



THE CIVIL WAR ROUND TABLE



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Chicago, Illinois

May, 2010



691st REGULAR MEETING

William W. Freehling

on

“The Strange, Difficult Triumph of the Southern Secession”

★★★★★

Friday, May 14

★★★★★

HOLIDAY INN MART PLAZA

350 NORTH ORLEANS STREET

Cocktails at 5:30 p.m.

Dinner at 6:30 p.m.

\$40 - Members/Non-members

Entrée: Chicken Casserole,

Baked Orange Roughy,

Vegetarian Plate or

Fruit Plate

please note

Make your reservations by Monday, May 10 by calling 630 460-1865, or emailing chicagoewrttdinner@earthlink.net, with the names of your party and choice of entrée.

If a cancellation becomes necessary after dinner reservations have been made, please call the number before 9 a.m. Thursday.

We are offering the option of choosing not to have dinner and coming only for the address at 7:30 p.m., for a charge of \$5 per person.

Parking at the Holiday Inn is \$10 with a validated parking sticker.

William W. Freehling on “The Strange, Difficult Triumph of the Southern Secession”

BY BRUCE ALLARDICE

For many Americans, the Civil War seems to have been inevitable, the great middle act of our national story, the moral reckoning of a nation founded in both liberty and slavery. Professor Freehling brings meticulous scholarship for a fresh look at this conventional view. For Freehling, neither secession, war, nor abolition was inevitable. Even in 1860 most northerners were not abolitionists; most southerners not secessionists, or even slaveholders. Few even contemplated a war to decide these (to them) non-critical issues. So why did war come?

In his 2nd Inaugural address President Lincoln mused that “all” acknowledged that slavery was somehow the cause of the war. But if war over slavery was “inevitable”, how had the U.S. remained at peace for “four score and seven years”? For Freehling, the defining issue was not so much slavery, but rather the existence of the Western World’s most entrenched slavery system inside the Western World’s most egalitarian (for whites) republic.

In 2007, the Oxford University Press published Professor William W. Freehling’s Road to Disunion. Secessionists Triumphant, 1854-1861 (a main selection of the History Book Club). Together with the previously-



William W. Freehling

published sequel volume, The South versus the South: How Southern Anti-Confederates Shaped the Course of the Civil War (appearing in 2002 and winner of the Jefferson Davis Prize), the new publication completes a trilogy of books, offering a major reinterpretation of the causes of the Civil War and of Confederate defeat. Road to Disunion (a winner of the Hodges Prize) brings to climax a lifetime’s work on the Old South and the Civil War, begun forty years ago with the publication of Prelude to Civil War; The Nullification Controversy in South Carolina (winner of the Nevins and Bancroft Prizes).

Professor William Freehling grew up in Chicago, received his AB degree Magna Cum Laude and Phi Beta Kappa from Harvard College, and his MA and PhD from the University of California, Berkeley (where he wrote his PhD thesis under Kenneth Stampp). He has taught at Berkeley and Harvard, held full professorships at Michigan and Hopkins, and endowed chairs at SUNY Buffalo and at Kentucky. The author or editor of 8 books, he currently writes full time at the Virginia Foundation for the Humanities as a permanent Senior Fellow.



Battlefield Preservation

BY BRIAN SEITER

Judge's Ruling Awaited After First Hearing On Wilderness Wal-mart.

ORANGE, VA – The so-called “Wilderness Wal-mart” case had its first day in court on Feb. 3. The judge has not yet made a decision in the opening legal clash between preservationists and Orange County. A Wal-mart Supercenter is proposed to be built at the gateway to the Wilderness battlefield, where Generals Robert E. Lee and Ulysses S. Grant first met in battle. Last August 25th the Orange County Board of Supervisors approved the special use permit Wal-mart required for the 138,000-square-foot store it wants to build at the intersection of Virginia State Routes 3 and 20. It would be the fifth Wal-mart within 20 miles of that location.

The National Trust for Historic Preservation and Friends of Wilderness Battlefield (FoWB), along with six individuals living near the proposed store site, filed suit on September 23rd to overturn the BOS decision. Orange County Circuit Court Judge Daniel R. Bouton presided over a three-hour hearing on February 3rd. “We’re not going to try the merits of this case today,” Bouton said. “The primary issues that we’re going to take up at this hearing involve challenges to the pleadings and some of the facts that each side is claiming.” To illustrate the complexity he was dealing with, early in the hearing the judge held up a folder several inches thick, calling it the “starting point to the reading” required for the case. Judge Bouton began with what he termed the “complex standing challenge to all of the named plaintiffs in the case” that county attorney Sharon E. Pandak (with Greehan, Taves, Pandak & Stoner in Woodbridge, Va.)

In her plea in bar filing, Pandak mustered a variety of reasons why the six individuals and two preservation organizations did not have standing, or legal grounds, to file suit in the first place. “None of the plaintiffs

have demonstrated that they have any standing that is different than the community at large, that is direct and pecuniary, that would give rise to allowing them to be plaintiffs in this case,” according to Pandak. She closed this part of her argument with: “It is rather ironic that five of the six (individuals) actually live on battlefields.”

Plaintiffs’ attorney Robert D. Rosenbaum said the effect of Pandak’s arguments “are essentially to insulate, if accepted, the BOS (supervisors) from any judicial review because she argues for a standard which no one could ever meet.” ... “(The plaintiffs) can’t just say there’s traffic, there’s noise, there’s air pollution. They have to show you that direct connection and, if they cannot, then they simply are making a public policy argument or they’re making an argument that’s general to the public as a whole,” Pandak said. Judge Bouton praised the lawyers’ arguments as “precise and to the point.” He noted, “The issue of standing can be a thorny one.” ... Regarding the standing of the Friends of Wilderness Battlefield, Pandak said that no case law would give them standing. Rosenbaum emphasized the contractual obligations of FoWB for management of Ellwood Manor (on Wilderness Battlefield) and the \$256,500 the friends group contributed for Ellwood’s renovation. This was substantial enough to give the group standing. Additionally, he said the proposed Wal-mart would bring 2,000 more cars per day to Route 20, where the entrance to Ellwood is, making it harder for people to visit the historic home. Pandak conceded the FoWB demonstrated they have an interest in Ellwood, but said they had to do more to prove standing. “That’s like my saying I have an interest in Monticello because I make contributions to it. That’s not sufficient to get me standing.”

When Bouton adjourned the hearing, he told the attorneys that he would either issue his rulings by letter or by summoning both sides and

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1039 Hinswood

Darien, Illinois 60561

Phone: 630-460-1865

www.thecwrt.org

The only requirement for membership in The Round Table is a genuine interest in the Civil War and its era. For information, address Membership Committee, 1039 Hinswood Darien, Illinois 60561, or contact bsa1861@att.net.



ruling from the bench. Referring to the 10 to 14 days it would take to create a hearing transcript, he said he would “anticipate being well into the decision-making process at that point.”

FoWB president Zann Nelson said afterward the judge had “done his homework” and that she liked how he asked both sides good questions. “The judge was very attentive and asked great questions,” said Jim Campi, communications director for the Civil War Preservation Trust, which filed a friend-of-the-court brief in the case. Two people with a keen interest in the proceedings sat on the bench closest to the Orange County attorney – siblings Gregory W. and Claudia J. Bayliff, part-owners of the land on which Wal-mart wants to build the new store. When asked for his opinion of the day’s hearing, Gregory Baycliff replied with a brusque, “No comment.”

from the April *Civil War News*

The Battlefield Preservation Committee at its Feb. 20th meeting decided to send two checks for \$1,000 each to the Central Virginia Battlefield Trust, and Friends and Descendants of Johnson’s Island. Thank you to all our members for supporting battlefield preservation!

April Meeting

BY MARK MATRANGA

David O. Stewart spoke to 72 members and guests at the 670th meeting of the The Civil War Round Table of Chicago on the “Impeachment of Andrew Johnson.” Stewart was searching for a moment in our history when the Constitution held the country together in a meaningful way. The Civil War was certainly a time when it failed, but a few years afterward the nation plunged into crisis and the Constitution was “the only thing which stood between us and real chaos.”

How did the country come to this impasse? There have been unsuccessful presidents but only one has been impeached. Andrew Johnson came to office under unusual circumstances a mere 5 weeks into Lincoln’s second term. He was included on the ticket because he was a ‘War Democrat’ who served as military governor of Tennessee. Apprenticed to a tailor as a young man, he worked his way up in the world of politics from alderman to governor and senator. A man of little humor, he was described as vindictive and perverse, ‘the best hater I ever knew,’ according to President Polk. He was a slave owner and unlike Lincoln and the radicals, did not view slavery from a moral perspective.

After the war, there were feelings of anger and resentment. Southern social relations, once fixed, were now different; within months of Lincoln’s assassination, violence broke out between whites and the newly freed slaves. Armed, uniformed blacks occupying the south enraged the white

southern populace. Northern radicals wanted to punish the south for its transgressions and resisted former confederate officials return to power. The social revolution, north and south, influenced the impeachment controversy.

The two main issues facing the government in the post-war period were what type of governments the southern states would adopt and how to deal with the newly freed slaves. Johnson’s reconstruction policy continued Lincoln’s approach, but when southern states elected former confederates to Congress, Thaddeus Stevens used procedural trickery to ensure that none were seated. This enraged Johnson, since all were Democrats.

With regard to the freed slaves, Johnson was not prone to dictate to the states. This course of conduct brought immediate conflict with Congress, which passed all civil rights legislation over his veto. Congress stripped Johnson of virtually all power over the military. It eliminated seats on the Supreme Court so that Johnson could not fill vacancies. But the Tenure in Office Act caused the final collision.

At the time, all 42,000 federal jobs were subject to patronage. As Johnson began to fire Republican placeholders, Congress enacted the Tenure in Office Act, passed over his veto. The Act required Senate confirmation of any termination and made its violation a ‘high crime and misdemeanor.’ Johnson had grounds for firing Stanton, who actively undermined Johnson’s reconstruction

policies, but the Senate refused to confirm. When Johnson appointed Lorenzo Thomas Secretary of War, the House voted articles of impeachment on straight party lines.

Johnson was eventually acquitted by a single vote. Several factors led to this result. First, the president *pro tempore* of the Senate and one who voted to remove Johnson was Ben Wade, an unpalatable choice. Second, the vote was taken in May; Republican senators were concerned that making Johnson a martyr would cause problems for Grant, their candidate in the November election. Third, Johnson had become conciliatory toward Congress by the time of trial. Also, the choice of Ben Butler as prosecutor was a poor choice – he prolonged the proceedings when a quick trial was in the radicals’ interest. Last, Stewart contends substantial bribery was involved – this included the deciding vote of Senator Ross.

The articles of impeachment were dubious – the Tenure in Office Act was later found unconstitutional – and the impeachment clause ambiguous and inconsistently applied. But despite the vitriol over Johnson’s actions, all accepted the verdict. At a time when it “really mattered” our Constitution worked.

A recording of this (and every) meeting is available from **Hal Ardell**, audio librarian. Contact Hal at (773) 774-6781 or hal229@ameritech.net.

GRAPESHOT



Dave Corbett and the “Battlefield Balladeers” will perform at the Joliet Public Library May 1-2, at the Naper Settlement May 15-16, and at the Morton Grove Farmers Market May 29th.

Leslie Goddard will present “Clara Barton” at Midway Village in Rockford’s “Civil War Hands on History” Day, May 7th, and at Naper Settlement’s “Civil War Days” May 15th-16th.

Larry Hewitt will be speaking on “Slandered Heroes: Deserters Who Didn’t” at the Deep Delta Symposium in Hammond, LA, on June 5th.

On May 18th Rob Girardi will speak on “General Impressions of the Civil War” at the Lincoln Davis CWRT at the Country House Restaurant in Alsip.

Know of any upcoming talks, events, or publications? All members are welcome to contribute items to the newsletter. Contact the editor at bsa1861@att.net or (630) 297-8046.

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Sixty plus years of audio recordings of CWRT lectures by distinguished historians are available and can be purchased in either audio cassette or CD format. For lecture lists, contact Hal Ardell at hal229@ameritech.net or phone him at (773) 774-6781.

Each meeting features a book raffle, with proceeds going to battlefield preservation. There is also a silent auction for books donated by Ralph Newman and others, again with proceeds benefiting battlefield preservation.

Upcoming Civil War Events

May 1-2, Joliet Public Library, Black Road Branch: Civil War Encampment

May 4th, 11th, 18th, Kenosha Civil War Museum: Steven Rogstad on “The Lincoln Assassination”. Visit www.thecivilwarmuseum.org for more details.

May 5th, Lake County CWRT: Rick Andresen on “Committee on the Conduct of the War”

May 5th, Kankakee Valley CWRT: Carol Bradbury on “Civil War Medicine”

May 7th, Northern Illinois CWRT: Jim Lewis on “They Fought at Stones River”

May 11th, McHenry Co. CWRT: Jeff Rees and Fred Reczkowicz on “John Brown, Murderer or Hero?”

May 13th, Milwaukee CWRT: William W. Freehling on “The Strange, Difficult Triumph of Southern Secession”

May 14th, Kenosha Civil War Museum: Presentation on “Colonel Hans Heg”

May 15th-16th, Naper Settlement in Naperville: “Civil War Days”

May 21st, Salt Creek CWRT: Panel Discussion on “What was the Turning Point of the Civil War”

May 26th, Kenosha Civil War Museum: Bus tour of “Civil War Milwaukee”

May 27th, South Suburban CWRT: Pete Kiefert on “Civil War Guns”

Bulletin Board



FUTURE MEETINGS

Regular meetings are held at the Holiday Inn Mart Plaza, 350 North Orleans Street, the second Friday of each month, *unless otherwise indicated*.

May 14: William W. Freehling, “The Strange, Difficult Triumph of Southern Secession”

June 11: John V. Quarstein, “Battle of the Ironclads”

Reminders

At the May meeting, the CWRT will be electing officers for the 2010-2011 year. The nomination committee, made up of ex-presidents of the CWRT, has come up with a proposed slate. Nominations from the floor are welcome

Bjorn Skaptason at the Abraham Lincoln Book Shop reminds us that the next “Virtual Book Signing” will be 3 p.m., June 12th, with Harold Holzer talking about his new book, *The Lincoln Assassination*, and Ronald White talking on *A. Lincoln: A Biography*. For more information on this and upcoming events, visit www.virtualbooksigning.net or www.alincoln-bookshop.com.

Douglas Association Luncheon

Noted Lincoln scholar Harold Holzer will address the annual luncheon of the Stephen A. Douglas Association on Saturday, June 12, on “The Lincoln-Douglas Presidential Campaign of 1860.” The event will be at the Union League Club, 65 W. Jackson, at noon. The cost is \$40 per person and will be preceded by a ceremony at the Douglas Tomb. For more information visit www.stephenadouglas.org.