



## *Confederate Conscription and the Struggle for Southern Soldiers*

by John M. Sacher.

Baton Rouge: LSU Press, 2021. Pp. 280. ISBN 978-0-8071-7621-4.

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The American Civil War was the first conflict in US history during which national conscription was used, first by the Confederacy (1862), then by the US federal government (1863). In a welcome new book on this neglected subject, historian John Sacher (Univ. of Central Florida) has written the best study on the debate and implementation of conscription in the Confederacy. Previous historians of the subject have typically claimed it undermined the nation by exacerbating debates over states rights and the power of the central Confederate government.<sup>1</sup> While Southerners certainly debated national conscription and the need for Southern males to sacrifice equally for independence, Sacher contends that the debates themselves did not undermine Confederate nationalism. Rather, Confederates continuously tinkered with conscription to find the perfect balance between home front and military service.

*Confederate Conscription* comprises seven chronological chapters on conscription from 1862 to war's end. The first two chapters concern events of the crucial year 1862. Though the Confederates were generally successful during the first year of the war, their prospects darkened thereafter. The *rage militaire* of 1861 filled the armies' initial ranks, but heavy recruiting after First Manassas yielded a larger opposing Federal army.

Another issue for the Confederacy was the discharge of most soldiers in its ranks. Most enlistments began in 1861 and lasted twelve months. Amid the 1862 campaigning season, the Confederate army was poised to lose the majority of its experienced soldiers. Even if the 1861 volunteers were replaced man-for-man by new troops volunteers, many feared the quality of the army would plunge as green recruits replaced veteran soldiers. Amid these crises, the Confederate Congress passed the First Conscription Act (1863). All native Southerners aged 18-35 were enrolled for immediate conscription. Soldiers already serving in the army that were within the conscription age saw their enlistments automatically extended for another two years.

Sacher describes in detail the drive of the Confederate government to balance the needs of both the military and the home front. The initial exemptions from the law and definition of a legal substitute tightened during the course of the war. The law allowed Southerners eligible to be drafted to provide a substitute in their place. The substitute had to be someone outside the age brackets for the draft and thus ineligible. The initial age bracket of conscription meant substitutes in 1862 were either seventeen years old or over age thirty-five. Through the course of the war the age brackets expanded to include older Southerners. The decreasing number of men legally eligible for substitution meant a rising premium was paid. Sacher presents many case studies of Southerners attempting to hire a substitute for a family member, with mixed results. In the case

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1. See, among others, Albert Moore, *Conscription and Conflict in the Confederacy* (NY: Macmillan, 1924) and Walter Hildermer, *They Went into the Fight Cheering!* (Boone, NC: Parkway Pubs, 2005).

of a successful agreement, the substitute still had to pass a medical examination. Initially these were perfunctory, but standards tightened as the war went on. Allowing an infirm or aged substitute into the army meant he would serve most of his time in a hospital rather than in his unit. In this situation, the home front would lose a useful member of the community and the army would actually be burdened instead of strengthened.

Sacher provides a nuanced study of the most controversial aspect of the conscription law: exemptions for individuals owning twenty or more enslaved people. Many contemporary Southerners, and modern historians, have argued that this exemption turned the conflict from a rich man's war to a poor man's fight. Sacher argues for a more revisionist interpretation of these exemptions. The initial law defined men eligible for an overseer exemption as those employed in that profession prior to the enactment of the conscription bill. In 1863,

Lawmakers tightened this exemption by stipulating that it now applied only to plantations owned by a minor, someone of unsound mind, a femme sole (a woman living by herself on a plantation), or a soldier in the field. These owners would have to pay a \$500 annual fee for this privilege, and they had to sign an affidavit indicating that they could not obtain the services of anyone ineligible for armed service. (116)

Sacher's chronological exploration of conscription from 1862 on is broken by a chapter exploring the actual implementation of the draft on the ground by enrolling officers. Focusing on enrolling officers working within North Carolina, he reveals many of the challenges these officers encountered. Operating in an era without widespread birth records, many enrolling officers spent considerable time gathering evidence on residents' birth dates to determine whether they were as old as they claimed or trying to dodge the draft. Many foreign-born Southerners challenged their local enrolling officers about the legal status of their citizenship, and thus obligations to serve the country. It was also common for enrolling officers to spend much of their time learning who worked in "legitimate" exempted occupations and the others who claimed exemptions to escape the draft. This particular chapter breaks new ground in the historiography of Confederate conscription.

Sacher's study has its failings. The main examination of conscription on the ground took place in North Carolina. The Old North State generated a mountain of materials easily accessible to historians. Comparison with material in other states would have helped determine whether the North Carolina experience was typical or exceptional.

Another minor failing is the many accounts of soldiers in his study: the database Sacher accumulated for his analysis is not described. The sample size of resources Sacher used is not stated, nor is there any discussion of, for instance, the origins of soldiers in the Upper South versus the Lower South, what service they or their regiments served in. Readers do not learn whether the sample sizes under study typified most Confederates or were skewed in some way.

These quibbles aside, *Confederate Conscription and the Struggle for Southern Soldiers* is now the best study of its subject for both academic and popular readers.