



Chivalry dies in Atlanta

By Stephanie McCurry

▲ Prussian-born

Francis Lieber had written several volumes on American law before penning his famous code.

On September 4, 1864, two days after he took the city, Maj. Gen. William Tecumseh Sherman alerted Army Chief of Staff Henry W. Halleck that he intended to “remove all the inhabitants of Atlanta, sending those committed to our cause to the Rear, and the Rebel families to the front.” And indeed, between September 12 and 22 he forced the removal—exile—of about 1,600 people, mostly women and children, by wagons to a rail junction south of the city and from there to an uncertain future in refugee camps in Confederate territory. It was a scene as old as war itself.

Sherman knew that his action would “raise a howl against my barbarity & cruelty.” He was right. In fact, in the midst of the action in Atlanta, Sherman and Confederate Gen. John Bell Hood (who had just retreated), engaged in an extensive and vitriolic exchange of letters about whether the forced evacuation was authorized by the laws of war. It was an extraordinary exchange that went to the heart of the matter, still relevant today, of what armies are allowed to do with women and children. What is legitimate treatment of enemy noncombatants in war? What is civilized behavior and what is simply barbarism?

It was both a substantive debate and a propaganda battle, concerning what was allowed under the new harsh law of war adopted by the Union in April 1863 (General Orders No. 100, known

as the Lieber Code). Because that code was subsequently adopted into international conventions, it was a Civil War debate with lasting effect. It is surely significant that the propaganda battle was waged over the bodies of women and children. Confederate President Jefferson Davis denounced the new code as turning “the savage ferocity” of the army against “helpless women and children.”

By the time Sherman arrived outside Atlanta, he was prepared to deal harshly with the city’s women. His earlier experience (in occupied Mem-

phis, for example) had taught him some hard lessons about the dangers posed by enemy women. “I doubt if History affords a parallel of the deep and bitter enmity of the women of the South,” he wrote his wife in 1863. There is no doubt he grew tired of expending the military resources required to deal with them, feed them, root out the spies among them and to protect them. Dealing with hostile civilians was “the most difficult business of our army as it advances and occupies the southern country,” Sherman told a subordinate who asked for guidance in the treatment of inhabitants of Huntsville, Ala. For the “persistent secessionist,” he advised, male or female, “death or banishment” is the answer. While en route to Atlanta, Sherman had destroyed the mills in Roswell, Ga., and expelled about 400 women workers, forcing them north as far as Indiana.

This was the mindset Sherman brought to Atlanta. As he told Halleck, Atlanta was a fortified town, stubbornly defended and now fairly captured. He intended to hold it without any obligation to support or protect women, curtail their treason or waste officers’ time listening to their “everlasting complaints and special grievances.” He had no sympathy for the women, believed he acted within the law and demanded their evacuation.

The controversy over whether Sherman’s action indeed fell within the laws of war was immediate and sharp. Hood,

■ ■ You are expelling from their homes the wives and children of a brave people



■ **Pack your wagons** Sherman's evacuation orders sent civilians streaming from Atlanta in search of refuge. He maintained they were safer out of the army's way, but Southerners would forever vilify Sherman for removing families from their homes.

who was forced to comply with it, called it "unprecedented," which goes to the heart of the matter. Was this something new that came with the Lieber Code or was it a longstanding characteristic of war? Hood denounced Sherman's move as an act that "transcends in... ingenious cruelty...[all] in the dark history of war—expelling from their homes and firesides the wives and children of a brave people." Ridiculed by Sherman for his posture as the defender of innocent women and children, Hood persisted, again denouncing the "barbarous cruelty" of the order that stood, he repeated, "preeminent in the dark history of war, for studied and ingenious cruelty." There were a hundred thousand witnesses of "women and children...slaughtered" in the siege of Atlanta. Sherman, he said, would answer to the civilized world for his abuse of the common laws of war and the abandonment of his obligation to protect innocent women and children.

But the Lieber Code was Sherman's law and he defended his actions not simply by necessity (as Hood would have liked) but by "the Laws of Civilized nations and the 'customs of war'." Countering Hood's charges of barbarous conduct, Sherman relished the opportunity to enunciate the hard code of war by which he fought. By law, he insisted, he had no obligation to give a fortified town notice of shelling; he ridiculed the Confederate Army of Tennessee for surrendering the city and its women to "the rude barbarians," but he also revealingly claimed to be the true defender of women and children. "I say that it is kindness to these families of Atlanta to remove them now at once from scenes that women and children should not be exposed to." It was Hood and the Confederates who were barbarians for waging war with a city full of civilians. "God will judge us in good time and he will pronounce whether it be more humane to fight with a town

full of women, and the families of a brave people at our back, or remove them in time to places of safety among their own friends and People."

Sherman waged hard war. He claimed the right under the official law of war. But he posed, nonetheless, as the protector of women and children. For Sherman and Hood alike, the central question throughout the propaganda battle of Atlanta was the extent of allowable violence against civilians. And that was judged first and foremost, then and since, as a matter of the conduct of the army toward women and children. That, everyone acknowledged, is how the world would draw the line. □

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