

Louis S. Gerteis, From Contraband to Freedom: Federal Policy Toward Blacks, 1961-1865 [1973]

Gerteis' argument is that the revisionists have asked the wrong questions. Questions that originate in the egalitarian climate that determines the context of the new history about Reconstruction. Why did the social revolution fail? Who was at fault. The general concept being that the white northern radicals did not see it through . . . We have already had changed attitudes. See Van Woodruff's drawing back from his original assertion that the war aim of equality was deferred. . . To the point now that VW admits that equality was never a northern war aim. . . Gerteis carries this forward logically, by arguing that there never was any intention to carry out a social revolution in the South by the federal force.

The changes that did occur in the south were considerable. . . The war brought about changes. . . But the federal authorities took care to see that these changes would not be revolutionary. The details of federal labor policies and the wartime failure of the Radical reforms indicate that emancipation did not involve specific changes either in the status of the former slaves or in the conditions under which they labored.

The two major objectives of federal policy as Blue armies swept through the South were (1) mobilization of black laborers and soldiers (2) and the prevention of violent change. . .

He notes the failure of radicals and the govt to carry out land reform programs that would have initiated a different relationship between the races. . . Army regulations maintained the subordination of the blacks. . . . Accounts of the federal discrimination against Black troopers is well known. . . The decisions made during the war concerning the treatment organization, and employment of southern blacks shaped postwar policies toward the freedman and in large measure precluded the possibilities of radical social reconstruction in the south.

## I. Virginia and the Carolinas

### 1. Emancipation as a war necessity

Virginia, Fortress Monroe, General Butler and the first contacts in the South. . . Butler's policy of contrabands. . . This caught on with the federal authorities. Butler was no abolitionist. But he saw the necessity of denying the free or forced labor of freedmen from the Confederates. He used the term contrabands. . . This was short of emancipation, and legally it did not interfere with the proprietary status of the black--he was still regarded as property. This did not offend the conservatives in the North nor in the Cabinet.

This policy became confirmed in the First Confiscation Act of 1861. Slaves were allowed to be "liberated" as contraband from owners whose loyalty was with the <sup>R</sup>bellion . . .

The problems of the Army with the wave of blacks coming into camp around Ft. Monroe continued. The blacks became an "embarrassment" to the Army. Gerteis

The problem was the women and children that followed the men into the camps. . . They could not be mobilized. Their care and feeding was not provided for in terms of federal plans of funding. . . Some of the blacks went to the Caitol to work on the fortifications. . . They were salaried in the sense that the govt paid for their labor but this work money was used to provide for those blacks that could not work. . . By 1862 the Second Confiscation Act militated against Union officers returning contrabands or runaways to their masters. . .

Then came the Emancipation Proclamation . . .

He notes that when Northern abolitionists and Missionary societies suggested that excess blacks be sent north for the duration of the war there was resistance from the Army. Later when General Dix, Butler's successor at Hampton Roads and Eastern Virginia, sought to unload excess blacks, he petitioned the Northern Governors of New England. All rejected the idea of contrabands coming north except the Governor of Rhode Island. Even the noted radical abolitionist Governor John Andre's was opposed to any influx of southern blacks. . .

War and attended events forced emancipation on the North . . . By 1863 blacks were being used to fill the manpower needs of the army. . . But still the status of the blackman had not been defined. . . Blacks became a factor in the war in a way that could no longer be denied. But condition of their lives and organization of their labor was not radicalized. . . The federal officers maintained traditional patterns of social and economic organization. Emancipation would not become synonymous with independence.

## 2. The Freedom to Labor

G makes the point here that the blacks were at the disposal of the federal govt. The major concern from the field officers who were in daily contact with freedmen was their labor. . . When Grant needed laborers to build fortifications for the Richmond campaign and he could not get enough on a voluntary basis. . . The remainder were "rounded up" and shipped to Grant. . . In short, during the war military necessity was cutting edge of the govt's policy toward the freedman . . . This was always the first concern. . . When it came to matters of improved living conditions and programs for postwar development, action was halting.

He discusses those Union men and northern volunteers interested in placing blacks on the abandoned land of the former Rebels. . . There were programs like these in Virginia district and the Carolinas. . . They were allowed to continue by the Govt and military largely because it was the most convenient way to deal with the excess blacks--women, aged, children, who were of no use to the military. . .

Those living on abandoned lands were able to find work usually only as tenant farmers or sharecroppers. . . In short, the work arrangements under the federal govt were little different from what they would be after the war. . . There were only handful of blacks in Virginia counties where blacks owned their own farms or were able to rent land. The status of most of the blacks even were hardly of an independent status. . .

As the war drew to an end in Virginia and Carolinas, there was less need for black soldiers, etc. . . . Military commanders were not generally interested in seeing blacks in their lines. . . . Military commanders throughout the south were intent on keeping the freedmen from moving from the plantations into the cities. . . . They wanted them to remain on the land and work for their former masters, etc. . . .

Most of the experimtns in freeman farming carried out by Superintentends James and Brown ended with the land being returned to the former owners. . . or sold by the federal govt for unpaid taxes. In any case, the freedmen were turned off the land.

These few progams of agrarian reform dismantled after the war were not very vital, but they briefly offered a modest alternative to the pattern of restoration for whites and repression for blacks which characterized reconstruction. Reform efforts remained perpetually subordinate to military needs and with the restoration of peace the need for even very modest reform programs ceased.

### 3. Reform and Social Continuity

In this chpt G deals with the Port Royale experiment. . . . He makes the same claims for this as for the Eastern Shore Virginia experiments under Brown. et al. . . .

Note: That under the federal control the plantations on the Port Royale site were run by the Union superintendants just like the plantation system of the previous owners. They reinstated this system despite the fact that one of the claims of the social experimentors was that the system was to demontstrate that blacks could work productively as free labor. . . .

The gist of the chpt is a repetition of G's thesis--this time dealing with Port Royal and the land cessions granted by Sherman's field orders. . . .

First off, that the Port Royal experiment was exceptional . . . . And was a very limited venture.

Gerteis's notes that Sherman's sweeping order that turned over much of the coastal --From Charleston to St. James River, was really based on the immediate military necessities. It was designed at once to free the army from the costs and inconveniences of caring for destitute blacks and to secure these coastal areas from enemy harrassments. Out of this concession some 40,000 blacks occupied individual farms. Once the war was over the plan seemed no longer necessary, and without legal title the fredmen were quickly dispossessed. . . .

G examines continuity along Virginia's Eastern Shore. . . . Here there were almost as many free Negroes as slaves. But the area was declared loyal to the UNION by the federal Govt. The Union army made it clear that it was not going to "revolutionize" relations between masters and slaves. Colonel White put planters' minds to rest on this score. . . . The Colonel worked to see that bl "idleness" among blacks ended. . . . He cooperated with the planters to see that they had enough labor to get the job done. He required laborers to sign contracts with the planters. . . . Those who were unemployed were registered with the Army and the list supplied to the planters. . . . The Army stood as the "enforcer of these work contracts. The Army saw to it that skilled blacks did not take jobs away from white workers. . . . He did this by limiting the number of skilled blacks working at a trade to 1/10 of the working force in each district. . . .

In comparing Port Royal and Virginia Eastern Shore, G concludes that despite the unique circumstances of Port Royal, conditions of freedmen in both areas remained about the same. Programs involving blacks varied less dramatically throughout the South, and federal policy toward freedmen in occupied areas was by no means uniform. But labor programs in these two areas made one point clear: The traditional patterns of social and economic organization characterized under slavery would not automatically wither away with the abolition of the peculiar system.

## Part II Louisiana

### 4. The Origin of the Contract Labor System

Louisiana was another story. . . The Union forays into Carolinas and Virginia were merely footholds compared to the campaign in the Gulf area. By 1862 the Union forces had captured Memphis and had "liberated" Louisiana--they had in effect, made a substantial wedge into the great heartland of Dixie and into the "black belt" regions of the Confederacy.

Gerteis's point is that these circumstances seemed to call for different tactics.

He cites General Ben Butler's initial policies in New Orleans area and the Gulf. Butler did not revert to the policy of contrabands. . . In La. he was determined to win the support of the Creoles and the planters who remained behind and were now inside the Union lines. . . He wanted their cooperation in order to occupy the area with a minimal amount of resentment and trouble. The best tactic was to assure the planters of the sanctity of their personal and ~~the~~ real property. . . Butler's attitude was to keep the ~~the~~ slaves on the plantations. . . G goes into the Butler-Phelps controversy over treatment of blacks. This incident revealed just how shallow Butler's Radicalism really was. . .

What developed in the Gulf states was the contract labor policy. . . This was more representative of federal policy in the South than the Port Royal experiment, etc.

Since the Second Confiscation Act forbade Union commanders to return plantation runaways, another system was developed to keep the blacks mobilized on the plantations as a working force. . . This was the contract labor system

Under the contract labor system the federal army employed the former slaves. The wage labor system provided them with \$10.00/ month with \$3.00 taken out of their pay for clothing, etc. . . The federal army provided the guards to maintain order on the plantations. . . The planters were to provide fair treatment, etc. . . Any punishment was relegated to the army. . .

Butler's initial labor contract system was updated when Butler was replaced by General Banks. . . Banks' new orders kept the basic format of the labor contract system. . . But he implied that all blacks who returned to the plantation where they originated acquiesced in the labor contract system. They were to serve for a year . . . in a docile and subordinate fashion. The master was required to supply the food, clothes, and shelter. . . Wages were now to replace coerced labor. . . Hence the terms "free labor" . . . All blacks who refused to return were regarded as vagrants and were forced to work on the public levees--public work carried out under the direction of the Union army. . . For the weak, ill,

and women and children "home farms" were established, these were run by the military. The home farm was also another "institution" used for those blacks who refused to work under contract or were disobedient in other ways.

In short, the whole aim of the Banks system was to keep the plantations productive and to mobilize the black peasantry and keep them fruitfully occupied and under control . . . There was no room for reform in this system . . . There was no concern about "remodeling" the ancient land seffsom of the south. . . The war and emancipation proclamation naturally disrupted the plantation system and weakened antebellum social control . . . But federal policy successfully minimized the dislocation of war.

### 5. A Pattern of Repression

G is still dealing with the district of the Gulf. . . .

The army would have liked to remain aloof from the planters and from the plantation system . . . But occupation of the Gulf made this impossible. . . . No question but that slavery was upheld as an institution . . . The army concern was for maintaining order and seeing to it that the plantation economy still function(1) to end Negro "idleness"(2) to make a profitable showing from the sugar, corn, and cotton fields, etc. . . (3) and to do all this it was necessary to have the working cooperation of the planters.

The Army saw to it that the free labor was not abused. . . .

But because of dissatisfaction among blacks there had to be a regime of coercion and force to keep them on the plantations, etc. . . .

Gerties outlines the means by which the US federal military used repressive measures to see to it that the "system" functioned as desired. He notes that labor regulations were severe. Blacks were denied free mobility. They were forced to make decisions--either work on the plantations or on the home farms. . . Patrols of Union troops were put out to arrest black "vagrants." Blacks were required to submit to plantation discipline or face the consequences of having their wages held back or cut. . . . To limit the change of escape blacks were denied the right to ride horses or mules. Those blacks fortunate enough to own their own livestock were forced to sell it so all blacks were propertiless. This made stealing more difficult. . . Blacks were denied the right to grow staple or cash crops--sugar or corn--on their garden crops. These crops were relegated solely to the planter. The black man remained in a subordinate position; mired into wage slavery or serfdom . . . The plantation system remained intact despite the war. . . The former owners may have fled the advancing Union troops. . . But the system continued(1) plantation regime(2) white control . . .

### 6. Resistance and Rebellion

Deals with the spread of discontent among the freedmen in the Gulf area. . . . G point is that after 1863 blacks were unruly resulting from their theoretical status as freedmen and the actual conditions of repressive white domination. Blacks were hostile to the combination of federal force and white planter control . . . New Orleans blacks who were antebellum freedmen were outraged at the controls they faced in the city. . . .

Forced conscription into the Army by military patrols was one cause. . . Blacks were impressed into the service. . . Just as they were picked up when judged delinquent and idle. . .

G notes the upheaval on the plantation . . . There were many rebellious acts by blacks against the planters and against the federal forces. . . The fear of a Negro insurrection was not overexaggerated. . . This was indicative of the tenseness of racial relations in the Gulf. . . Gerteis ~~say~~ argues that only only effective federal control prevented blacks from rising up and dispossessing the whites. . .

### iii. The Mississippi Valley

#### 7. Mobilizing for War

With Grant's victory at Vicksburg in early 1863 the lower half of the Mississippi was now in Union hands. Grant's lines extended from Memphis to Milliken's Bend, Louisiana. But the military problem of protecting the western bank of the Mississippi from Rebel guerilla raiders was uppermost in the military priorities of the Union armies in the MV area. . .

The upshot was the introduction of turning the plantations on the west bank into leased acreage. . . The blacks that were flooding into Grant's army were an embarrassment and proving a social problem of immense proportions. . . The contraband camps were ill-prepared and furnished to take care of these fugitives of war. . . The conditions in these camps were horrendous. . .

The pattern was established to use the contrabands as leased laborers . . . G deals with the conditions of lessee . . . Many of the plantations were turned over to local southerners. . . Some were overseers in the antebellum period. . . The promise of raising cheap cotton and selling at inflated war profits augured an inordinate profit for the speculators who took over these deserted plantations. The army concern in the MV was to protect Grants lines of communication(2) to find employment for the freedmen. . . The conditions as they were established were to assist the Union in the prosecution of the war. . . But the circumstances ~~add~~- surrounding the ~~less~~ leasing system was built on raw exploitation. . . Blacks working these plantations were as miserably treated as they were under slavery. . . In many cases even worse. . .

#### 8. A Question of Authority and Reform

#### 9. Black Labor and White Lessees

G analysis of the lessee system as it existed in the Mississippi Valley. . . The contract labor system began in Louisiana and spread to every area of Union control by 1864 and foretold the postwar emergence of tenancy and sharecropping as the principle forms of black agricultural labor in the south. Paternalistic reformers in the MV district were frustrated and their reforms were usurped and made inactive by the military demands of the union authorities. . .

Blacks working contract labor under the leased plantations in the MV found that at the end of the working year they were in more cases than not in debt. .

Most hands in the MV began working in March. Their contracts extended through the first of January, providing ten months of wages, or gross earnings of \$100.00. Since planters generally deducted for idle time, laborers lost \$8.25 for half-day Sundays vacations along with \$30.00 for time lost during bad weather, guerilla raids, and sickness. The hands' real wages before expenses amounted to something closer to \$61.00. There were expenses for soap, tobacco, candles, etc. . So that at the end of the year a field hand who had only himself to care for might end the season with \$25.00. The fate of female hands was even more deplorable. . They might end a season with \$9.00

These were maximum earnings. . Most of the freedmen earned considerably less. . .

The circumstances were such that hands had to rely on the honesty of their employer. He kept the records. . It was the same kind of system in which blacks were ripped off by dishonest planters. . All prefigured the sharecropped and tenant systems of the postreconstruction period. .

The federal power failed utterly to protect blacks in their first experience as free laborers. . Blacks offered their labor and received in many cases simply food and clothing. There was little difference between contract labor and slavery. . .

Blacks were unruly and uneasy more about the conditions of their labor than the wages they received. Above all they wanted independence from planters and plantations. The only taste of this independence was for blacks who served in the Union army; in the contraband camps, or received govt plots to farm independently. But the majority of blacks in the South under federal wartime rule found that the North was not interested in uprooting the plantation system. . . What had changed was that cotton culture was a capitalist system that simply changed its "board of directors" who were no more interested in sacrificing profits than the antebellum rulers for the benefit of the blacks. . .

#### 10. An Elusive Independence

Deals with the relatively limited experiment in black lessees. He deals in some detail with the Davis Bend experiment. . But even these highly successful arrangements at Davis Bend end by 1866 when Joseph Davis, brother of Jefferson Davis, regained full possession of the plantations. . So much for paternalistic reform. . These experiments which allowed blacks to tend land and independently work the land were so few. . Port Royal, Davis Bend variety. In Louisiana District and Eastern Shore of Virginia this concept was not considered viable by the Union officials and military. . .

G concludes about the tenuousness of these lease systems. . They were not the beginning of efforts to overturn the South's plantation system. . Like the South's planters, the Union superintendents and officers saw the mass of black peasantry as field hands necessary for the cultivation of cotton. Like their successors in the Freedmen's Bureau, they encouraged and, when necessary, forced blacks to accept plantation labor. Their aim, as the aim of the nation, was not revolutionary. They did hope (paternalists) that the "best" Negroes would be assisted and protected as a class of independent farmers. This too was the initial promise of the Freedmen's Bureau. . . .

Conclusion: Transition to the Freedmans' Bureau

G makes the point that the Radicals and the humanitarian agencies in the North played a an inconspicuous role in the wartime administration of Negro affairs. By and large federal policies developed in contradiction to humane concerns of Northern missionaries. Such men as Saxton, Eaton, and others revealed concern for the freedman, but they really could accomplish very little to soften the tone of federal policy or alter its purposes. The major concern of federal authorities was victory. . . They saw to it that blacks were used for this one single purpose above all others. Most blacks worked on large plantations for wages or shares. Only in exceptional cases did freedmen purchase or lease farms of their own. The Union army encouraged stability and continuity; dramatic changes of the status of the blacks was nearly impossible under these guide lines.

G gives his opinion of the functions of the Freedman's Bureau within the context of the status quo orientation of federal policies during the war. Unlike the Coxes and McFeeley, G believes that the FB was never really expected to carryout any redistribution program. To uproot the planter aristocracy required widespread and permanent confiscation. Congress under Lincoln's restraining hand, had been unwilling to take this step during civil war, It could hardly accomplish the task once civil government and constitutional procedures regained their traditional sway. In short, G does not take seriously the association of the promises to blacks of promises of land. . . He sees it as a sham. . . As it turned out the real work of the FB came to be the liquidation of the wartime alternatives to the plantation system under the old planter class. . . The FB closed down the contraband camps; ended the home farms; rid itself of the Northern leasees, etc. . . and return blacks to the nearby plantations as contract labor. *Certain, does not, like the Coxes & McFeeley believe the original mandate of the F.B. was to get back to the hands of*  
First off, the Bureau remained in the War Department under the command of the Army. . . Harly a reconstruction agency. . . Sumner's efforts to get it transferred to the Treasury Department was defeated in Congress. Secondly, the wartime confiscation acts were under dubious legality after the war terminated. The FB was regarded as a self-sufficient agency without annual appropriations from the US Treasury. . . The only source of revenue for the Bureau would be the very lands the Congress promised for the freedman. The Bureau's educational and humanitarian work would have to be financed by the freedmen themselves by the lands they were permitted to buy after three years of occupation. But all this was merely academic after Johnson began restoring land to the former confederates. Lands under the Bureau's control--which were limited to begin with(1865 the Bureau controlled only 800,000 acres)diminshed to the point of ineffectiveness. . . Moreover, during the war the Army successfully organized about about / 1/4 of the blacks inside the Union lines. As the war ended the demobilization of federal forces in the south proceeded at a rapid pace. By the end of 1865 there were only 150,000 troops in the entire US Army, many of them stationed in the West. So even after the Radicals took over Reconstruction and care of 4,000,000 blacks they did not have the services of enough troops to effect the loves and labor of southern blacks. . .

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