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The Confederate States of America and the British Empire: Neutral Territory and Civil Wars[1]

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The United States is locked in a war with insurgents, and struggles to stamp them out. The insurgents sustain their effort in no small part because they receive arms and supplies from supposedly neutral powers abroad, and can seek shelter in - and attack from - neutral territory. The United States threatens action against the neutral power, or against the insurgents on their territory, if the situation is not redressed, risking the escalation of the war. This scenario, in modified form, could be applied to any of half a dozen American wars, from Iraq or Afghanistan, to Vietnam or the Seminole wars. My own anecdotal experience in Iraq and Afghanistan was deeply shaped by the availability, to our opponents, of adjacent, theoretically neutral territory in which to shelter or receive support. Rather than rehashing the seemingly endless literature on the conduct of counterinsurgency warfare, which has exploded in volume in the past decade, I will look to another example, the American Civil War, as a case study of how a supposedly "domestic insurrection," as Union diplomats often referred to the Confederate States used adjacent neutral territory, and how international forces shaped that conflict. In the

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interest of focus, I will limit the analysis to British neutral territory, although I think there is merit in further study to include Mexico, Cuba, and the contested regions of the American West. By broadening our scope of examination to include neutral territory it becomes clear that the Confederacy (or "the rebellion") was more than just the Confederate States of America: it was a transnational rebellion against the United States, fueled by arms from abroad, that exploited British neutrality out of military weakness and opportunism in the interest of its war effort.

Very few civil wars remain purely internal affairs, as even a cursory examination of recent history can attest. The territorial nature of state power and the weakness of rebellions in relation to the state often force rebels to seek out external territory. It offers shelter for the rebels, and can significantly increase the cost and reduce the effectiveness of government efforts to stamp them out. A transnational rebellion, using political scientist Idean Salehyan's definition, is one whose "operations are not confined to the geographic territory of the nation-state(s) they challenge" and that engages in fundraising, arms purchases, and military operations from outside the state's borders.[2] Salehyan explores this idea, and he particularly emphasizes the power of borders as an international institution, including their ability to "cage the Leviathan" - that is, to impose territorial restrictions on state power.[3] While the Confederacy did not recruit meaningful numbers of troops from outside their territory (although this changes if we consider Kentucky or Maryland as "foreign"), it easily fits the other criteria, particularly with regard to the acquisition of arms. Moreover, the network of Confederate supporters truly was transnational - it encompassed not only the Southern diaspora, but large numbers of foreigners who supported the cause actively from neutral territory, whatever their personal motivation for doing so. The Confederacy, as a rebellion, extended far beyond the borders of the seceded states and embraced a host of people beyond the agents of the formal Confederate state. Indeed, this transnational side of the project appeared in its strongest form precisely where the Confederate state was weak: in the Trans-Mississippi West, in arms procurement and oceangoing shipping, and in public and informal

[2] Idean Salehyan, *Rebels Without Borders: Transnational Insurgencies in World Politics*, (Ithaca: Cornell University Press, 2009), p. 15. On the effectiveness of passport and border controls between the U.S. and British North America, see Robin Winks, *The Civil War Years: Canada and the United States,* 4th ed. (Montreal and Kingston: McGill-Queens University Press, 2008), pp. 326-331.

[3] Salehyan, *Rebels Without Borders*, pp. 6-7. Salehyan finds that more than half of civil wars and insurrections since 1945 met his definition of "transnational."

diplomacy. Where the power of the Union was overwhelming, the rebellion sheltered as best it could beyond its reach.

While international borders in the 1860s were not particularly restrictive of the movement of capital, goods, or people, they effectively limited the movement of state agents and military power.[4] This varying permeability certainly helped the Confederacy, which benefitted immensely from the proximity of British neutral territory. British possessions proved absolutely critical to sustaining the flow of supplies through the Union blockade. British colonies also sheltered the chief routes for both people and communications into and out of the Confederacy. In the waning days of the war, as the Confederate military situation became more desperate, British territory also hosted an escalating series of Confederate (in the broad sense) covert actions, from subversion efforts, to arson, to outright raiding. All of these activities enjoyed some degree of real protection from Union military force, provided by the relatively strong norms against armed cross-border incursions. This pattern suggests, moreover, that the Confederacy exhibited some features of a stateless rebellion long before Appomattox, that these features grew more prominent as Confederate state cohesion faltered, and that this expanded war was an integral part of a continent-wide struggle over state consolidation that included a cluster of what could be considered transnational rebellions or insurrections - from Native American resistance in the West, to the Fenian Raids and Louis Riel's resistance in Canada, and even the Mexican resistance against Maximillian, supported from abroad by the United States.[5]

The tendency to analyze the Confederacy as a nation-state is understandable and ubiquitous. Most Confederates thought of themselves that way, as did observers from both the Union and Britain - Gladstone's famous toast comes to mind: "….there is no doubt that Jefferson Davis and other leaders of the South have made an Army; they are making, it appears, a Navy; and they have made — what is more than either — they have

[4] Salehyan, *Rebels Without Borders*, pp. 29-32.

[5] Salehyan's work also notes the tendency of transnational rebellions to "cluster," perhaps because of similar regional conditions, ties between rebellious groups, etc. See *Rebels Without Borders,* pp. 12-17.

made a Nation."[6] Even the growing body of work on the "international" Civil War is not entirely immune. For example Don Doyle's recent book, *The Cause of All Nations*, adheres mostly to this convention.[7] The diplomatic history of the war, even in the best accounts, is likewise largely a tale centered around belligerent rights, recognition, and intervention.[8] By broadening our understanding of the Confederacy as a transnational rebellion, however, we can encompass under that aegis the activities of a huge range of people operating, often independently and individually, outside of the Confederate state's borders, yet still in the service of the cause. A diaspora of white Southerners abroad took actions large and small in support of the Confederacy on their own initiative.[9] The informal networks that served the Confederacy often included foreigners - British subjects in particular - and the consequences of their support extended beyond the Civil War.[10] These networks often had little or nothing to do with the official Confederate government, yet their support was extremely valuable to sustaining the life of the rebellion, especially the funds, arms, and supplies that are the sinews of war.

Perhaps the most valuable role of neutral territory for a rebellion is logistical. While the Confederacy did possess a rudimentary industrial base that developed quickly during the war, it lacked some crucial natural resources, sophisticated machine tools, and a sturdy enough internal transportation network to supply all that it needed for the war effort. Harold Wilson and John Majewski have emphasized the modernizing and industrializing ambition of the Confederacy by private actors and the state, but it is hard to escape the conclusion that the rebellion, in spite of heroic efforts, could not possibly

[6] D.P. Crook, *The North, the South, and the Powers, 1861-1865*, (Toronto: John Wiley & Sons, 1974), pp. 227-228.

[7] Don H. Doyle, *The Cause of All Nations: An International History of the Civil War*, (New York: Basic Books, 2015).

[8] See for example Howard Jones, *Blue and Gray Diplomacy: A History of Union and Confederate Foreign Relations*, (Chapel Hill: University of North Carolina Press,2010), D.P. Crook, *The North, the South, and the Powers*,(New York: John Wiley & Sons, 1974), Brian Jenkins, *Britain and the War for the Union*, 2 vols., (Montreal: McGill-Queens University Press, 1974).

[9] See, for example, C.L. Burckmyer Correspondence, 1863-1865 (1163.00), South Carolina Historical Society, as well as Edwin DeLeon's self-serving memoir, *Secret History of Confederate Diplomacy Abroad*, William C. Davis, ed., (Lawrence: University Press of Kansas, 2005 -reprint).

[10] For another example, see Brian Schoen's forthcoming work on the British MP W.S. Lindsay.

meet its own needs for military and industrial equipment.[11] A significant proportion of the small arms, artillery, lead, and saltpeter (for making gunpowder) used by the Confederacy came from overseas, purchased mainly in Britain or continental Europe.[12] The vast majority of these supplies were run through the Union blockade of Confederate ports by small schooners or fast steamers, mostly departing from "neutral" British ports in close proximity to the coast, Nassau, Bahamas, and St. Georges, Bermuda chief among them. The first few shipments of arms from Europe attempted to sail directly from Britain to the Confederacy, but as the Union blockade became tighter in late 1861 that practice vanished, as large capacity cargo vessels, sail or steam, were too vulnerable to capture by a blockading force that was increasingly fast and steam-powered itself.[13]

The steam transportation revolution made the rebellion even more dependent on access to British neutral territory. While small sailing schooners remained active in blockade running throughout the war, steam vessels carried more goods and people, more quickly, and surpassed sailing vessels in importance, if not numbers, by early 1862 and dominated the trade for the bulk of the war.[14] Steamships required maintenance and repair facilities mostly unavailable within Confederate territory, and blockade runners favored cleaner-burning anthracite coal, which was in short supply as well. Coal depots and repair facilities and dry docks in the British ports of Nassau, St. Georges, and Halifax met these needs, servicing privately-owned and government steamers alike. In fact, the line between public and private Confederate efforts, not to mention private British operations, in these ports is sufficiently blurry that considering them parts in the same inchoate rebellion better encompasses their complementary roles than does attempting

[11] John Majewski, *Modernizing a Slave Economy: the Economic Vision of the Confederate Nation*, (Chapel Hill: University of North Carolina Press, 2009); Harold S. Wilson, *Confederate Industry: Manufacturers and Quartermasters in the Civil War*, (Jackson: University Press of Mississippi, 2002).
[12] Stephen Wise, *Lifeline of the Confederacy*, p. 226. The appendices exhaustively list ports of arrival and departure for blockade runners. Havana, Cuba was also a popular destination for Gulf Coast blockade runners; For one prominent European source of arms, see for example Francis Balace, *L'armurerie Liegoise et la Guerre de Secession, 1861-1865*, (Liege, Belgium: Commission Communale de l'Histoire de l'Ancien Pays de Liege, 1978), chapters 4 and 5.
[13] Robert M. Browning, *From Cape Charles to Cape Fear: The North Atlantic Blockading Squadron during the Civil War*, (Tuscaloosa: University of Alabama Press, 1993), and *Success Is All That Was Expected: The South Atlantic Blockading Squadron During the Civil War* (Dulles, VA: Brassey's, 2002).
[14] Wise, *Lifeline of the Confederacy*, p. 221 and Appendices 5-8.

to maintain a rather artificial distinction. In each of the principal British blockade running ports colonial merchants and firms provided fuel, cargo transshipment, repair facilities, and communications relays for the Confederate government, Confederate private businesses, and British firms all at once. Confederate government officials worked hand in hand with these firms - Henry Adderley and Co. in Nassau, Benjamin Wier and Co. in Halifax, and a variety of smaller merchants in St. Georges prominent among them. The proprietors of these firms frequently served prominent roles in colonial society and did not shy away from using their influence to support their own business and the interests of the rebellion.[15]

These private firms and their ostensible neutrality proved hugely advantageous for the rebellion, especially by facilitating communications. Southerners abroad commented on the (relative) reliability of sending letters to and from Confederate territory using the Charleston merchant firm of John Fraser and Co., and their Liverpool equivalent, Fraser, Trenholm, and Co.[16] These firms in turn relied on the British mail system and the cover provided by their colonial partners to transmit letters and people free from Union interference. British warships even carried Confederate mail, unwittingly, on occasion when they carried mail as a courtesy between British ports. Letters on blockade runners were susceptible to capture, but once they made it aboard a Cunard line mail steamer or other unquestionably British ship they were more or less secure. The U.S. Navy proved to be more cautious after the diplomatic storm over the *Trent* affair, which had a great deal to do with the *Trent*'s status a semi-official mail packet ship.[17] Despite some contention, official mailbags tended to be little islands of neutral territory even on merchant ships otherwise subject to search on the high seas.[18] Confederates had to exploit British neutrality like this out of weakness: they had no meaningful steamship service or international mail system and no prospect of gaining

[15] For example, Henry Adderley and Co. frequently petitioned the British government for redress on behalf of their Confederate clients. Adderley, his son, and his son in law all served in the Bahamas House of Assembly or Legislative Council. Charles J. Bayley to the Duke of Newcastle, 11 Nov. 1861, CO 23/167: Colonial Office and predecessors: Bahamas, Original Correspondence, f482, The National Archives of the UK (TNA).

[16] Cornelius Burckmyer to Charlotte Burckmyer, 20 April 1863, C.L. Burckmyer Correspondence, SCHS.

[17] For example, Gideon Welles to Adm. Charles Wilkes, 12 March 1863, in *FRUS* 1863, vol. 1, p. 523.

[18] W. H. Seward to William Stuart, 9 Aug. 1862, printed in Great Britain, *Correspondence Respecting Instructions Given to Naval Officers of the United States in Regard to Neutral Vessels and Mails*, (London: Harrison and Sons, 1863), pp. 3-4.

one in the face of the U.S. Navy while the war endured. Neutral territory and transnational networks provided their only recourse in the face of overwhelming state power.

While *proximate* neutral territory was most valuable to the rebellion in terms of shelter, communications, and transport, one thing it could not supply was financing. Lack of money and financial mismanagement went a long way in causing Confederate defeat, and a prominent component of that failure was in raising funds abroad.[19] The South depended on outside capital, from the North or overseas, before the Civil War, and much of its wealth was locked in land and slaves. Once the war began, Southerners could not access New York, and the blockade made securing loans on the basis of cotton, the only portable asset in high demand abroad, far more difficult. Securing foreign exchange to pay for imports became one of the rebellion's most pressing problems. The Confederate treasury lay bare of specie, but private businesses and individuals suffered from the same shortage, and neither found an effective means of overcoming it. Jay Sexton argues that the official Confederate effort at raising foreign exchange failed largely because of the ineptitude of its diplomats and agents, combined with market skittishness over previous defaults by Southern state governments.[20] The rebellion had to raise funds abroad out of financial weakness, but the tools available to them: cotton bonds, bills of exchange, actual cotton exports, and government bonds, proved inadequate to the task. Even the Erlanger loan, considered by some to be a success, based on cotton bonds and marketed mostly in London, barely managed to keep pace with Confederate government debts.[21] Individuals and businesses in Confederacy mainly relied on either exporting cotton for themselves, with the proceeds placed to their credit abroad by merchant houses, or by purchasing bills of exchange, usually at a huge markup. Financing the rebellion, then, was both a transnational affair, and, to my estimation, a failure.

[19] See Douglas B. Ball, *Financial Failure and Confederate Defeat,* (Urbana: University of Illinois Press, 1991).
[20] Jay Sexton, *Debtor Diplomacy: Finance and American Foreign Relations in the Civil War Era, 1837-1873*, (New York: Oxford University Press, 2005), p. 135, and chapter 3.
[21] Judith Anne Fenner, "Confederate Finances Abroad", PhD diss., Rice University, 1969. ProQuest, UMI Dissertations Publishing Order No. 6919284, pp. 173-176.

The same networks that moved letters and packages also facilitated the movement of people, who with very few exceptions had to touch in neutral territory en route in or out of Confederate territory. While British colonies most often served as way stations for travel to and from Europe, some Confederates lingered, and found sympathy among the locals. Sometimes this sympathy manifested itself in commercial support as we have seen above, but as the war dragged on it turned increasingly to support for, and in some cases participation in, direct action. When Jefferson Davis dispatched Jacob S. Thompson and Clement C. Clay to Canada to coordinate covert action in May, 1864, they were not the first rebels to arrive intent on mischief, but they did signify a change in Confederate international behavior: at last the Confederate government chose to move away from the norms of state behavior and into the types of operations characteristic of a transnational rebellion. In a letter to Secretary of State Judah Benjamin in late 1864, Thompson, who with Clay had just orchestrated a series of operations against the U.S. from Canada, expressed concerns that individual actions like arson were getting out of hand but claimed to have no knowledge as to the perpetrators.[22] Clearly not all of these operations came at the express orders of the Confederate government, but that is precisely the point: the Confederate presence on the fringes of the United States became a movement rather than centrally-directed military force, and the Richmond government lacked the ability to rein them in.

These freelance rebels, like the men, mostly British subjects, who hijacked the steamer *Chesapeake* in 1863, required neutral shelter to even attempt their raids, and often acted without direction from Confederate authorities. Even semi-official covert actions, like the attempts to burn New York City and derail a train carrying prisoners of war in late 1864, had only the thinnest veneer of Confederate government sanction, ex-post-facto in the case of the captured raider John Yates Beall, who paid for his uncertain status with his life. A military tribunal tried him, and he was hanged in February, 1865 for participating in the train derailment scheme.[23] That these, and the more well-known attacks at Johnson's Island, Ohio, and St. Albans, Vermont, were mostly failures does not mean that they were without consequence. They caused an uproar along the Union's

[22] Jacob S. Thompson to Judah P. Benjamin, 3 Dec. 1864, in the Papers of Thomas O. Selfridge Jr., Manuscript Division, Library of Congress.

[23] John Y. Beall, *Memoir of John Yates Beall: His Life; Trial; Correspondence; Diary; and private manuscript found among his papers including his own account of the raid on Lake Erie*, (Montreal: John Lovell, 1865), p. 216.

northern border, tied down troops for guard duty, and most importantly, threatened war once again between the Union and Britain.[24] Unfortunately for the rebels, Britain was not, in this metaphor, Pakistan, and Canada was not Waziristan: there were limits to what action the authorities would tolerate, and they had the power to do something about it. We might also tie two more heinous acts to a transnational Confederate "rebellion" that cannot, at least with surviving evidence, be linked to the Confederate government: the "yellow fever plot" of Dr. Luke Blackburn, and, most sensationally, the assassination of Abraham Lincoln. Both Blackburn and John Wilkes Booth visited Canada prior to their endeavors, and in Booth's case, the assassination was likely a freelance modification of a discarded plot, hatched partially in Montreal, to kidnap Lincoln.[25]

The transnational aspects of the Confederate rebellion provided a great deal of advantage, but there were attendant weaknesses and drawbacks. Perhaps most obviously, they ran the risk of annoying their neutral hosts. Confederate raiding from British North America certainly drove both the colonial and imperial governments to clamp down on "un-neutral" behavior in late 1864 and early 1865 by seizing suspicious vessels and pushing for the expulsion or extradition of troublemakers.[26] In Mexico, Confederate dalliance with the French angered President Juarez's supporters, some to the point of actively taking sides with the Union.[27] Perhaps more damaging, the rebellion's reliance on a decentralized, private, profit-oriented blockade running system encouraged profiteering and inefficiency, at the expense of militarily more important cargoes and the meager supply of specie and bills of exchange. Food spoiled on the wharves of Nassau and St. Georges while Lee's army starved in the trenches around Petersburg for the want of cargo space to haul it in. Trade flourished at Matamoros and across the Rio Grande, but private merchants, Texas authorities, and the Richmond government frequently worked at cross purposes, and the supplies had little hope of reaching the east in any

[24] Robin Winks, *The Civil War Years: Canada and the United States,* 4th ed. (Montreal and Kingston: McGill-Queens University Press, 2008), pp. 272-273.
[25] See William A. Tidwell et al., *Come Retribution: The Confederate Secret Service and the Assassination of Lincoln* (Jackson: University Press of Mississippi, 1988) for a flawed but interesting analysis of Confederate government links to the assassination.
[26] Winks, *The Civil War Years*, pp. 295-332.
[27] James W. Daddysman, *The Matamoros Trade: Confederate Commerce, Diplomacy, and Intrigue*, (Newark: University of Delaware Press, 1984), pp. 180-182.

event.[28] Government attempts to address these problems ranged from the half-hearted in controlling trade - requiring incoming blockade runners to give the government a portion of their cargo space - to the laughably ineffective in diplomacy - witness James Mason's humiliating final meeting with Palmerston in March, 1865, wherein he complained about the "injustice" of British seizure of warships under construction and then did his best to avoid mentioning the actual purpose of his visit, which was to offer abolition in exchange for recognition.[29] These and a host of similar cases show a Confederate state that proved to be feeble in precisely the areas where the "general government" in the nineteenth century, as historian Brian Balogh puts it, should have been strong.[30] The rebellion persisted abroad in spite of the state, not because of it.

The standard narrative of the Civil War, and by extension the Confederacy, usually ends in the summer of 1865. Lee surrendered at Appomattox, Jefferson Davis languished in Fortress Monroe, Britain withdrew recognition of the Confederacy's belligerent status, and blockade running businesses shut down and sold off their remaining stocks for a pittance. And yet, as Greg Downs emphasizes, the war continued, in an altered sense, after Appomattox.[31] I will not attempt to make the case that the burning insurgency of Reconstruction was a transnational rebellion - indeed, it seems that recalcitrant white Southerners found the internal resources available to them sufficient to accomplish their more modest goals of white supremacy and "Redemption." Yet the second- and third-order effects of the Confederate rebellion reverberated in a cluster of others across North America, in ways we are still analyzing. In the Caribbean, Spain's attempt to reclaim Santo Domingo was encouraged by the war consuming the United States and foundered on the strength of local resistance. The economic disruption of the Civil War helped spur the Morant Bay rebellion in Jamaica in late 1865, while Irish American veterans formed the heart of the Fenian movement and their subsequent attacks into Canada.[32] Conservative supporters of the Confederacy in British North

[28] Daddysman, *The Matamoros Trade*, pp. 187-188.
[29] ORN ser. 2, vol. 3, pp. 1270-1276.
[30] Brian Balogh, *A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America*, (New York: Cambridge University Press, 2009).
[31] Gregory P. Downs, *After Appomattox: Military Occupation and the Ends of War*, (Cambridge, MA: Harvard University Press, 2015).
[32] Gad Heuman, *The Killing Time: The Morant Bay Rebellion in Jamaica*, (Knoxville: University of Tennessee Press, 1994), pp. 44-48.

America threw their support into the project of political union, which in turn saw its own, more muted rebellion in the West under Louis Riel. A transnational Confederate rebellion, availing itself of neutral territory during its own lifespan not least because of its own state weakness, proved to be the catalyst, in one form or another, for a cascade of uprisings and insurrections across North America, linked by the movement of people, or arms, or political and economic disruption, that made up the continent-wide crisis of state-building of the 1860s.