War of 1812* (Chicago: The University of Chicago Press, 1965), 4-5; George C. Daughn, *1812: The Navy’s War* (New York: Basic Books, 2011), 20-21. Daughn states that the number of American impressed into the British navy from 1793 to 1812 was between 6,000 and 9,000 men.

<sup>120</sup>Daughn, 17-22.

<sup>121</sup>*Ibid.*, 22.

<sup>122</sup>Reginald Horsman, *The Causes of the War of 1812* (Philadelphia: The University of Pennsylvania Press, 1962), 260; Coles, 4-5.

<sup>123</sup>*Ibid.*, 414-415.

<sup>124</sup>Jones, *Union in Peril*, 92.

that Wilkes' had acted without authorization yet had rightfully seized the envoys as contrabands of war.<sup>125</sup> This statement served two purposes. First, it protected the government from misperceptions that the seizure was an authorized aggressive act against Great Britain; second, it set the argument that Wilkes was not in the wrong in removing the envoys. Seward elected to give ground concerning Wilkes' error in not bringing the *Trent* before a prize court for "judicial examination."<sup>126</sup> Seward, by ways of a multi-layered argument, also gave ground concerning past precedent. He remarked that Great Britain was insisting on the principles that the United States fought Great Britain for in the War of 1812—the arbitrary seizure and impressments of Americans from United States flagged merchant shipping—therefore, he of course would adhere to British sensibilities.<sup>127</sup> This veiled statement offered grounds for Britain to receive reparations and yet at the same time it opened a door for the United States to release the prisoners without upsetting American public sentiment. In the end, Seward offered no apology, granted reparation for the misdeeds, and promised to "cheerfully liberate" the persons in custody.<sup>128</sup>

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<sup>125</sup>Nicolay and Hay, 5:38.

<sup>126</sup>Ibid.

<sup>127</sup>Seward to Lyons, December 26, 1861, in Baker, *The Works of William H. Seward*, 5:308.

<sup>128</sup>Ibid., 5:308-309.

### The Confederacy and the *Trent* Affair

The leaders of the Confederacy also displayed marked enthusiasm over the *Trent* affair, but for different reasons than the United States' citizens.<sup>129</sup> Davis believed that Britain would interpret the action of Wilkes as an insult leading to speedy recognition of the Confederacy.<sup>130</sup> Yancey, with "gleeful optimism," sent articles to Richmond from British newspapers that insisted on British war with the United States.<sup>131</sup> Mann, confident on future recognition, wrote to Hunter: "at the present there is a probability that our recognition by Her Britannic Majesty's Government will not be much longer delayed."<sup>132</sup> This begs the question, what, if any, did Confederate diplomats do to further the Confederacy's cause?

The Confederate Commission had remained relatively quiet since August when Russell informed the Commission of Great Britain's intentions to remain neutral.<sup>133</sup> The actions of Wilkes, however, gave the Commission great reason to renew their application for recognition.<sup>134</sup> To the Commission's credit, as soon as news broke of the *Trent* affair in London, Yancey, Mann, and Rost immediately protested the actions of Wilkes. In a November 27 letter to Russell, the Commission drew focus on the "illegal violence done

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<sup>129</sup>Strode, 183.

<sup>130</sup>Ibid.

<sup>131</sup>Ibid., 184.

<sup>132</sup>Mann to Hunter, December 2, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:123.

<sup>133</sup>Adams, 1:214.

<sup>134</sup>Ibid.

by the Government of the United States.”<sup>135</sup> After establishing the United States as the aggressor and the Confederacy as the victim, the Commission then requested that the “citizens of Confederate States who have been so illegally taken from the deck of a British vessel be restored to the position which they enjoyed under the protection of the British Flag.”<sup>136</sup> On November 30, after three days of no response from Russell, the Commission elected to further press the issue. Understanding that the *Trent* affair offered great potential for diplomatic progress with Great Britain, the Confederate Commission addressed their November 30 correspondence solely on the illegality of the blockade of Confederate ports by the United States (discussed further in chapter 4).<sup>137</sup>

While waiting for Russell’s response, the Commission attempted to advance relations with British and French counterparts. In a letter to Hunter on December 2, 1861, Mann wrote, “I have succeeded in opening channels of communication with the most important personages of the realm. An hour after the Cabinet decided upon its line of action . . . I was furnished with full particulars.”<sup>138</sup> Later in the month, Rost, who was now in Paris, wrote, “that my unofficial intercourse with members of the Government has

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<sup>135</sup>Yancey, Rost, and Mann to Russell, November 27, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:128.

<sup>136</sup>*Ibid.*

<sup>137</sup>Yancey, Rost, and Mann to Russell, November 30, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:128-131.

<sup>138</sup>Mann to Hunter, December 2, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:123.

been more and more friendly, and on one recent occasion M. Thouvenal was pleased to say to me that no one could have done or accomplished more than I have.”<sup>139</sup>

During the *Trent* affair, Hunter’s attempts to inform the Confederate Commission appear sporadic at best. Hunter initially sent correspondence to the Confederate Commission detailing the “flagrant violation of laws and rights of nations” on November 20, 1861.<sup>140</sup> However, in his letter to the Commission, Hunter provided very little in terms of guidance on what issues the Commission should address with Russell. Not until February 8, 1862 did Hunter correspond with the Commission again. The lapse in time potentially indicates that the Confederate diplomats working in London possessed little direction in how to approach the affair with British counterparts.

Russell finally responded to the Commission’s November 27 and November 30 correspondence on December 7. The response proved a “blow to the pride of the commission.”<sup>141</sup> It read, “in the present state of affairs, he [Russell] must decline to enter into any official communication with them [the Confederate Commission].”<sup>142</sup> The Commission felt dismay and outrage; in fact, Yancey claimed Russell was “insulting”

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<sup>139</sup>Rost to Davis, December 24, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:135.

<sup>140</sup>Hunter to Yancey, Rost, and Mann, November 20, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:117.

<sup>141</sup>Owsley, 82.

<sup>142</sup>Russell to Yancey, Rost, and Mann, December 7, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:132.

and considered writing a derogatory reply.<sup>143</sup> The Commission investigated the reason for Russell's curt correspondence.<sup>144</sup> Eventually, the Commission discovered that in May of 1861 Seward instructed Adams to prevent "intercourse between the British government and the missionaries of the insurgents."<sup>145</sup> Russell, under the diplomatic instruction of the Charles Francis Adams, was presented with the alternative to either cease meeting with the Confederate Commission or cause the United States to break diplomatic relations with Great Britain.<sup>146</sup> Russell chose the former and informed Adams that he "will not see the pseudo-commissioners anymore."<sup>147</sup> Yancey claimed Russell was "truckling to the arrogant demand of Mr. Seward," and that Great Britain was in "violation in fact of that impartial neutrality proclaimed."<sup>148</sup> The efforts of the Confederate Commission stalled and the Commission concluded that, "Russell's last note cuts off all communication until at least the question of the 'Trent' has received a solution."<sup>149</sup>

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<sup>143</sup>Mann convinced Yancey to not reply to Russell's "insult." Yancey to Davis, December 31, 1861, in Jefferson Davis, *The Papers of Jefferson Davis*, eds. Lynda Crist and Mary Dix (Baton Rouge: Louisiana State University Press, 1992), 7:449.

<sup>144</sup>Owsley, 83.

<sup>145</sup>Seward to Adams, May 21, 1861, in Baker, *The Works of William H. Seward*, 5:242; Adams, 1:105; Owsley, 83.

<sup>146</sup>Owsley, 83; Adams, 1:105.

<sup>147</sup>Yancey to Hunter, December 31, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:136.

<sup>148</sup>*Ibid.*

<sup>149</sup>*Ibid.*

### Release and Reparations

On January 1, 1862 barracks guards released Mason and Slidell from Fort Warren, Massachusetts. The two men travelled under escort to Cape Cod and transferred via tug to British warship *Rinaldo*.<sup>150</sup> Lyons wrote Russell a short note describing Seward's reparations claiming that, "on reading his [Seward's] enormous note at leisure, I find that it is much more of an apology than . . . thought."<sup>151</sup> Russell responded that Seward's correspondence and release of Mason and Slidell constituted "the reparation which her Majesty and the British nation had a right to expect." Seward's decision to release the envoys relieved the British government and British public.<sup>152</sup>

The *Trent* crisis bore the potential to become a diplomatic nightmare for the United States. The conclusion of the crisis, however, in actuality may have helped the cause of the United States. Adams wrote to Seward, "I am inclined to believe that the happening of the affair of the Trent just when it did, with the just the issue that it had, was rather opportune than otherwise."<sup>153</sup> Many foreign governments, to include Austria and Italy, wrote letters to Seward applauding him on the proper handling of the affair.<sup>154</sup> Furthermore, the negative suspicions that much of the British government and British

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<sup>150</sup>Mahin, 80.

<sup>151</sup>Ibid.; Lyons to Russell, December 31, 1861, in Barnes and Barnes, 274.

<sup>152</sup>Mahin, 80.

<sup>153</sup>Adams to Seward, February 13, 1862, in Barnes and Barnes, 25-26.

<sup>154</sup>Seward acknowledged the favor of the Austrian government in Seward to Motley, February 17, 1862, in Baker, *The Works of William H. Seward*, 5:311; Mahin, 81.

public held of Seward proved, at least temporarily, dispelled.<sup>155</sup> Russell wrote to British Chancellor of the Exchequer William Gladstone that “I do not believe that Seward has any animosity to this country.”<sup>156</sup> The *Trent* affair, surprisingly in many ways, resulted in further solidifying the United States’ foreign policy objectives during the Civil War. First, the affair proved that the restoration of the Union was of highest priority and “in pursuit of this objective [Seward] was but seeking to make clear to European nations that the United States was still powerful enough to resent foreign interference.”<sup>157</sup> Second, the British Foreign Office’s decision to decline a meeting with the Confederate Commission indicates that Seward’s objective to deny Confederate envoys the right to meet with foreign secretaries was taking hold.

The *Trent* affair offered a prime opportunity for the Confederate Commission to make progress vis-à-vis recognition. The fact that progress, in actuality, stalled may not have been due to lack of effort by the Confederate Commission. Perhaps, the fear of a diplomatic break with the United States simply proved too great for the British Foreign Office to justify meeting with the Confederate Commission. Furthermore, obviously damaging to the Confederate cause, the reparations Seward yielded to Great Britain were sufficient in the eyes of Russell.<sup>158</sup> Yancey perhaps summed up disappointment over the *Trent* affair best when he wrote: “the Government here will endeavor for a while at least,

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<sup>155</sup>Adams, 1:235.

<sup>156</sup>*Ibid.*, 1:235-236.

<sup>157</sup>*Ibid.*, 1:236.

<sup>158</sup>*Ibid.*, 1:234.

to observe a ‘frigid neutrality toward us’—that is, will lean to the United States on . . . diplomatic issues, and postpone or refuse recognition.”<sup>159</sup>

### Diplomatic Effectiveness

From November 1861 to January 1862, according to the diplomatic effectiveness model, the United States diplomats performed more effectively than the Confederate diplomats. The way Lincoln, Seward, and Adams downplayed the affair and cooled British sentiments was particularly notable. Concerning the first criteria of the model, internal processes, the United States performed well. Specifically, Adams’ correspondence to Seward regarding the British views on Wilkes’ act may have proven informative in Seward’s decision to offer reparations. As for the second criteria, human relations, it is clear that Adams, up to this point in the war, had spent significant time with Russell and had cultivated a relationship with the Foreign Minister. Furthermore, by possessing a relationship with Russell, Adams may have subtly used that friendship to soften Russell’s stance. Lastly, the United States performed well in the third criteria, goal accomplishment. As noted above, the diplomats achieved both their stated goals; the prevention of foreign intervention in American affairs and the denial of Confederate diplomats’ right to meet with foreign governments. Interestingly, the way the United States achieved the second goal was a bit serendipitous. By attempting to prevent Mason and Slidell from arriving in Europe and meeting with foreign governments, they actually, in the end, prevented Yancey, Rost, and Mann from meeting with foreign governments.

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<sup>159</sup>Yancey to Hunter, December 31, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:136.

Although the Confederate Commission made respectable attempts in diplomacy with the British Foreign Office, according to the model, the Confederate diplomats perform ineffectively during the *Trent* affair. In terms of internal processes, Hunter performed exceptionally poor. He offered little guidance and direction to the Commission and was silent from November 20, 1861 to February 8, 1862. As for the second criteria, human relationships, the Confederate Commission took advantage of the affair and built relationships with unofficial “personages of the realm” and foreign officials in Paris. However, the Commission’s failure to build a relationship with Russell in the months leading up to the affair, regardless of Seward’s threat, proved fatal in terms of their ability to influence the Foreign Secretary during November and December. Lastly, regarding goal accomplishment, the Confederates achieved little success during the affair and failed to advance pro-Confederate British sentiment. Ultimately, they failed to further the case for Confederate recognition.

### Summary

Chapter 3 provided context on international maritime law during the American Civil War. By describing maritime law during the period from 1861 to 1865, a baseline was established for the study of the *Trent* affair. It also described the circumstances surrounding the *San Jacinto’s* confrontation with the *Trent* and the subsequent reactions by the British Government and public. Additionally, chapter 3 analyzed the diplomatic maneuverings of the United States and Confederate States vis-à-vis the *Trent* affair. The upcoming chapter studies the time period from January 1862 to May 1862 with emphasis on the Union blockade mechanisms as related to diplomacy vis-à-vis the European great powers, principally the British and French empires.

## CHAPTER 4

### THE BLOCKADE

Upon conclusion of the *Trent* Affair, Seward predicted that the next “obstacle in the path of the United States would be European interference with the blockade.”<sup>160</sup> Due to a number of factors, to include the effects of the cotton famine in Europe in 1862, Seward’s prediction nearly proved accurate. Chapter 4 evaluates the diplomatic efforts pertaining to the period of time between January of 1862 and May of 1862; specifically, the efforts by the United States and the Confederacy to influence the British and French Foreign Offices over the legality of the blockade of the Confederate coast line by the United States.

#### The New Confederate Diplomats

Prior to conducting study on the blockade, an inventory of the Confederate diplomats who replaced the Confederate Commission in early 1862 necessitates review. The Confederate Commission of Yancey, Mann, and Rost accomplished little over the course of seven months and many, to include Davis, considered them a failure.<sup>161</sup> Davis, realizing the need for serious foreign policy representatives, replaced the Commission with *Trent* notables John Slidell and James Mason.<sup>162</sup> In addition to replacing the

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<sup>160</sup>Owsley, 227.

<sup>161</sup>Adams, 1:203; Hendrick, 152,

<sup>162</sup>Adams, 1:203.

diplomats abroad, Davis also replaced Secretary of State Hunter with Judah P. Benjamin.<sup>163</sup>

After release from the barracks at Fort Warren, Massachusetts, John Slidell made the trans-oceanic journey across the Atlantic and arrived in Paris in early February, 1862. Slidell possessed the reputation as, “the foremost diplomat of the Confederate States.”<sup>164</sup> By serving as a former envoy to Mexico in 1845 and serving as a member of the Senate Foreign Relations committee, Slidell gained valuable diplomatic experience. His ability to speak French and Spanish fluently gained him respect abroad.<sup>165</sup> He served in the United States Senate from 1853 to 1861 and gained notoriety after successfully managing the victorious 1856 presidential campaign of James Buchanan.<sup>166</sup> Growing up in New York and graduating from Columbia in 1810 informed Slidell’s view of slavery. He tended to be less severe and emotional on the topic than his Confederate contemporaries and this helped his cause in Paris and London.<sup>167</sup> William H. Russell, famed war correspondent of the *London Times*, wrote that Slidell was the “most consummate master of political manoeuvre in the States.”<sup>168</sup> Additionally, due to a long relationship that Slidell held with Benjamin, he tended to work effectively with his boss.<sup>169</sup>

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<sup>163</sup>Callahan, 33.

<sup>164</sup>Mahin, 99.

<sup>165</sup>Hendrick, 284.

<sup>166</sup>Jones, *Blue and Gray Diplomacy*, 86-87.

<sup>167</sup>Hendrick, 291.

<sup>168</sup>*Ibid.*, 235.

<sup>169</sup>Evans, 157.

James Mason, traveling on the same trans-oceanic steamer as Slidell, arrived in London in late January 1862.<sup>170</sup> Davis' appointment of Mason proved the opposite of Slidell. Whereas many considered Slidell an excellent choice to represent the Confederate States abroad, Mason tended to be viewed in the same manner as the men from the Confederate Commission. Henry Adams, son and secretary to Charles Francis Adams, was astonished that Davis "chose Mr. Mason as his agent in London at the same time that he made so good a choice as Mr. Slidell in Paris."<sup>171</sup> William H. Russell wrote in the *London Times* that Slidell "far excels [Mason] in subtlety and depth."<sup>172</sup> As the grandson of famed Virginian George Mason, Mason developed the reputation as "an old-fashioned Virginian."<sup>173</sup> Unfortunately, Mason's lineage inflated his view of himself and he tended to believe that his "position gave him the right to expect high office."<sup>174</sup> Although arrogant, he did, in fact, possess some diplomatic traits. He had personal charm, tended to be straightforward and truthful, and previously chaired the Senate Foreign Relations Committee.<sup>175</sup> However, similar to Yancey and other members of the Confederate Commission, Mason also held a reputation as an ardent supporter of slavery. As a member of the United States Senate, Mason gained fame when he authored the highly

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<sup>170</sup>Mason to Hunter, January 30, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 159.

<sup>171</sup>Hendrick, 233.

<sup>172</sup>*Ibid.*, 235.

<sup>173</sup>*Ibid.*

<sup>174</sup>*Ibid.*

<sup>175</sup>Owsley, 224; Hendrick, 234.

controversial Fugitive Slave Bill of 1850, advocated slavery extension to Oregon and California, and acted as an apologist for Senator Preston Brooks, the infamous senator who had bludgeoned anti-slavery champion Senator Charles Sumner with a cane on the United States Senate floor.<sup>176</sup> Unlike Slidell's arrival in Paris, which was without incident, Mason's proved more difficult.<sup>177</sup>

Davis selected Judah P. Benjamin to replace Hunter as Secretary of State. This, perhaps, was the best decision by Davis concerning foreign affairs throughout the war. Benjamin held a reputation as an intelligent, well-travelled, and respected leader.<sup>178</sup> His parents lived in London and he was born a British subject in the British West Indies.<sup>179</sup> Prior to the war, he practiced law in New Orleans, specializing in international commercial treaties, and served as a United States Senator.<sup>180</sup> Fluent in French and Spanish, Benjamin travelled on a yearly basis to Paris.<sup>181</sup> Prior to becoming Confederate Secretary of State, he held the positions of Confederate Attorney General and

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<sup>176</sup>Hendrick, 237.

<sup>177</sup>Mahin, 122. It would be unfair to claim that the Confederacy should send diplomats abroad that did not support slavery. Slavery, in fact, proved a bedrock of the Confederacy's reason to claim independence; thus, members of the government clearly should support slavery. However, in diplomacy, it is clearly advantageous to send members abroad who would appeal to foreign dignitaries and appeal to foreign sentiments. To that end, to send an envoy who was as emotional and as ardent of a supporter of slavery remains questionable.

<sup>178</sup>Ibid., 153; Evans, 155-156.

<sup>179</sup>Jones, *Blue and Gray Diplomacy*, 117.

<sup>180</sup>Evans, 155.

<sup>181</sup>Ibid.

Confederate Secretary of War.<sup>182</sup> As the “Brains of the Confederacy,” Benjamin held the respect of Jefferson Davis and Davis valued Benjamin’s insight.<sup>183</sup> Benjamin’s connections abroad proved beneficial. Less than two months into his role as Secretary of State, French Ambassador to the United States Henri Mercier made the diplomatically risky decision to travel to Richmond and visit Benjamin.<sup>184</sup> Although nothing of significance came from the meeting, it illustrated that Benjamin held influence abroad and the decision to name him Secretary of State proved astute.

### The Blockade

On April 19, 1861 Abraham Lincoln issued a proclamation that announced a United States naval blockade, once a competent force had been posted, against the Confederate States “in pursuance of the laws of the United States and of the law of nations.”<sup>185</sup> General-in-Chief Winfield Scott further advanced Lincoln’s Proclamation by drafting a war strategy termed the “Anaconda Plan.”<sup>186</sup> The Anaconda Plan contained two directives. First, it ordered a blockade to isolate the Confederacy by preventing trade to foreign partners.<sup>187</sup> Second, the plan directed an invasion of the Confederate States

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<sup>182</sup>Hendrick, 153.

<sup>183</sup>Hendrick, 155.

<sup>184</sup>Ibid., 286.

<sup>185</sup>Lincoln, “Proclamation: April 19, 1861,” in Richardson, *A Compilation of the Messages and Papers of the President*, 6:14-15.

<sup>186</sup>Brendan Wolfe, “Anaconda Plan,” *Encyclopedia Virginia*, May 9, 2011, [http://www.Encyclopediavirginia.org/Anaconda\\_Plan#start\\_entry](http://www.Encyclopediavirginia.org/Anaconda_Plan#start_entry) (accessed February 24, 2014).

<sup>187</sup>Nicolay and Hay, 4:307.

along the Mississippi River to cut off critical transportation and communication routes.<sup>188</sup>

Although the United States Army frequently diverged from the plan, Scott's Anaconda Plan underlined the importance of the blockade and informed much of Lincoln's strategy for the duration of the war.<sup>189</sup>

During the months following Lincoln's blockade proclamation, while the United States Navy was establishing the blockade, Lyons and Mercier both argued the legality of the impending blockade with Seward.<sup>190</sup> The argument centered on the potential introduction of a congressional bill termed the Southern Ports Bill—a bill designed to grant the President authority to proclaim Confederate ports closed.<sup>191</sup> It appears that Seward and Lincoln, through issuance of the Southern Ports bill, planned to attempt to set a blockade upon the Confederacy without actually calling it a blockade—an official blockade, in effect, would grant the Confederacy de facto belligerent status.<sup>192</sup> From Lincoln's and Seward's perspectives, the Confederacy was not a belligerent and had no rights as such. Regardless of Lincoln's and Seward's intentions to avoid calling it a blockade, Lyons, Mercier, Russell, and Thouvenal all argued that the closure of ports by legislative action was illegal and it equated to a "paper blockade."<sup>193</sup> Seward gave ground

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<sup>188</sup>Nicolay and Hay, 4:307.

<sup>189</sup>Ibid.

<sup>190</sup>Adams, 1:245-246.

<sup>191</sup>Ibid.

<sup>192</sup>Ibid.

<sup>193</sup>Ibid. A "paper blockade" is defined as one that is "formally declared but for which enforcement forces have not been deployed" Oxford Reference, "Paper Blockade," Oxford University Press, [www.oxfordreference.com/view/10.1093/oj/authority](http://www.oxfordreference.com/view/10.1093/oj/authority).

on the debate, fearing British and French reprisals, and convinced Congress to remove the portion of the Southern Ports Bill decreeing the President authority to close ports.<sup>194</sup>

However, earlier in April and shortly after the Blockade Proclamation, Lincoln made a critical decision that helped lead to a blockade without the admittance of belligerent status upon the Confederacy. Rather than announcing the blockade to “European governments” and rather than “set[ting] a date” through general notification, the Navy set the blockade into effect by warning vessels at the port of entry and exit.<sup>195</sup> Thus, by not officially announcing to European governments of the blockade, Lincoln and Seward effectively achieved the goal of establishing a blockade of the Confederate coast without admitting de facto belligerent status of the Confederates.<sup>196</sup> Furthermore, whether intentional or not, the argument concerning the legality of the legislative closure of Southern ports substituted the debate over whether the United States could, in fact, effectively blockade the Confederate coast. Also, it appears the debate over the Southern Ports Bill and the lack of official communication decreeing a United States blockade substituted the discussion regarding whether a blockade leads to a de facto recognition of the Confederacy as belligerents. Throughout the summer and fall of 1861, the United States slowly began to blockade the Confederate States and avoided any discussion

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20110803100304527 (accessed March 4, 2014). Per the Declaration of Paris, to be effective, a blockade must be “maintained by a force sufficient really to prevent access to the coast of the enemy.” Adams, 140.

<sup>194</sup>Adams, 1:250; Norman B. Ferris, *Desperate Diplomacy: William H. Seward’s Foreign Policy, 1861* (Knoxville: University of Tennessee Press, 1976), 90.

<sup>195</sup>Adams, 1:244.

<sup>196</sup>*Ibid.*, 1:252.

granting de facto status to the Confederates. To that end, Russell took the stance that, if effective and in accordance with maritime law, the blockade required British recognition.<sup>197</sup>

Little dialogue vis-à-vis the blockade occurred during the second half 1861 for a number of reasons. First, due to a windfall cotton surplus from previous years, the British and French economies felt only minor effects from the blockade.<sup>198</sup> Second, Russell believed that due to the enormity of the Confederate coast, the United States would fail to prevent blockade runners from escaping capture and Confederate cotton would still arrive in Great Britain.<sup>199</sup> Third, Seward silenced the debate by warning Russell and Thouvenal of a wheat famine. In 1860 and 1861, Great Britain suffered a short grain crop and the United States supplied wheat to lessen the deficiency.<sup>200</sup> Seward used the wheat famine as leverage and cautioned Great Britain and France that interference in the blockade to lessen the cotton famine would in turn create a consequent wheat famine.<sup>201</sup> Lastly, popular British sentiment believed that the American Civil War would last a short duration and anxiety over cotton supply would prove unnecessary.<sup>202</sup>

Two factors brought the debate of the blockade to the forefront in early 1862. First, in late 1861, to assist in funneling traffic in and out of southern ports, the United

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<sup>197</sup>Adams, 1:246.

<sup>198</sup>Ibid., 1:252.

<sup>199</sup>Ibid.

<sup>200</sup>Owsely, 567.

<sup>201</sup>Ibid.

<sup>202</sup>Adams, 1:252.

States filled vessels with stone and sunk them in and around waterways.<sup>203</sup> In terms of foreign policy, the act proved disastrous. The perception in London was that the sinking of the stone vessels proved an attempt to “destroy these harbors forever,” rather than simply redirect traffic.<sup>204</sup> The British press and public displayed outrage and demanded protest from the British government.<sup>205</sup> In turn, Russell wrote, “it is a plot against the commerce of nations and the free intercourse of the Southern States of America with the civilized world,” and he decried the act as “barbaric.”<sup>206</sup> In Paris, “all circles” of people denounced the “sinking of the stone-freighted ships” as “diabolical” and an “outlawry upon the national law.”<sup>207</sup> Seward quickly responded to the foreign reprisals with an explanation that that the vessels were only intended to redirect traffic and that “it is not likely that any others will be used for that purpose.”<sup>208</sup> The United States Navy abandoned the plan; however, the negative perception by the British and French proved difficult to overcome and the debate over the blockade gained momentum.<sup>209</sup>

The impending cotton famine and subsequent economic consequences proved the second factor to revive the blockade debate. By early 1862, the effect of the blockade

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<sup>203</sup>Adams, 1:254.

<sup>204</sup>Ibid.,

<sup>205</sup>Ibid, 1:256.

<sup>206</sup>Ibid., 1:255.

<sup>207</sup>Mann to Davis, January 18, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 153.

<sup>208</sup>Adams, 1:257.

<sup>209</sup>Ibid., 1:257-258.

started to substantially hurt the commerce of Great Britain and France. For comparison, Europe obtained 4,320,000 bales of cotton in 1860, 3,936,000 bales of cotton in 1861, and only 1,146,000 bales of cotton in 1862.<sup>210</sup> Furthermore, only 143,000 bales of cotton were imported to Great Britain from January to March in 1862.<sup>211</sup> To France specifically, the United States exported 578,000 bales of cotton in 1861. In 1862, the number decreased to 311,000 bales, less than half the amount from 1861.<sup>212</sup> Perhaps the British magazine the *Economist* explained the situation best: “No one can doubt now why we are suffering. More terrific figures have rarely been set before the world.”<sup>213</sup> January 1862 marked a new high in price of cotton; cotton mills closed throughout France and Great Britain, unemployment swept across the nations, and the British and French people became desperate.<sup>214</sup> As proof, in early January of 1862 Dayton wrote Seward:

The pressure upon the industrial interests of France had increased until at last, in certain of their manufacturing districts and cities, the wants of their suffering population are so great that neither the government nor the private subscription can provide for them. All this destitution is attributed to the Civil War in America and the consequent closing of Southern Ports. They seem to think that the removal of the blockade would relieve their difficulties; that it would meet at once their two great wants—cotton and markets.<sup>215</sup>

Due to the sinking of the stone vessels and the negative economic impacts of the cotton famine on the British and French people, the debate on the legality of the blockade

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<sup>210</sup>Owsely, 148.

<sup>211</sup>*Ibid.*

<sup>212</sup>*Ibid.*, 149.

<sup>213</sup>*Ibid.*

<sup>214</sup>Monaghan, 195-197; Owsley, 149.

<sup>215</sup>Owsley, 227.

gained increased momentum. Could the Confederate envoys convince Great Britain and France to lift the blockade or did Adams, Dayton, and Seward possess enough influence to sway the British and French Foreign Offices differently?

### The United States and the Blockade

In early 1862, Seward's strategy to address the blockade and economic impact proved threefold. First, he instructed his diplomats to "circumvent" the topic until the Union scored more successes on the battlefield.<sup>216</sup> He recognized the desperate need for Union battlefield victories and the potential leverage those victories possessed.<sup>217</sup> Second, he directed the diplomats to inform their British and French counterparts that after the Union secured Southern ports, the United States would relax the blockade or terminate it altogether.<sup>218</sup> Whether Seward truly intended to relax or terminate the blockade is arguable. However, by informing the French and British Foreign Offices of his intent to do so, he clearly aimed to delay intervention. Seward recognized that the longer the diplomats delayed foreign interference in the blockade, the more time the United States Navy possessed to construct an effective blockade; consequently, the more the effective the blockade became, the less legal justification foreign powers possessed in interference.<sup>219</sup> Lastly, in an attempt to apply pressure to foreign offices that complained

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<sup>216</sup>Owsley, 227-228.

<sup>217</sup>Ibid.

<sup>218</sup>Ibid.

<sup>219</sup>As the war progressed, the effectiveness of the blockade improved. Owsley, 285.

of the blockade, Seward in return complained of foreign blockade runners.<sup>220</sup> By directing pressure on foreign offices over the legality of blockade runners, Seward attempted to shift the conversation off the United States.

### The Confederacy and the Blockade

The Confederate blockade strategy proved difficult. Davis, as well as other Confederate leaders, believed that a European cotton famine was the best way to incite foreign intervention (King Cotton—discussed in chapter 2).<sup>221</sup> To that end, in order to create a cotton famine sufficiently desperate enough to force intervention, the Confederacy needed to ensure that cotton would not arrive in Europe.<sup>222</sup> And, to achieve this result, the Confederacy adopted an unofficial “extra-legal” embargo where planters, communities, and commission houses withheld cotton.<sup>223</sup> Unfortunately, this cotton policy contained the unintended consequences in that it made the task for the Confederate envoys to argue the blockade as ineffective merely impossible—if cotton was not arriving in Europe, then clearly, in the eyes of the foreign offices, the United States demonstrated effectiveness in constructing the blockade.<sup>224</sup> The Confederate strategy was truly a

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<sup>220</sup>Seward, General Dispatch to Diplomats March 17, 1862, in Baker, *The Works of William H. Seward*, 5:50.

<sup>221</sup>Although many, including Benjamin, argued the advantages of commercial treaties with foreign countries, Davis elected to not engage in commercial negotiations concerning the trade of cotton. Callahan, 86.

<sup>222</sup>Ibid.

<sup>223</sup>Davis, 8:35.

<sup>224</sup>Slidell to Hunter, February 11, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:181; Owsley, 282.

double edged sword. To incite foreign intervention, the Confederacy required a cotton famine; however, to prove the blockade ineffective, Confederate diplomats abroad needed cotton to arrive in Europe. The unintended consequences that King Cotton created vis-à-vis the blockade plagued the envoys throughout their discussions with foreign counterparts.

Outside the beginning stages of the war, the Confederate Commission made only minor attempts to oppose the blockade during 1861.<sup>225</sup> However, the *Trent* affair, in late 1861, inspired the Commission to pursue dialogue with Russell that opposed the blockade.<sup>226</sup> Although Russell refused the Commission's communication (as discussed in chapter 3), the Commission learned a valuable lesson. When drafting the letter to Russell in opposition against the blockade, it became apparent to the Commission that they lacked significant and updated proof to argue ineffectiveness. Much of the Commission's argument to Russell contained data on blockade-eluding vessels prior to August of 1861.<sup>227</sup> Obviously outdated, the figures the Commission possessed required immediate renewal. Over the course of the next few months, the Confederate Commission, as well as their replacements, made numerous requests of Hunter for current information on the arrival and departure of vessels from Southern ports.<sup>228</sup> Inexcusably, Hunter failed to

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<sup>225</sup>Yancey, Rost, and Mann to Russell, August 14, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:70.

<sup>226</sup>Yancey, Rost, and Mann to Russell, November 30, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:128.

<sup>227</sup>*Ibid.*

<sup>228</sup>Yancey, Rost, and Mann to Hunter, January 27, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:155; Yancey to Hunter, January 27, 1862, in Richardson, *A Compilation of the Messages and Papers of the*

send figures. At one point, clearly upset, Yancey wrote to Hunter that, “had the State Department, instead of sending us dispatches containing only an announcement of the battle of Leesburg, and on the 9th November on General Polk’s telegrams, sent full returns per our customhouse of the vessels breaking the blockade, we should have had it in our power to have broken it here.”<sup>229</sup> Astonishingly, the Confederate Treasury Department in early 1862, in fact, possessed information that indicated somewhere between 700 and 800 vessels that eluded the blockade from May to December, 1861.<sup>230</sup> Whether Hunter intentionally withheld information in the name of King Cotton or whether he simply failed to send current figures, the task of proving the blockade ineffective for the diplomats in London and Paris grew increasingly difficult.

When Mason arrived in London in early 1862, British Confederate sympathizers informed him that the environment proved optimal to pursue argument over the legality of the blockade.<sup>231</sup> That information, combined with a dispatch from Hunter that incorrectly notified him that he would soon be “furnished with abundant” evidence proving the blockade ineffective, directed Mason’s strategy during the early stages of 1862.<sup>232</sup> Realizing that, at the present, the overall goal of recognition was not likely,

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*Confederacy*, 2:157-58; Slidell to Hunter, February 26, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:184-185.

<sup>229</sup>Yancey to Hunter, January 27, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:158.

<sup>230</sup>Owsley, 241.

<sup>231</sup>*Ibid.*, 238-240.

<sup>232</sup>Hunter to Mason, September 23, 1861, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:92.

Mason shifted focus solely to that of the illegality of the blockade.<sup>233</sup> His strategy proved twofold. First, he achieved a meeting with Russell. In the meeting, he aimed to play to Russell's sensibilities by electing to not request recognition. He did, however, argue that per maritime law the blockade had proved ineffective to that point in time. Unfortunately, like the Confederate Commission before him, the figures Mason used to prove ineffectiveness were six months old.<sup>234</sup> Second, with the help of the Confederate sympathizers, namely Conservatives Sir William H. Gregory and shipping magnate William Lindsay, Mason achieved momentum by inciting debate in Parliament vis-à-vis the legality of the blockade.<sup>235</sup> The House of Lords debated the blockade on March 7, 1862 and the House of Commons debated the blockade on March 10, 1862.<sup>236</sup> The debates proved remarkably similar. The Confederate sympathizers realized that to achieve success they first must separate the issues of recognition and the blockade. At that juncture of the war, many members of the House of Lords and the House of Commons feared that to lift the blockade would be to recognize the Confederacy. Furthermore, to recognize the Confederacy would lead to war with the United States. To that end, the Confederate sympathizers attempted to dispel that notion.<sup>237</sup> Second, Sir Gregory attempted to prove the blockade as ineffective.<sup>238</sup> In counter-argument, the Pro-

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<sup>233</sup>Adams, 1:264.

<sup>234</sup>Owsley, 239-240.

<sup>235</sup>Owsley, 246; Adams, 1:267.

<sup>236</sup>Ibid.

<sup>237</sup>Ibid.

<sup>238</sup>Ibid.

Union members of Parliament, namely Liberal solicitor-general Roundell Palmer, claimed that no way existed to separate the issues of recognition and the blockade. One would lead to another and both would lead to war.<sup>239</sup> Concerning the effectiveness of the blockade, Palmer argued that due to the scarcity of cotton, the blockade clearly proved effective.<sup>240</sup> Fearing defeat, which ultimately would sink any further discussion on the subject of the blockade, Gregory withdrew the motion before it could be voted down.<sup>241</sup>

In Paris, Slidell took a similar approach to Mason's. He, too, elected to shift the focus from recognition to that of the illegality of the blockade.<sup>242</sup> However, his strategy differed in one particular aspect. Upon arrival in Paris, Slidell soon realized that the French Foreign Office deferred to the British Foreign Office in terms of the American conflict.<sup>243</sup> Consequently, he feared that the British Foreign Office would refuse to interfere in the blockade. To that end, he attempted to divide the quasi Anglo-French coalition. He argued to Thouvenal and the Emperor that the precedent the French Foreign Office set on deferment to Great Britain would injure France in the long-term, specifically pertaining to future legality of blockades.<sup>244</sup> He wrote:

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<sup>239</sup>Owsley, 246; Adams, 1:267.

<sup>240</sup>Ibid.

<sup>241</sup>Ibid.

<sup>242</sup>Slidell to Hunter, February 11, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:181.

<sup>243</sup>Owsley, 234.

<sup>244</sup>Slidell to Hunter, February 11, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:184.

Peace between her [Great Britain] and France will not be eternal . . . She [Great Britain] is now willing to recognize the validity of the Federal blockade, that at some future and perhaps not distant day she may by royal proclamation declare the entire coast of France blockaded, prevent all neutral commerce with her enemy, and appeal to the silence and submission of France in 1862 to her tacit interpretation of the fourth article of the conference of Paris as a sufficient answer to any protest against her action.<sup>245</sup>

Simply put, Slidell argued that to recognize the blockade was to recognize Great Britain's future ability to blockade the French coastline. Although Slidell touched on a vital argument, Thouvenal and the Emperor refused to budge on their deferment to the British.<sup>246</sup> Like Mason, Slidell also attempted to convince his counterparts of the ineffectiveness of the blockade. He achieved results in setting up meetings with high ranking officials, to include the Emperor.<sup>247</sup> However, in the end, the effects of King Cotton stymied his attempts. Thouvenal countered that the Union blockade proved effective due to the scarcity of cotton arriving from the Confederate States.<sup>248</sup>

By the time Benjamin took over the role as Confederate Secretary of State on February 22, 1862, much of the blockade debate had subsided. To Benjamin's credit, he acted with urgency and attempted in late spring to assist his diplomats abroad. First, he immediately sent a list of vessels that eluded the blockade during the months of November 1861, December 1861, and January 1862. The list totaled over 100.<sup>249</sup> Second,

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<sup>245</sup>Owsley, 234.

<sup>246</sup>Ibid.

<sup>247</sup>Mahin, 89.

<sup>248</sup>Slidell to Hunter, February 11, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:181.

<sup>249</sup>Benjamin to Slidell, April 8, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:216.

he armed diplomats with legal guidance to argue that the blockade was ineffective.<sup>250</sup> His guidance included discourse on previous international law conventions, former legal cases, and a discussion on the “principles enunciated in the Treaty of Paris of 1856.”<sup>251</sup> Lastly, and perhaps most impressive, Benjamin constructed a commercial negotiation for Slidell to engage the Emperor. Benjamin offered 100,000 bales of cotton for a sum ample to “maintain afloat a considerable fleet for a length of time sufficient to open the Atlantic and Gulf ports to the commerce of France.”<sup>252</sup> In short, Benjamin aimed to gain financing from France in order to lift the blockade. Although the Emperor eventually shied away from the offer, it illustrated Benjamin’s willingness to break away from King Cotton and explore other avenues to engagement.

#### Blockade Debate Silenced

In London, after the Confederate sympathizers removed the motion to vote on the legality of the blockade in Parliament, the debate quieted. Reasons for the silence varied. First, during events leading up to the debates in Parliament and the House of Commons, Russell informed members that he deemed the blockade to be effective.<sup>253</sup> By challenging “pro-Southern sentiment,” Russell, in effect, asserted his aim to avoid interference in the

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<sup>250</sup>Benjamin to Slidell, April 8, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:216.

<sup>251</sup>Ibid, 2:217.

<sup>252</sup>Benjamin to Slidell, April 12, 1862, in Benjamin to Slidell, April 8, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:229.

<sup>253</sup>Adams, 1:265-268.

blockade.<sup>254</sup> Parliament, in turn, respected Russell's wishes.<sup>255</sup> Second, as the dominant sea-power, British leaders realized that it was not in the interests of Great Britain to declare a blockade ineffective. To set that precedent could potentially harm Great Britain's future ability to blockade potential foes.<sup>256</sup> Lastly, although the cotton famine significantly hurt many commercial sectors, production in other industries skyrocketed. Specifically, the ports, the shipbuilding industry, and the munitions industry all witnessed increased demand; thus, off-setting many negative effects of the cotton famine.<sup>257</sup>

In Paris, the debate also lost momentum in early 1862. It appears that Seward's strategy proved effective. When Dayton told Thouvenal of Seward's plans to relax the blockade, Thouvenal responded with satisfaction.<sup>258</sup> Furthermore, Dayton's ability to circumvent the issue until further battlefield success worked in the favor of the United States. As proof, when the Union won significant battles at Fort Donelson and Fort Henry, it negatively altered the perception of the Confederacy. Slidell wrote to Hunter:

We have the details of the . . . disastrous affair at Fort Donelson. I need not say how unfavorable an influence these defeats, following in such quick succession, have produced on public sentiment. . . . [we] must expect that the declaration of the inefficiency of the blockade, to which I had looked forward with great confidence at no distant day, will be indefinitely postponed.<sup>259</sup>

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<sup>254</sup>Adams, 1:265-268.

<sup>255</sup>Ibid.

<sup>256</sup>Owsley, 234; Jones, *Blue and Gray Diplomacy*, 56.

<sup>257</sup>Mahin, 87.

<sup>258</sup>Owsely, 228.

<sup>259</sup>Slidell to Hunter, March 11, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:193,194; Owsley, 237.

Finally, the Union capture of New Orleans in April of 1862, perhaps, proved the final blow to the Confederate attempts to convince Thouvenal to lift the blockade.<sup>260</sup> With New Orleans in hand, the Union held leverage in terms of cotton trade to France. Little reason now existed for France to consider interference with the blockade.

Although further diplomatic attempts to debate the legality of the blockade were made throughout the rest of the war, few attempts made as much progress as the ones in early 1862. Reasons for this proved twofold. First, as the war progressed so did the effectiveness of the blockade. The numbers of blockade runners captured by the blockade over the course of the war are as follows: one in 10 in 1861; one in eight in 1862; one in four in 1863; one in three in 1864; and one in two in 1865.<sup>261</sup> Simply put, the Confederate argument that the United States failed to effectively blockade the Confederate coast lost ground as the war continued. In speaking on this matter in summer of 1862, Napoleon III informed Slidell that it was a mistake for the French to respect the blockade in the first place but it was too late to reverse it.<sup>262</sup> The fact that the severity of the cotton famine decreased as the war progressed proved the second factor that diminished further debate. Along with a renewed interest in linen output from the British Isles, Great Britain and France turned to Egypt and India for increased output of cotton. When Egypt and India positively responded to the demand, the dependence on Confederate cotton lowered and the King Cotton strategy suffered a severe blow.<sup>263</sup> In hindsight, it appears that the King

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<sup>260</sup>Mahin, 85.

<sup>261</sup>Owsley, 285.

<sup>262</sup>Mahin, 90.

<sup>263</sup>Owsley, 563.

Cotton strategy failed Confederate diplomats abroad. It never sufficiently caused Great Britain and France to intervene in the war and it handcuffed diplomatic attempts to argue the ineffectiveness of the blockade. For the time being, Russell's and Thouvenal's decisions to avoid interference appeared set; the blockade debate subsided.

### Diplomatic Effectiveness

Similar to the *Trent* affair, according to the model, the United States diplomats performed more effectively than the Confederate diplomats concerning the blockade debate. On the subject of the internal processes criteria, it appears that Seward's instructions to his diplomats relating to a strategy of delay were clear and logical and Adams and Dayton proved able in delivering them to their British and French counterparts. As for the second criteria, human relations, Dayton appeared to have made progress with Thouvenal and perhaps proved influential in swaying Thouvenal to take a non-interference stance on the blockade. Concerning the goals criteria, the United States achieved its short term goal to prevent foreign interference in the blockade. Seward's strategy of delay, specifically, proved successful. With that strategy, Seward provided the United States Navy sufficient time in order to build a more effective blockade. This, in turn, made it difficult for the British and French Foreign Offices to argue ineffectiveness. Also, through delay, Seward provided the United States' military time to achieve significant battlefield successes. The eventual defeat of the Confederate forces at Fort Donelson, Fort Henry, and New Orleans proved pivotal.

The Confederate diplomatic efforts varied. In terms of the first criteria, internal processes, Hunter performed poorly and Benjamin performed well. Whether by design or not, Hunter's failure to provide the members of the Commission and their replacements

updated data on blockade runners proved fatal to the Confederate plea to lift the blockade. The withholding of data is especially appalling due to the fact that Hunter had made the lifting of the blockade a top priority and assured his diplomats that they would receive “abundant evidence of the fact that the blockade of the coasts of the Confederate States has not been effectual.” In terms of diplomatic maneuvering, in many ways, timing is everything. For the Confederacy, it is unfortunate that Benjamin did not assume the role of Confederate Secretary of State from the ineffective Hunter earlier. By the time Benjamin took office, much of the debate vis-à-vis the blockade had concluded. To Benjamin’s credit, he performed well according to the internal processes model; unfortunately, it appears that his efforts were too late. As for the human relationship criteria, Mason and Slidell achieved progress where the Confederate Commission failed. Mason achieved a meeting with Russell and played a role in providing momentum to Gregory and Lindsey to advance the debate in Parliament. In Paris, Slidell also made progress by gaining access to Thouvenal and the Emperor. Concerning the goals model, the King Cotton strategy sank the ability for diplomats to argue the blockade ineffective. Although it caused the British and French to consider intervention, it never achieved the goal of actual intervention. In effect, King Cotton undercut diplomats abroad. By electing to withhold cotton from Great Britain and France, the Confederacy also withheld the ability for the diplomats to argue the ineffectiveness of the blockade.

### Summary

Chapter 4 introduced new Confederate envoys abroad as well as the new Confederate Secretary of State. Additionally, chapter 4 described the contexts that surrounded the blockade. Chapter 4 also inventoried the diplomatic attempts of the

United States and the Confederate States to influence the British and French Foreign offices vis-à-vis the legality of the blockade. The upcoming chapter studies the time period from June 1862 to November 1862 with emphasis on political maneuvers in response to battlefield results.

## CHAPTER 5

### BATTLEFIELD DIPLOMACY

At the beginning of June 1862, the momentum of the Civil War favored the United States. The Union army and navy had secured New Orleans, the Union army was progressing in the Western theater, General George McClellan and the Army of Potomac were advancing on Richmond, and the United States' diplomats abroad continued to avert foreign intervention. However, the next four months of the war witnessed a complete reversal of momentum. First, General Robert E. Lee and the Army of Northern Virginia thwarted McClellan's advance on Richmond; second, Lee's army pressed forward through Virginia; lastly, the general and his men entered into Maryland. The Confederate reversal in momentum altered the European perception of the war in America. For the first time, the British and French government engaged in serious discussions with one another concerning a proposition of joint-intervention. The possibility for intervention proved so likely that even the Queen, who previously would not even consider involvement in the Civil War, gave her approval to Prime Minister Palmerston to further explore an intervention policy.<sup>264</sup> Russell, learning of the Queen's approval, set a Cabinet meeting to conduct a vote on mediation for October 23, 1862.<sup>265</sup> This chapter examines the diplomatic efforts of the United States and the Confederates to influence their British and French counterparts vis-à-vis the critical battles during the summer and early fall of 1862; specifically, McClellan's failure at the Seven Days Battle (June 25-July 1), the

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<sup>264</sup>Adams, 2:38.

<sup>265</sup>Ibid., 2:40.

Second Battle of Bull Run (August 28-30), and the Battle of Antietam (September 17-18). The way the diplomats promoted their battlefield successes and defended their defeats to the British and French Foreign Offices could potentially prove the difference in the Anglo-French decision to intervene or not.

### McClellan's Failure at the Seven Days Battle

In mid-March 1862, Lincoln's patience for the war was decreasing and he sought ways to bring about a fast conclusion. After looking over numerous options, Lincoln decided to ferry Commander of the Army of Potomac General George McClellan and his 100,000 troops to Fort Monroe, Virginia to begin a campaign to march on Richmond and secure the Confederate capital, termed the Peninsula Campaign.<sup>266</sup> By late June, McClellan had reached the outskirts of Richmond with his infantry as close as eight miles to the Capitol.<sup>267</sup> Things looked bleak for the Confederates. Remarkably, outnumbered by 20,000 soldiers, General Robert E. Lee and the Northern Army of Virginia defeated the Army of Potomac and drove it back 18 miles to the banks of the James River in the Seven Days Battle.<sup>268</sup> The Union Army performed so poorly that William Stuart, Lyons' temporary replacement as British Ambassador to the United States, described the army as "completely disorganized – the generals as having with a few exceptions lost their heads, and men who did fight as showing no enthusiasm whatever for their cause, and as

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<sup>266</sup>Robert Paul Jordan, *The Civil War* (Washington, DC.: National Geographic, 1969), 83.

<sup>267</sup>*Ibid.*, 90.

<sup>268</sup>*Ibid.*, 97.

fighting more for life than as caring for the result.”<sup>269</sup> In contrast, he said the Confederates “fought with great courage and desperation.”<sup>270</sup> The momentum of the war had officially reversed course.

Judah P. Benjamin correctly understood that the Confederate victory at the Seven Days Battle offered great potential for diplomatic gains. In a letter to Mason and Slidell, he wrote: “you will spare no effort to avail yourself of the favorable opportunity presented by our recent successes in urging our rights to recognition . . . We simply insist on the acknowledgement of a fact patent to mankind.”<sup>271</sup> He further instructed the diplomats to focus on a number of arguments. First, he wanted them to impress upon their counterparts that Confederate success will continue and that the “Government and people [will] . . . campaign with renewed energy before the North can recover from the shock of their bitter disappointment.”<sup>272</sup> Second, he wanted the diplomats to highlight that the Union loss outside Richmond was a precursor to a Union impending financial collapse.<sup>273</sup> Additionally, he told Mason and Slidell to focus on humanitarian reasons for intervention. He wrote of the “value of recognition as a means of putting an end to the war.”<sup>274</sup>

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<sup>269</sup>Stuart to Russell, July 4, 1862, in Barnes and Barnes, 292.

<sup>270</sup>Ibid.

<sup>271</sup>Benjamin to Slidell and Mason, July 19, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:268.

<sup>272</sup>Ibid., 2:267.

<sup>273</sup>Ibid.

<sup>274</sup>Benjamin to Slidell and Mason, July 19, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:268. Benjamin’s argument concerning

Slidell, to his credit, took advantage of the victory and achieved a meeting with Thouvenal. As a result of the meeting, Thouvenal instructed Slidell to write him a letter which he would in turn pass to the Emperor. In the letter, Slidell attempted to play to the Emperor's liberal sensibilities by claiming that the Union was attempting to "subjugate the people of the Confederate States and to govern them as conquered people."<sup>275</sup> Furthermore, he highlighted the recent success of the Confederates claiming that, "columns of the grand Army of the North were seeking shelter on the banks of the James River."<sup>276</sup> In his opinion, his encounters with the Thouvenal proved successful and he believed Napoleon III was beginning to warm to the idea of intervention. He wrote to Benjamin: "While I do not wish to create or indulge false expectations, I will venture to say that I am more hopeful than I have been at any moment since my arrival in Europe."<sup>277</sup>

The task for Seward in defending McClellan's defeat proved difficult. His dispatches to Dayton and Adams tended to focus on three lines of argument. First, he wrote of the unfair bias that Europeans displayed towards the Union in the war. He wrote:

If we happen to fail in one of several combined military enterprises, as every belligerent power is subject to . . . it is pronounced abroad to be conclusive against the success of the whole war. If, on the other hand, we gain victory upon victory with rapidity and upon scale such as only the campaign of the First

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humanitarian reasons for closure to the war was also highlighted in previous dispatches to diplomats, including his letter to Slidell on April 12, 1862.

<sup>275</sup>Slidell to Thouvenal (to be fwd to Napoleon III), July 21, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:286.

<sup>276</sup>Ibid.

<sup>277</sup>Slidell to Benjamin, July 25, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:272.

Emperor of France exhibited, the refusal of the insurgents to render instant and universal submission to the Federal authority renders these successes in foreign eyes ineffectual and valueless.<sup>278</sup>

Next, realizing the damage to the Union's military reputation proved severe, Seward emphasized the merits of the army at Vicksburg and Chattanooga and detailed the successes of the navy.<sup>279</sup> Furthermore, he wrote of the potential for future success by promising "three hundred thousand additional troops . . . in the field in sixty days."<sup>280</sup> Lastly, Seward instructed his diplomats to, once again, threaten their counterparts in the case they choose to intervene in the Civil War. Seward touched upon that threat a few times after the Seven Days Battle, but perhaps the most obvious was when he wrote to Adams, "Great Britain would . . . become an ally of our domestic enemies; and then she would be at war with us. . . . Would Great Britain profit by a war with us?"<sup>281</sup> Seward went on to repeat his previous instruction from 1861 that if the British were to recognize the Confederacy, Adams was to suspend his mission.<sup>282</sup>

Up to this point in the war, Seward and Adams had correctly interpreted Russell and Palmerston's views on America and, for the most part, made only minimal mistakes.

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<sup>278</sup>Seward to Adams, July 10, 1862, in Baker, *The Works of William H. Seward*, 5:331. Later in the summer, Seward addressed the unfair bias again in another letter to Adams, August 18, 1862, in Baker, *The Works of William H. Seward*, 5:349-354.

<sup>279</sup>Seward to Adams, July 10, 1862, in Baker, *The Works of William H. Seward*, 5:332.

<sup>280</sup>*Ibid.*

<sup>281</sup>Seward to Adams, August 2, 1862, in Baker, *The Works of William H. Seward*, 5:338; Seward also detailed a threat in a letter to Dayton on July 10, 1862, in Baker, *The Works of William H. Seward*, 5:332.

<sup>282</sup>Mahin, 126.

However, in the summer of 1862 that changed when Adams withheld Seward's threat to the British. When Seward instructed Adams to deliver the threat to Russell, he told Adams to only deliver the threat in the case that he was approached by Russell with a mediation plan.<sup>283</sup> Adams took Seward's instruction literally and held the threat in reserve.<sup>284</sup> This inaction proved a mistake. By not informing Russell that "the United States would not tolerate European meddling," it allowed Russell and Palmerston freedom to alter their perception of the war. As a result, Russell and Palmerston, in fact, took advantage of that freedom and started to view the war in different context.<sup>285</sup>

In London, shortly after the Confederate victory at the Seven Days Battle, William Lindsay and other Confederate sympathizers renewed the debate on recognition in the House of Commons. They introduced a motion to offer "mediation with the view of terminating hostilities."<sup>286</sup> On July 18, 1862 the House of Commons met to debate the motion and William Gregory advanced the issue by calling the Southern cause "just."<sup>287</sup> Cries of "divide, divide" were shouted by Confederate sympathizers.<sup>288</sup> However, similar to the debate in February, opponents of mediation argued against the motion and the motion was withdrawn.<sup>289</sup> Unlike the debate in February though, the conclusion on the

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<sup>283</sup>Adams, 2:35,36.

<sup>284</sup>Adams, 2:35,36; Mahin, 126.

<sup>285</sup>Mahin, 126.

<sup>286</sup>Adams, 2:18.

<sup>287</sup>Ibid., 21-23.

<sup>288</sup>Ibid.

<sup>289</sup>Ibid.

July 18 debate was not as decisive. There was a noticeable shift in Palmerston's and Russell's views. It appears that Palmerston did not disagree with the substance of Lindsay's motion, but rather the timing.<sup>290</sup> Palmerston biographer Herbert C. F. Bell wrote of him:

Throughout the spring and early summer, Palmerston stood against interference in the American struggle; in the late summer and early autumn he was one of its leading advocates. . . . He seems to have been drawn slowly from his original determination to avoid risking a 'bloody nose' by the . . . reports of Southern success on the battlefield. . . . He turned to the idea of intervention at the beginning of August.<sup>291</sup>

Recognizing the change in Palmerston's, Russell's, and Napoleon III's perceptions of the war, Slidell wrote: "nothing will float us off but a strong and continued current of important successes in the field."<sup>292</sup> Whether the Confederates could continue the momentum, and subsequent diplomatic success abroad, was in the hands of General Lee and the Army of the Northern Virginia.

### Second Bull Run

Upon conclusion of the Seven Days Battle, General Lee decided to split his force in two. He sent Major General Stonewall Jackson and his men north towards Washington, DC while he, and the rest of the Army of Northern Virginia, remained in the vicinity of Richmond to watch General McClellan.<sup>293</sup> Jackson's initial order was to

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<sup>290</sup>Jones, *Union in Peril*, 130.

<sup>291</sup>Mahin, 127.

<sup>292</sup>Slidell to Benjamin, August 24, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:315.

<sup>293</sup>John Macdonald, *Great Battles of the Civil War* (New York: Macmillan Publishing Company, 1988), 48.

simply “hinder” Union Major General John Pope and the newly formed Army of Virginia. However, when it became apparent that McClellan was slow to mobilize his defeated force, Lee and most of his remaining men also headed north and changed the objective from hinder to the defeat of Pope and his Army of Virginia.<sup>294</sup> On August 29 and August 30, through a variety of superior tactical maneuvers, Lee and Jackson delivered a crushing defeat to Pope. Pope’s Army of Virginia suffered almost 15,000 casualties and, panic stricken, fled the battlefield.<sup>295</sup> The defeat proved so severe that, upon learning the results of the battle, the *London Morning Herald* pleaded: “Let us do something, as we are Christian men.”<sup>296</sup> Palmerston, further displaying his change in perception of the war, claimed that, “the Federals . . . got a very complete smashing . . . greater disasters await them.”<sup>297</sup> Perhaps most alarming, Stuart described the Union army as “completely demoralized” and claimed that there was concern whether the Union government could “defend Washington.”<sup>298</sup> It appears that the momentum of the war continued to shift decisively in favor for the Confederates. Lee, by achieving victory on the battlefield, continued to provide sufficient evidence to Confederate diplomats to argue their case.

Similar to his letters written after the victory at the Seven Days Battle, Benjamin again drafted correspondence promoting Confederate superiority on the battlefield. He

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<sup>294</sup>Macdonald, 48.

<sup>295</sup>Ibid.

<sup>296</sup>Jones, *Union in Peril*, 162.

<sup>297</sup>Mahin, 128.

<sup>298</sup>Stuart to Russell, September 1, 1862, in Barnes and Barnes, 296.

called Lee's victory at Bull Run a "total rout" and claimed that the Union army was forced into "fortifications around Washington."<sup>299</sup> He ridiculed the performance of McClellan and Pope and listed the casualties, in his estimation, of the "enemy" in recent battles to include: 100,000 men on the Peninsula, 30,000 men at Manassas, 11,000 men at Harper's Ferry, 30,000 men at the battles in the Valley of Virginia, 100,000 men of Halleck's Army of the West, and 10,000 men on the Coast of the Carolinas.<sup>300</sup> After describing the dreadful state of the Union, he attempted to compare it to the position of the Confederates. He wrote:

The contrast between our present condition and that which existed ninety days ago seems almost magical. Instead of having the invader in the heart of our country, with our capital closely invested by an arrogant and confident foe, our entire frontier from the Atlantic to the Mississippi, with a few insignificant exceptions, is reposing in peace behind the protection of our victorious forces. The cry of "On to Richmond" . . . is changed into a discordant clamor for protection.<sup>301</sup>

Lastly, after comparing the state of the Confederate and Union armies, Benjamin pushed for recognition. He wrote to his diplomats that, "cases may be imagined where the Cabinet of Saint James . . . might determine on the final step of recognition."<sup>302</sup>

In London, Mason attempted to leverage the victory and advance the Confederate cause. He wrote of meeting with "accredited quarters" and he claimed that recognition

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<sup>299</sup>Benjamin to Slidell and Mason, September 26, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:319.

<sup>300</sup>*Ibid.*, 2:324.

<sup>301</sup>*Ibid.*, 2:322.

<sup>302</sup>*Ibid.*, 2:323.

was once again under consideration of the British Cabinet.<sup>303</sup> Furthermore, he claimed to be in communication with an “English gentleman of high position” who told him that he had visited with Napoleon III and that the Emperor was ready to recognize the Confederates.<sup>304</sup> Although not through official channels, it appears Mason achieved success in informing unofficial counterparts of the Confederate successes.

Turning to the United States’ response to the battle, realizing that his words were falling on deaf ears, Seward decided to change his argument. Instead of focusing on the previous complaints of the unfair and biased treatment displayed by the European governments, he decided to focus on the impending collapse and exhaustion of the Confederate army and government. He first highlighted an imminent Confederate financial crisis claiming that the Confederates had already spent \$350 million and required \$250 million more for expenditure prior to the new year.<sup>305</sup> With tax revenue of \$12 million and “no resources for greater taxation,” Seward argued that the “insurrection” had clearly reached a crisis.<sup>306</sup> He further advanced the financial-crisis argument by claiming that the United States was far from possessing financial troubles. The United States, in Seward’s words, proved punctual on their payments, possessed large gold reserves, and enjoyed such a large surplus of wheat and bread that they were

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<sup>303</sup>Mason to Benjamin, September 18, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:316.

<sup>304</sup>*Ibid.*

<sup>305</sup>Seward to Adams, September 26, 1862, in Baker, *The Works of William H. Seward*, 5:355-356.

<sup>306</sup>*Ibid.*; Seward to Dayton, October 20, 1862, in Baker, *The Works of William H. Seward*, 5:361.

actually exporting them to Europe.<sup>307</sup> Seward also wrote of the exhaustion of reserves of men. In contrast to the Union, who at that time “only begun to draw upon its resources and men,” the Confederates were “bringing into the field the last armies available for conscription.”<sup>308</sup> He distinguished the United States as a government in the process of introducing a second army into the field, which was larger than the first, with a third and fourth army on their way whereas the Confederate government had no such reserves at all.<sup>309</sup>

Unfortunately for Seward, his instructions to diplomats were not achieving his desired results in London and Paris and in early September the idea of intervention continued to gain traction. However, unlike the past, this time it was not Parliament pushing the debate but instead it was the British Cabinet.<sup>310</sup> Palmerston, clearly swayed by recent Confederate success, asked Russell, “would it not be time for us to consider whether . . . England and France might not address the contending parties and recommend an arrangement based on separation?”<sup>311</sup> Furthermore, believing intervention to be imminent, Palmerston met with the Queen to receive approval to continue to explore intervention; which she did allow. Russell was just as much swayed as

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<sup>307</sup>Seward to Adams, September 26, 1862, in Baker, *The Works of William H. Seward*, 5:355-356; Seward to Dayton, October 20, 1862, in Baker, *The Works of William H. Seward*, 5:361.

<sup>308</sup>Seward to Dayton, October 8, 1862, in Baker, *The Works of William H. Seward*, 5:357-358.

<sup>309</sup>Seward to Dayton, October 20, 1862, in Baker, *The Works of William H. Seward*, 5:361-362.

<sup>310</sup>Adams, 2:37.

<sup>311</sup>Mahin, 128.

Palmerston. In fact, two weeks after Second Bull Run, Russell reached out to Thouvenal to gauge the French Foreign Minister's plan for mediation and to start preliminary conversations regarding the American situation.<sup>312</sup> In Washington, Stuart wrote to Russell that the "pressure for recognition may have . . . become irresistible."<sup>313</sup>

Learning that Lee and the Army of Northern Virginia had crossed the Potomac west of Washington and understanding the importance of timing and momentum in diplomacy, Palmerston decided to delay a little longer. He desired one more major Confederate victory. He wrote: "if the Federals sustain a great defeat they may be at once ready for mediation, and the iron should be struck while it is hot."<sup>314</sup> Also believing in an imminent Confederate victory, Russell informed fellow Cabinet members of a late October meeting to discuss possible intervention and claimed that, "October the hour will be ripe."<sup>315</sup>

#### Antietam

After the remarkable victory at Bull Run, Lee desired to maintain momentum and set out north to invade Union territory. He wrote to Davis that, "the present seems to be the most propitious time since the commencement of the war for the Confederate Army to enter Maryland."<sup>316</sup> The lure of Maryland's autumn harvest to feed his troops, a

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<sup>312</sup>Adams, 2:38.

<sup>313</sup>Stuart to Russell, September 9, 1862, in Barnes and Barnes, 297.

<sup>314</sup>Mahin, 128.

<sup>315</sup>Mahin, 128; Adams, 2:38.

<sup>316</sup>Lee to Davis, September 3, 1862, in Davis, 8:373; Ronald H. Bailey, ed., *The Civil War: the Bloodiest Day* (Alexandria VA: Time-Life Books, 1984), 8.

potential pro-Confederate uprising from Maryland natives, growing Democratic political opposition to Lincoln's pro-war Republicans in regards to the upcoming November elections, and potential British and French intervention were all reasons that informed Lee's decision to strike North.<sup>317</sup> In his opinion, driving north proved a risk, but the benefits were worth it.<sup>318</sup> Unfortunately for the Confederacy, the risk did not pay off. A misplaced copy of Lee's plans to advance into Maryland fell into the hands of McClellan and McClellan exploited that intelligence. On September 17, 1862 McClellan's Army of the Potomac, which had finally departed from its entrenchments outside of Richmond, struck Lee's forces. After a day of fierce battle, 22,500 men fell, the single bloodiest day in the American Civil War, and Lee was forced from the battlefield.<sup>319</sup> On September 18, understanding that his troops were in poor condition to fight, Lee elected to re-cross the Potomac and head south. Lee's foray into the North halted and McClellan was quick to claim victory.<sup>320</sup>

Reacting to the surprising defeat, Palmerston subtly wrote that it "was not a great success of the South against the North."<sup>321</sup> Suggesting a loss of Confederate momentum, Stuart wrote to Russell: "The decisive Battle which was expected when I last wrote did not take place at all . . . what they [Confederate Army] are now doing, or where they are

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<sup>317</sup>Lee to Davis, September 3, 1862, in Davis, 8:373; Bailey, 9-10; Jordan, 104.

<sup>318</sup>Ibid.

<sup>319</sup>Jordan, 104.

<sup>320</sup>Ibid.

<sup>321</sup>Mahin, 129.

even, is a mystery.”<sup>322</sup> It appears that McClellan seized the initiative from Lee; subsequently, the momentum Lee was providing to the Confederate diplomats abroad proved scarce. The tables had reversed. Now, it was the job of the Confederate diplomats to defend their loss and the job of the United States’ diplomats to promote their victory.

In Paris, Slidell correctly realized that the perception of Union victory severely hurt the Confederate cause and he hoped the news of Antietam to be false. In a letter to Benjamin, Slidell wrote: “the victories by the Federals on the 16th and 17th (Antietam) are actually proven to be defeats.” Benjamin did his best to downplay the battle by claiming that Lee had not lost the battle and had desired to continue the fight. He wrote to Mason and Slidell: “General Lee prepared to renew the engagement [the] next morning, but the enemy disappeared from his front and left him master of the field.”<sup>323</sup>

Additionally, he aimed to belittle McClellan’s claim to victory and the northern papers’ biased coverage of the battle. He noted: “General Lee withdrew his Army across the river to Shepherdstown for rest . . . and no sooner was this fact known that General McClellan claimed a victory and was tempted by the frantic exultation of the northern papers into what he called a pursuit of a flying foe.”<sup>324</sup>

Turning to Seward’s response to Antietam, understanding that the victory offered great potential to destroy the Confederate diplomatic momentum, Seward attacked the Confederates and the European foreign offices on a number of issues. In correspondence

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<sup>322</sup>Stuart to Russell, September 23, 1862, in Barnes and Barnes, 299.

<sup>323</sup>Benjamin to Mason and Slidell, September 26, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:320.

<sup>324</sup>Ibid.

to Dayton, that was also read to Congress, he first sarcastically poked the British and French Foreign offices for considering intervention. He wrote: “Those expectations [of Confederate successes] thus reached a height that all Europe was seen actually looking for nothing less than the surrender of Washington and the dissolution of the Union, when it received . . . the intelligence of the defeats of the insurgents at . . . Antietam.”<sup>325</sup> Next, he attempted to dismiss the lofty military and political goals of the Confederates.

Aggressively, he penned, “it will be sufficient on this occasion to say that the military and political situations in this country are in perfect contrast with the imaginary ones which were expected to win the advantages of European intervention.”<sup>326</sup> He proceeded to enumerate the failed objectives, to include: New York and Philadelphia are not threatened; Cincinnati, Louisville, New Orleans, Baltimore, and Washington, DC are not occupied; insurgent armies in the East, West, and South are in rapid retreat; and, Confederates are evacuating border-states.<sup>327</sup> After describing the grievous Confederate military and political situation, he revisited his argument concerning the Confederate financial and military reserve exhaustion.<sup>328</sup> Lastly, Seward returned to his oft-used

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<sup>325</sup>Seward to Dayton, October 20, 1862, in Baker, *The Works of William H. Seward*, 5:360.

<sup>326</sup>*Ibid.*, 5:360-361.

<sup>327</sup>*Ibid.*; Thomas L. Breiner, “The Battle of Perryville,” [www.battleofperryville.com/battle.html](http://www.battleofperryville.com/battle.html) (accessed May 13, 2014). It appears that Seward was attempting to reference Confederate General Braxton Bragg and his Army of Mississippi’s difficulties in the Confederate Kentucky invasion. Bragg’s Army eventually won a tactical victory against the single corps of Major General Don Carlos Buell’s Union Army of the Ohio at the Battle of Perryville but, after retreating to Tennessee, lost the strategic victory. The Union retained control of Kentucky for the rest of the war.

<sup>328</sup>Seward to Dayton, October 20, 1862, in Baker, *The Works of William H. Seward*, 5:361-362.

threatening tone and issued a caution. He exclaimed: “no enemy of the United States can leave this country, and no ally of the insurgents can enter it. Such is the military situation now.”<sup>329</sup>

Adams, who had remained fairly quiet over the previous months, started to make progress after Antietam. Interestingly, the argument concerning Confederate exhaustion that appears to have failed to achieve success earlier was beginning to take hold. Adams wrote Seward of this progress and in response Seward wrote: “The conviction which I have so confidently expressed to you during the last six weeks, that the insurrection is becoming exhausted . . . is now becoming generally accepted, and I see with pleasure that it begins to find favor in England.”<sup>330</sup>

In London, the reaction from Palmerston to Antietam and the American diplomat’s messages regarding the battle proved negative for the Confederates. It appears Palmerston, who was counting on a Confederate victory, started to doubt whether the conditions would ever arise to offer mediation. He wrote to Russell how the advance of the “South against the North” has been “lately checked,” and “ten days or a fortnight more may throw a clearer light upon future prospects [for an offer of mediation].”<sup>331</sup> Apparently, Palmerston was beginning to return to a mindset of a “cautious delay,” and he desired “more decided events between the contending armies.”<sup>332</sup>

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<sup>329</sup>Seward to Dayton, October 20, 1862, in Baker, *The Works of William H. Seward*, 5:361.

<sup>330</sup>Seward to Adams, November 10, 1862, in Baker, *The Works of William H. Seward*, 5:369.

<sup>331</sup>Adams, 2:43; Jones, *Union in Peril*, 177.

<sup>332</sup>Adams, 2:44.

Russell did not share Palmerston's cautious mindset. It seems that Russell proved dissatisfied with Palmerston's reluctance to act and he continued to advance his view on intervention.<sup>333</sup> Shifting his argument to humanitarian reasons for mediation, Russell engaged in correspondence with Stuart in Washington.<sup>334</sup> Stuart, for his part, agreed with Russell and was in regular talks with Mercier on a proposed Anglo-French joint intervention.<sup>335</sup> Realizing that an outright recognition of the Confederacy would prove too unpopular in British circles, Stuart and Mercier proposed an armistice without immediate recognition of the Confederates.<sup>336</sup> Russell took Stuart's and Mercier's suggestions and advanced the issue. In early October, Russell circulated a memorandum to fellow cabinet members informing them of an October 23 meeting to discuss possible mediation of the American Civil War.<sup>337</sup>

The table was set. Over the course of the past five months, did the Confederate diplomats promote their successes and downplay their defeats successfully to foreign counterparts? Did they do enough to convince Palmerston, Russell, and the British Cabinet of the benefits of intervention? Did Slidell do enough to convince Napoleon III to take part in a joint mediation? Was there still enough Confederate momentum to convince the British Cabinet members of the value of intervention? Or, did the United States diplomats do enough to dissuade cabinet members? All those questions would be

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<sup>333</sup>Jones, *Union in Peril*, 178.

<sup>334</sup>*Ibid.*, 178-179.

<sup>335</sup>Mahin, 129.

<sup>336</sup>*Ibid.*

<sup>337</sup>Mahin, 133; Jones, *Union in Peril*, 179; Adams, 2:47-49.

finally addressed in late October and early November, perhaps the most likely juncture for European intervention throughout the Civil War.

#### British Cabinet Meeting(s) and the French Proposal

Leading up to the October 23 meeting, Russell made attempts to convince Cabinet members and various London political parties, including the Opposition Party, of the value of a proposed armistice.<sup>338</sup> Clearly, he was trying to build pro-intervention momentum leading into the Cabinet meeting. Not surprisingly, some members voiced disapproval of Russell's plans. Perhaps the weariest of an offer of joint intervention was from Secretary of War Sir George Cornwall Lewis; his counter-argument to Russell proved twofold. First, he stated that per the "doctrines of international law that the independence of the Southern States has" not been established.<sup>339</sup> He feared that intervention would lead to recognition and recognition would prove a breach in international law. Second, he feared a reprisal from the United States. In a memorandum to fellow cabinet members, he wrote that an offer of an armistice would undoubtedly lead to war with the United States.<sup>340</sup> Lord Clarendon, George William Villars, also outwardly opposed a proposed armistice. As a former Foreign Secretary and as the leader of the Opposition Party, Palmerston recognized that Clarendon possessed much political capital in London.<sup>341</sup> Lastly, First Lord of the Admiralty Lord Somerset, fearing war with the

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<sup>338</sup>Mahin, 133.

<sup>339</sup>Ibid., 134.

<sup>340</sup>Ibid.

<sup>341</sup>Mahin, 135; Adams, 2:51-54.

United States, claimed that the Foreign office was partaking in “mischief.”<sup>342</sup> After considering the statements made by Lewis, Clarendon, and Somerset, and perhaps for political reasons, Palmerston instructed Russell to cancel the meeting.<sup>343</sup> Yet again, it appears Palmerston proved cautious. He wrote to Russell that, “we must continue to merely be lookers-on until the war shall have taken a more decided turn.”<sup>344</sup>

Meanwhile in Paris, the French Foreign office failed to recognize that the British Cabinet was finally considering a proposed armistice. Over the course of the war, Napoleon III had desired joint intervention and when the opportunity finally arose, the French were slow to organize.<sup>345</sup> Two significant factors caused the delay. First, in September and October, the “Italian question”—the defeat of the Kingdom of Naples in the Unification of Italy—fully engaged the Emperor and Thouvenal.<sup>346</sup> Slidell wrote to Benjamin that “the Italian imbroglio . . . engrosses his [Emperor] attention.”<sup>347</sup> Second, Thouvenal lacked enthusiasm for a proposed armistice. He feared “serious consequences” from the United States in the case of an Anglo-French recognition of the Confederacy.<sup>348</sup>

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<sup>342</sup>Howard J. Fuller, *Clad in Iron* (Westport, CT: Praeger, 2008), 169.

<sup>343</sup>*Ibid.*

<sup>344</sup>*Ibid.*

<sup>345</sup>Adams, 2:39; Mason to Benjamin, June 23, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:257. As early as June 1862, Napoleon III made it clear that he was prepared to recognize Confederate independence.

<sup>346</sup>Slidell to Benjamin, October 20, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:338.

<sup>347</sup>*Ibid.*

<sup>348</sup>Adams, 2:39.

That lack of enthusiasm, as well as possessing an opposition view to the French governments' role in Italy, eventually led to Thouvenal's surprising resignation in the middle of October.<sup>349</sup> The resignation and subsequent turnover in personnel caused further delay and Slidell wrote: "for two or three days a general disruption of the Cabinet was imminent."<sup>350</sup>

Slidell finally achieved a meeting with the Emperor in late October. In that meeting, the Emperor hinted to Slidell of a proposed armistice that the French were going to float to the British.<sup>351</sup> The armistice would last for six months, open the Southern ports, and "hostilities would cease . . . on the grounds of humanity and interests of the world."<sup>352</sup> On October 30, seven days after the planned British Cabinet meeting to vote on intervention, the French finally sent the mediation plan to the British Foreign Office.<sup>353</sup> Upon receipt of the proposal, Russell decided to push mediation one last time. Perhaps due to the momentum halt caused by the debate leading up to the October 23 meeting, the plan gained little traction. To finally put an end to the idea of intervention, the British Cabinet met on November 11 to vote on the proposal and it was heavily rejected.<sup>354</sup> The momentum the Confederate army and Confederate diplomats had gained

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<sup>349</sup>Slidell to Benjamin, October 28, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:348.

<sup>350</sup>Slidell to Benjamin, October 20, 1862, in Richardson, *A Compilation of the Messages and Papers of the Confederacy*, 2:338.

<sup>351</sup>*Ibid.*, 2:347.

<sup>352</sup>*Ibid.*

<sup>353</sup>Mahin, 136-137.

<sup>354</sup>*Ibid.*

during the summer and early fall had ceased and the opportunity for joint intervention had finally come to an end. Perhaps Seward said it best when he wrote to Dayton: “A year ago it seemed that any foreign nation might assail and destroy us at a blow. I am sure that no one foreign nation would now conceive such an attempt.”<sup>355</sup>

After Antietam: The Emancipation Proclamation,  
Mexico, and the Likelihood of Intervention

In July of 1862, for political, humanitarian, and foreign policy reasons, Lincoln drafted the Emancipation Proclamation and presented it to his cabinet.<sup>356</sup> However, with the Union Army in retreat and fearing that foreign governments would interpret the proclamation as a sign of desperation, Lincoln took the advice from his cabinet and delayed issuing the proclamation.<sup>357</sup> Finally, after McClellan’s victory at Antietam, Lincoln decided to make the announcement. On September 22, 1862 Lincoln announced to his cabinet his intentions to release the proclamation, two days later the preliminary Emancipation Proclamation was made public, and finally, in early October, the proclamation reached London.<sup>358</sup> One purpose of the Emancipation Proclamation was to further the Union diplomatic momentum after the victory at Antietam. Paradoxically, the proclamation initially failed in that purpose and British interest in mediation momentarily

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<sup>355</sup>Seward to Dayton, December 1, 1862, in Baker, *The Works of William H. Seward*, 5:369-370.

<sup>356</sup>Bailey, 156-160.

<sup>357</sup>Ibid.

<sup>358</sup>Bailey, 156-160; Adams, 2:102. The first newspaper reactions to the Emancipation Proclamation were written on October 6, 1862.

spiked after the announcement.<sup>359</sup> Russell, as well as other British citizens, questioned Lincoln's intent and thought the policy was "designed to achieve victory by inciting slave rebellions."<sup>360</sup> The impact of the Proclamation on the British cabinet regarding the mediation debates of October and November appears minimal.<sup>361</sup> Eventually, by December and January, the moral impact of the emancipation finally began to take hold. The original criticisms of Lincoln began to wear thin and the British public started to support the proclamation. As evidence, Henry Adams, in London, wrote his brother: "The Emancipation Proclamation has done more for us here than all our former victories and all our diplomacy."<sup>362</sup> Furthermore, pro-Confederate William Gregory told Mason, "the most influential men of all parties" now oppose recognition.<sup>363</sup> The Emancipation Proclamation proved decisive; the unpopularity of intervening in the war and recognizing a pro-slavery Confederacy proved too great for the British government to overcome. By the end of 1862, likelihood of British intervention in the war merely vanished.<sup>364</sup>

In Paris, plans on intervention did not completely die. Reasons why Napoleon III continued to possess plans on intervention were numerous; but perhaps the most likely reason was due to his ambitions on Mexico. In 1862, Napoleon III involved France in a French-Mexican war that would play out over the next five years. Napoleon's intent was

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<sup>359</sup>Jones, *Blue and Gray Diplomacy*, 228.

<sup>360</sup>*Ibid.*, 228-236.

<sup>361</sup>Adams, 2:101.

<sup>362</sup>Mahin, 139.

<sup>363</sup>Owsley, 440; Mahin, 140.

<sup>364</sup>Mahin, 140.

to install a European monarch on the Mexican throne.<sup>365</sup> To that end, because the Emperor desired to gain a foothold on the North American continent, he viewed intervention in the American Civil War in different context than his British counterparts. To Napoleon III, a divided America would allow French-controlled Mexico to “eventually incorporate Texas.”<sup>366</sup> Throughout 1863, Napoleon continued to try to advance intervention plans, but like previous attempts, these too failed.<sup>367</sup> By early 1864, perhaps fearing a United States reprisal for violating the Monroe Doctrine, Napoleon finally dropped his pursuit for intervention.<sup>368</sup> The likelihood of intervention in the Civil War, by the British and the French, now officially ceased to exist.

#### Diplomatic Effectiveness

Unlike the *Trent* Affair and the blockade debate, the Confederate diplomats clearly outperformed their United States counterparts during the summer and fall of 1862. The way the diplomats linked Confederate successes on the battlefield to diplomatic momentum proved impressive. Looking at the criteria to judge effectiveness, the Confederate diplomats performed well on all accounts. Concerning the internal processes criteria, Benjamin was perhaps at his best during this time period. He clearly articulated his arguments and he provided current information to Mason and Slidell at a constant pace. Of particular note, his correspondences directly after the Seven Days Battle and

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<sup>365</sup>Mahin, 220. Napoleon’s quest to place a European Monarch on the throne ultimately failed.

<sup>366</sup>Jones, *Blue and Gray Diplomacy*, 294.

<sup>367</sup>*Ibid.*, 285-307.

<sup>368</sup>*Ibid.*, 315.

Second Bull Run were well stated and may have had significant effect on Palmerston's and Russell's changing perceptions of the affairs in America. In regards to the second criteria, human relationships, it appears Slidell performed well in Paris. As evidence, Slidell's letter to Napoleon III via Thouvenal after the Seven Days Battle may have been a catalyst in achieving diplomatic momentum throughout the summer. Additionally, the fact that Slidell achieved a meeting with the Emperor in late October, when the Emperor was abundantly busy regarding affairs with Italy and Thouvenal, was also quite impressive.

Concerning the goals criteria, the Confederate diplomats did not achieve their overall goal of intervention. They did, however, achieve a lesser goal of advancing the debate to a vote. In diplomacy, timing is everything. To that end, perhaps intervention did not fail due to Confederate diplomatic effort but instead due to timing. If the French Foreign Office and the Emperor were more organized in late September and early October and had engaged the British Foreign Office with their proposed mediation plan prior to the October 23 meeting, then perhaps Palmerston would have resisted his return to a cautious approach and he would have more strongly supported Russell's motion to intervene.

Turning to the United States diplomats, they uncharacteristically performed poorly during the summer and fall of 1862. In regards to the first criteria, internal processes, Adams entirely failed to carry out Seward's instruction to threaten counterparts in the case of a proposed joint intervention. Although this may be due to miscommunication regarding Seward's instruction to only deliver the threat in the event that Adams was approached with a mediation offer, Adams should have recognized the

severity of the situation and taken the initiative to deliver the threat to Russell whether he was approached or not. Palmerston and Russell, in fact, were in serious conversation regarding joint intervention and mediation proposals were made. If Adams had properly identified Palmerston's and Russell's shift in the perception of the war during mid-summer, he could have delivered Seward's warning then and perhaps avoided the proposals of October and November. Interestingly, after the November 11 Cabinet vote, Adams finally delivered the threat.<sup>369</sup> As for the second criteria, human relationships and influence, it appears Adams and Dayton also failed in this aspect. Adams either did not properly recognize Russell's change on views on intervention, or if he did, Adams failed to influence Russell against that change. In Paris, it appears that Dayton did little to influence the Emperor against a mediation proposal. Seward, possibly, is the reason why the United States performed decently in the third criteria, long-term and short-term goal accomplishment. Seward's line of argument regarding Confederate financial and military exhaustion proved logical and eventually gained traction in London. Also, Seward's correspondence directly after McClellan's victory at Antietam contained many strong arguments and perhaps affected British Cabinet members and their decision to vote against intervention. Lastly, when Lincoln issued the Emancipation Proclamation, the entire dynamic of the diplomacy shifted. Although there proved a momentary spike in British interest in mediation, by late 1862, the long-term goal of preventing foreign intervention in the war became abundantly easier for Seward and his diplomats.

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<sup>369</sup>Mahin, 138-140. Mahin argues that upon conclusion of the November 11 rejected vote and Adams delivery of the threat, Russell finally became convinced that there was zero possibility for British intervention in the Civil War.

## CHAPTER 6

### CONCLUSION

Chapter 6 first describes why the task for the Confederates, as belligerents, proved innately more difficult than that of the United States. When comparing the level of diplomatic effectiveness between the United States and Confederacy, it is of value to realize that the Confederacy was at a disadvantage. Additionally, chapter 6 reviews the diplomatic effectiveness criteria, previously listed in chapter 1, and provides analysis on the overall performance of the United States and Confederate diplomats.

#### The Problem of Identity for the Confederacy

When evaluating the effectiveness of the diplomatic efforts of the United States and the Confederacy and determining associated level of success, it is important to recognize that the Confederacy was at a distinct disadvantage. Due to its unrecognized international entity status, its long-term and short-term goals were more difficult to attain. Additionally, due to its recent establishment as an independent state, its internal processes were not yet developed.

In contrast to the United States, where its status in the world was defined and secure, the Confederacy, as a rebelling faction of the United States, was responsible in proving to the rest of the world that it possessed the “will and ability to maintain independence.”<sup>370</sup> Having to provide proof that the Confederacy was a nation required specific and critical action by Confederate diplomats. In contrast, the United States had

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<sup>370</sup>John Bigelow, *France and the Confederate Navy, 1862-1868* (New York: Harper and Brothers, Franklin Square, 1888), 114.

an easier task; it simply had to argue that the Confederacy had failed to meet the burden of proof. As long as the Confederacy was viewed as a “belligerent,” and not as an “independent” nation, the Confederacy’s ability to achieve long-term and short-term goals would be significantly hindered.

Compared to the United States, the internal processes of the Confederate States were at a clear disadvantage to the United States. The United States already possessed a fully operational government with an army, navy, and a functioning diplomatic organization. Diplomatic relations existed, treaties existed, and diplomats were already in foreign capitals at the onset of war. The Confederate states possessed none of these. They needed to build a government, including military, judicial, and economic branches, and they possessed very little in terms of diplomatic relations to other nations. When comparing the diplomatic effectiveness of the United States and Confederacy, it is important to keep in mind this disadvantage.

#### Diplomatic Effectiveness

The following section contains the stated diplomatic effectiveness criteria from chapter 1, the associated questions contained within the criteria, and an appraisal of the United States and Confederate performance vis-à-vis that criteria. First, did the leadership provide clear guidance and vision to diplomats and did those diplomats carry out that guidance? Second, did the diplomats communicate to their respective secretaries of state about issues in Great Britain and France?

For the majority of the study, Seward and his diplomats communicated often and efficiently with one another. Seward proved effective in drafting correspondences that contained logical and well-crafted arguments; specifically, his correspondence regarding

reparations after the *Trent* affair and his correspondence drafted after McClellan's victory at Antietam. For the most part, Adams and Dayton performed similarly in carrying out Seward's instructions and keeping Seward informed of British and French sentiments abroad. The one clear breakdown regarding this criterion was the miscommunication between Seward and Adams in relation to Seward's proposed threat to counter an Anglo-French mediation plan during the summer of 1862.

Turning to the Confederates, their performance relating to internal communications was initially poor but improved over the course of the study. Of note, Hunter performed poorly during the *Trent* affair and the blockade debate. His failure to communicate to diplomats during the months of December 1861 and January 1862 provides evidence of a breakdown in effective diplomatic communication. Furthermore, his inability to provide data to the Confederate Commission and its replacements during the blockade debate was fatal. On the subject of the diplomats abroad, they appear to have performed well in reporting to Hunter and Benjamin on the sentiments of the British and French foreign offices. Slidell, specifically, wrote honest accounts of Thouvenal's and the Emperor's perceptions on the war.

Benjamin, perhaps, performed the best of all the diplomats from the United States and Confederate States from March 1862 to October 1862. He constantly kept his diplomats abreast of affairs in America, provided rational arguments concerning the lifting of the blockade and the right to recognition, and provided data for diplomats to use to further the Confederate cause (e.g. blockade runners, battlefield casualties). Unfortunately for the Confederates, his delay in arrival to the post of Secretary of State denied the Confederacy's diplomats abroad an advantage; one they never could fully

leverage after he assumed office. The Confederates made great progress over the course of study and, perhaps, performed at a higher level than the United States' diplomats during the summer and fall of 1862. However, because of Hunter's poor performance during the *Trent* affair and blockade debate, the advantage regarding the internal processes criteria goes to the United States.

The second factor to assess involves human relationships. Did the diplomats achieve success in cultivating relationships with foreign counterparts? As a secondary question contained in this criterion, did the diplomats use those relationships with counterparts to influence change regarding their stated goals? Much diplomatic success vis-à-vis the development of relationships can be derived from the proper selection of individuals for specific posts. To his credit, Lincoln chose exceptionally well in terms of the appointment of Seward, Adams, and Dayton. Seward, steadfast and confident, built a close relationship with Lyons in Washington and Seward's influence on Lyons, perhaps, was a reason for Lyons' persistence on an anti-intervention stance. Charles Francis Adams may have been the best of all the diplomats sent abroad, both Confederate and United States. His lineage, temperament, and abolitionist stance helped endear him to many British officials, including Russell. He, possibly, was at his best during the *Trent* affair in calming British anti-Northern sentiment. In Paris, it appears Dayton did not have as much success as Adams. He achieved meetings with Thouvenal but he never fully endeared himself to Napoleon III and the French court.

Turning to the Confederates, before the arrival of Mason and Slidell, their diplomats struggled to develop relationships with British and French counterparts. Perhaps Jefferson Davis is most to blame for this failure. He made poor selections for the

Confederate Commission and his inability to fill the Secretary of State position with a qualified and motivated individual proved disastrous to the Confederates as shown in the first half of the study. The Confederate Commission, possibly due to the fact that they were ardent supporters of slavery, failed to build relationships with British and French foreign offices. Due to that failure, they lacked the ability to influence counterparts vis-à-vis the *Trent* affair and, to an extent, the blockade debate. In contrast to the Commission, however, Mason and Slidell achieved progress. Mason met with Russell, although unofficially, on a number of occasions and proved influential in assisting pro-Confederate Parliament members in advancing the blockade and recognition debate in the House of Commons and House of Lords. Slidell clearly was the best Confederate diplomat sent abroad. He regularly met with Thouvenal, achieved meetings with the Emperor, and it appears, to a certain extent, proved influential in advancing the French mediation proposal in late October 1862. Thus, in the area of individual and collective diplomatic effectiveness, the Confederates improved over the period covered by this study.

However, due to Jefferson Davis' initial poor selections for the Confederate Commission, the Commission's inability to influence counterparts during the Trent affair, and the Commission's failure during the initial stages of the blockade debate, the advantage goes to the United States.

The third and last criterion addresses goal accomplishment. Did the diplomatic organizations succeed in accomplishing its stated long-term and short-term objectives? Regarding long term goals, both the United States and Confederate States possessed policy that spanned for the entirety of the war. Did the diplomats succeed in influencing that policy from winter of 1861 to fall of 1862? In terms of short-term goals, a large

portion of Civil War diplomacy concerned diplomatic maneuvering over pressing current events. Did the diplomats achieve those short-term objectives?

From the outset of the war Seward set forth two clear goals to his diplomats: the complete denial of European intervention in American affairs and the prevention of foreign officials in meeting with Confederate diplomats. Clearly, Seward and his diplomats achieved the former. However, it is important to note that intervention came dangerously close in 1862 and perhaps it was not the work of the diplomats who prevented intervention but instead it was due to poor timing on part of the French and British foreign offices. Concerning the second goal, Adams performed effectively in convincing Russell to not officially meet with the Confederate Commission and Mason. As for short-term goals, with the exception of the failure to successfully defend battlefield losses during the summer and fall of 1862, the United States diplomats performed exceptionally well. Particularly, the strategy developed to downplay the *Trent* affair and the strategy to delay the blockade debate proved successful.

The main diplomatic objective of the Confederacy was to convince British and French foreign offices to intervene in the war. The strategy developed to achieve that objective proved a failure. Initially, Davis, Toombs, and Hunter argued for economic reasons to intervene and applied the controversial King Cotton strategy. They then, paradoxically, instructed diplomats abroad to gain intervention by inciting the British and French governments, through their respective navies, to lift the blockade. The fact that the two strategies were diametrically opposed to one another eventually proved disastrous for the Confederates. During summer of 1862 the Confederates altered their strategy and started to achieve progress regarding moral reasons for intervention. During that period

of time, Benjamin and his diplomats successfully linked battlefield successes with diplomatic momentum and achieved some minor short-term goals. However, with the announcement of the Emancipation Proclamation, Lincoln eventually trumped the Confederate moral argument for European intervention. Overall, the Confederacy's inability to devise a successful strategy cost it the opportunity to incite foreign intervention and possible recognition. Overall, the advantage concerning the goal criteria goes to the United States.

When viewing the criteria from a wide lens, it is apparent that the United States diplomats outperformed their Confederate counterparts in all three aspects. Although the Confederates made significant progress in 1862, in general, Lincoln, Seward, Adams, and Dayton performed more effectively than the Confederates, both individually and as a team.

#### Further Research

The scope of the Civil War was wide and events that caused diplomatic maneuvering proved vast. This study focused on events from the winter of 1861 to fall of 1862, where likelihood of intervention proved high. However, just because likelihood was highest during that time period does not mean that likelihood was zero in the period prior to winter of 1861 and the period after the fall of 1862. In regards to further research, using the diplomatic effectiveness model, it would prove beneficial to examine events in early 1861 at the outset of the war to include: the Confederate attack on Fort Sumter, the British shipbuilding efforts to supply the Confederacy naval vessels, and the First Battle of Bull Run. Additionally, an examination of the diplomatic efforts of the United States

and the Confederates in relation to the French efforts to incite intervention during 1863 would be of interest.

The Emancipation Proclamation contained moral, domestic, and diplomatic ramifications. Concerning diplomacy, during 1861 and prior to the proclamation in 1862, diplomats from the United States and the Confederacy addressed European foreign offices vis-à-vis the question of slavery. The United States' diplomats attempted to explain why Lincoln refrained from issuing an emancipation proclamation. The Confederates, on the other hand, attempted to appease their foreign counterparts and downplay the issue of slavery. This proved a delicate matter that required effective diplomacy. Further research, using the diplomatic effectiveness model, would prove beneficial in evaluating the efforts of both the United States and the Confederacy and their attempts to influence the British and French Foreign offices of their stated views. To that end, an additional analysis of the diplomat's effort during the time period between November 1862 and February 1863, as the proclamation was implemented, would also be of interest.

Lastly, a further analysis of the inner-workings of the cabinet relationships of the United States and the Confederacy would be of value. Also, an examination of the Anglo-French relationship would be of interest. Particularly, issues regarding Palmerston's and Russell's view of Napoleon III and his North American ambitions require further study. To that end, a closer look at Russia's role, as a pro-Union country, and its effect on the Anglo-French decision to withhold mediation proposals would prove beneficial.

### Further Thoughts

The author went into this study with an interest in diplomacy, an interest in the Civil War, and a preconceived notion that the Confederate diplomats were much to blame for the Confederate loss in the Civil War. For example, why were they unable to achieve what the American Revolutionary diplomats had 80 years earlier? The author soon realized that there proved to be much more to the story—there was Seward, a great Secretary of State, and there were outstanding United States diplomats abroad to account for and undermine. Furthermore, there were complex foreign offices that required convincing. Interestingly, the author discovered that the Confederate diplomats, in fact, made great progress over the course of study. Also, intervention, specifically in 1862, proved much more likely than the author previously realized. In the end, however, the Confederate diplomats came up short and do deserve some approbation. More importantly, the true lesson that was taken away from this study has little to do with the Confederate shortcomings but, instead, with the diplomatic achievements of the United States. The author now recognizes that, rather than assigning blame to the Confederate diplomats, much credit is due to Lincoln, Seward, Adams, and Dayton. From the winter of 1861 to the fall of 1862, intervention proved likely on many of occasions. If it were not for effective United States diplomatic maneuvering, Great Britain and France could have easily intervened in the war and the outcome of the Civil War, that we now take for granted, could have been widely different. The United States diplomats may not have won battles on the battlefield, but their contribution to the Union cause proved just as vital and critical in winning the war.

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