



Confederate Issues in North Carolina

By the
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Sons of Confederate Veterans

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I. About proper uses of "The Confederate flag"

1) What is the difference among Confederate flags?

Perhaps more than anything else, recent debates about "the Confederate flag" demonstrate that the public completely misunderstands historic Confederate flags and how they were used.



Bonnie Blue Flag

The first flag widely associated with the Confederacy, the Bonnie Blue flag, was never a national flag at all, but was flown in support of Independence, first in Florida and then particularly in Louisiana and Texas. One large white star on a field of blue, the flag was designed to symbolize Independence as one state star being plucked from the blue field of the U.S. Flag.



First National Flag (Stars & Bars)

The first Confederate national flag, unrecognized by many people today, is correctly known as the Stars and Bars.

Adopted by the Provisional Congress on March 4, 1861, the flag was designed to reflect the U.S. Flag. Instead of 13 stripes, the Stars and Bars incorporated two red and one white bar horizontally red, white, and red; along with a blue Canton in the upper left corner containing one star for each Confederate State. The Flag design provides evidence to refute the notion that the Confederate states left the United States with malice, because the Confederate first national Flag and national constitution both were patterned on those of the United States.



Battle Flag

Unfortunately, the Stars and Bars created great confusion on the battlefield, because among the smoke and chaos, it looked like the Stars and Stripes. For that reason, Confederate Gen. Joseph Johnston ordered that a new Flag be designed for use by troops on the battlefield; the result was the Confederate battle Flag.

Incorrectly called the Stars and Bars by many, the square Confederate battle Flag incorporated the Cross of St. Andrew, a Celtic Christian symbol, along with the stars and colors used in the national Flag. Despite what some contemporary critics believe, the battle Flag never served as a national Flag of the Confederacy. Instead, the banner demonstrated the influence of Christianity among the troops and served as a rallying point for Confederate soldiers on the field of battle.



Naval Jack

A rectangular form of the battle Flag, commonly flown today, actually was adopted in 1863 as the Naval Jack, to be flown only on war ships, though the oblong version also was used by some Confederate army units fighting in western states. Gen. Joseph Johnston used the rectangular pattern for his Army of Tennessee while Robert E. Lee continued to use the square Flag for his Army of Northern Virginia. Square or rectangular the Flag with a red field and blue saltier with white stars is universally recognized as the Flag of the Confederate American armed forces - the Rebel Flag.



Second National Flag (The Stainless Banner)

Because the Confederate battle Flag became popular, the Confederate Congress adopted a second national Flag in 1863. The Stainless Banner, a white Flag with the square Confederate battle Flag design as a Canton in the upper left quadrant, flew over governmental buildings until the war took a turn for the worst. It's very first use was to drape the caskets of Gen "Stonewall" Jackson and Col. James Charles Sheffield McDowell (of Burke County, NC) when they lay in state at the Capitol in Richmond Va.



Third National Flag

As the war came to a close in the spring of 1865, The Stainless Banner created yet another Flag problem for the Confederacy: without wind, the limp national Flag appeared to be a white Flag of surrender. To solve this problem, the Confederate Congress added a red vertical bar to the fly end of the national Flag, creating the third national Flag for a country that existed only four years. Adopted just a month before the surrender at Appomattox Court House, Va., the third national Flag never received widespread distribution.

Unfortunately, debates over "the Confederate Flag" have been filled with false assumptions and misinformation. The Stars and Bars, for example, is not the Flag that flew over the South Carolina statehouse; that Flag was the rectangular version of the Battle Flag, or second Naval Jack. Nor did the Confederate battle Flag ever "fly over slavery," since its use was confined to the battlefield. It never flew on a ship laden with slaves - unlike the Flag of the U.S.A.

2) Why should North Carolina fly a Confederate Flag for Confederate Memorial Day?

For reasons described later, in "Why is it important to honor Confederate veterans," it is critical for any society to remember all of its war veterans — those who answered the call of duty, often at a great personal cost. Part of any appropriate war memorial is to fly the Flag for the nation the veterans served, under which the soldiers and sailors fought and died. For Confederate veterans, the appropriate Flag is a Confederate Battle Flag, especially for soldiers killed in battle. Any Confederate National Govt. Flag is also appropriate to fly in memorial of Confederate soldiers. By an act of the legislature, the Old North State flies the first national Flag, designed by a North Carolinian, each May 10 in commemoration of Confederate Memorial Day.

3) Isn't the Confederate Flag a symbol of oppression, since it flew over slavery?

The rectangular Confederate Battle Flag never did fly over slavery. It was never a national Flag of the Confederacy, and its use was confined to military ships and, in some western states, army units. Nor does the square Confederate battle Flag have any association with slavery, since it also was restricted to use by troops under fire on the battlefield. None of the three Confederate National flags ever flew on a ship containing slaves.

But, if critics argue that any Confederate Flag is a symbol of oppression, because it flew over a nation in which slavery was legal, then they must also be prepared to pull the Stars and Stripes off of every Flag pole in the nation. The Confederacy tolerated slavery for just over four years, though the Stars and Stripes flew on slave ships and over a nation condoning slavery for almost 90 years, from its adoption on January 3, 1777, until the 13th Amendment was ratified on December 6, 1865. People who have been 'taught' to be 'offended' by the Confederate Flag often swear their allegiance to the Flag of the United States of America - the Flag of 90 years of "legal" slavery in America.

4) Isn't the Confederate Flag a symbol of bigotry and racism, since it has been displayed by racist groups?

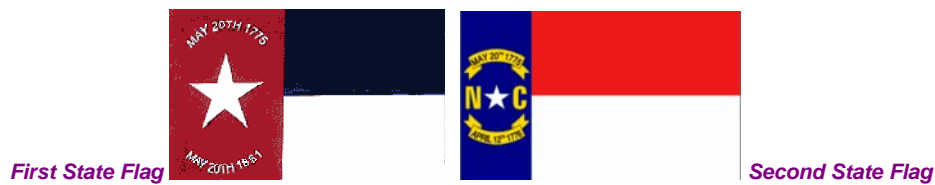
Even though the various shapes of Confederate Battle flags which most critics call "the Confederate Flag," has been abused by racist groups, often in an attempt to gain favor with Southerners who love their Flag, the Flag does not lose its honorable history. It was born from a powerful Christian symbol, the Cross of St. Andrew, and developed for use by troops defending their homes against an aggressor in a war they preferred not to fight. As the soldier's Flag, it represents the honor and valor of those who answered the call of duty.

Abuse of the Flag by any other group is just that — abuse — and a distortion of its true meaning and its real symbolism. When a Klansman parades with any Confederate Flag - the image he presents is a lie, plain and simple. It is abuse of an honorable symbol.

But, if critics argue that any Confederate Flag is a symbol of bigotry and racism, because it has been displayed by racist groups like the Ku Klux Klan, then they must also be prepared to pull the Stars and Stripes off of every Flag pole in the nation and the Christian Flag out of every church, because these flags have been equally abused by racist groups. The Ku Klux Klan regularly flies the Stars and Stripes (which is the officially adopted Flag of the KKK) and Christian flags, often in far larger numbers than the Confederate battle Flag, though nobody calls for the abolition of these abused symbols.

This is because people of good faith recognize that these symbols are being abused, and dismiss the abusers' attempt to distort truth. The exact same standard should be applied to the Confederate battle Flag.

5) Did North Carolina have a state Flag during the years it was part of the Confederate States of America?



The first state Flag ever adopted by North Carolina was designed soon after the legislature voted to leave the United States. It looks much like the current state Flag, but with its colors reversed. The original Flag featured blue and white horizontal bars along the "fly" of the Flag, with a red "union," or field, running its entire width, along the left third of the Flag. In the red field was one large star, reminiscent of the single star of the Bonnie Blue Flag, and two dates — May 20th 1775 and May 20th 1861.

The earlier date was the date of the Mecklenburg Declaration of Independence, in which North Carolinians first stated their support for independence from Great Britain, though many historians doubt whether the document was authentic.

The latter was the date North Carolina voted to leave the United States. It is impossible to ignore the symbolism of these two major political decisions being made on the same day, just 86 years apart. It was the Flag of the Republic of North Carolina.

II. About issues surrounding the War Between the States

1) Wasn't the War Between the States really a civil war?

Though many refer to the conflict as a civil war, it clearly was not one, by any common definition. Webster defines civil war as a war between different sections or factions of the same nation, which is not what occurred from 1861 to 1865, since North and South were two separate nations, the United States of America and the Confederate States of America. Before the conflict began, Southern states legally developed and passed ordinances of secession to leave the United States and later legally affiliated themselves to form a new nation.

Nor was the clash a "Civil War", as the term is applied to other historical conflicts, including English or Roman civil wars. Southern states had no desire to take over the existing central government, by force or any other means; they had no interest in imposing their political will, for example, on Massachusetts or New York.

Instead, Southern states first withdrew from the United States, leaving that government entirely intact, and then formed their own confederation — an approach similar to one taken by American patriots 90 years earlier, but with far stronger legal justification than the revolution celebrated by many who condemn Southern secession.

2) Wasn't the War Between the States fought to end slavery?

While slavery was an issue during the war, the war was not fought in order to keep slavery

legal. In fact, U.S. President Abraham Lincoln, who provoked the conflict, frequently made this very point, claiming that he would gladly protect the legal institution of slavery if it would preserve the Union.

In a letter written more than a year after the war began, Lincoln told journalist and politician Horace Greeley: "My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would do that."

The popular myth that the war was fought to free the slaves found its roots in 1863, when Lincoln sought some way to turn the tide of war in his favor in order to get re-elected. Despite having far more men and material at his disposal than did the fledgling Confederate government, Southern troops had fought to a stalemate and two European powers, England and France, were poised to enter the war on the Confederate side.

Lincoln's decision was to shift the rationale for the war in midstream, from preserving the Union to freeing the slaves, believing that the new battle cry would convince Europe to remain on the sidelines and rally increasingly skeptical Northerners to his side in order to get re-elected.

To accomplish this shift, Lincoln signed the Emancipation Proclamation, a document that carried no legal authority at all, but turned out to be the public relations success he sought. Avoiding the opportunity to free slaves owned by Northerners, the proclamation stated that "all slaves in areas still in rebellion [against the United States]" were free. The legal problem, of course, was that the U.S. President had no authority over the laws and citizens of the Confederate States of America, just as Canada can not make laws today that are binding on the United States.

Even those falsely contending that the Confederacy was not a legitimate, separate nation faced a legal problem, because slaves could not be freed by proclamation; an amendment to the U.S. Constitution was required. While his proclamation had the public relations effect he sought, Lincoln actually had done nothing to free anyone; slaves would not be free until the 13th Amendment was passed, more than seven months after his death.

The fact that Lincoln introduced slavery as a rationale for the war long after the conflict was underway demonstrates that it was not the prime reason that he started the war. Until that point, as with any significant political issue, there was a complicated web of causes, including: (1) a punitive Northern tariff, which essentially forced Southerners to pay higher prices on goods to support the federal government, which invested funds to subsidize Northern industry; (2) disputes about the constitutional nature of the Union, particularly as federal laws increasingly threatened the state sovereignty guaranteed when the United States was formed; (3) Lincoln's desire to preserve the Union; (4) the entire issue of slavery, though not all Southerners who wanted to protect slavery called for secession and many Southerners calling for an end to slavery still supported secession; and (5) Lincoln's call for troops to invade states that had seceded earlier. North Carolina entered the war primarily for the latter reason, voting down the first ordinance of secession, but passing essentially the same document just weeks later, after Lincoln demanded troops from the Old North State to invade sister South Carolina. Had North Carolina left the Union to protect slavery, the state would surely have passed the ordinance when it was first introduced.

3) Didn't most North Carolinians own slaves before the war?

Actually, relatively few North Carolinians owned slaves, less than 10 percent. The vast

majority, seven out of ten, were yeoman farmers, owning only their home and a few acres of surrounding land, which they farmed to sustain their families. For these farmers, slavery was largely irrelevant, since keeping their families fed was the real concern, and they generally could not grow enough to compete with slave-holders in local markets.

4) Did any African Americans fight for the Confederacy?

Yes, an estimated 65,000 African Americans — some free, but most slaves — assisted the Confederate cause. Many served as cooks, teamsters or in other support roles, but almost a third faced the enemy in combat. (Because these records were scarce and documents of all kinds were destroyed, any guess at the actual numbers is subject to debate. But one scholar, who represents the "upper-end estimate," suggests as many as 180,000 African Americans may have assisted the Confederate army in some capacity.)

About 5,000 to 10,000 African Americans, possibly more, served in North Carolina units, according to Weymouth T. Jordan, editor of *North Carolina Troops: 1861-1865* for the North Carolina Division of Archives and History. At least 200 African Americans were awarded Confederate pensions from the state government, suggesting that many times that number actually served. This is because all pensioners faced a substantial burden of proof, with many soldiers not being able to demonstrate their eligibility; even the youngest applicant had to survive to age 79, to be living when the pensions were established; and needed to remain in North Carolina, though many migrated.

Much of the documentation about African American soldiers comes from Federal accounts, including this one from former slave Frederick Douglass: "There are at the present moment many Colored men in the Confederate Army doing duty not only as cooks, servants and laborers, but real soldiers, having musket on their shoulders, and bullets in their pockets, ready to shoot down any loyal troops and do all that soldiers may do to destroy the Federal government and build up that of the rebels."

Over the last couple of decades, several volumes have documented the role of African Americans in the war, including work by Dr. Edward Smith, dean of American Studies at American University in Washington, whose academic research has been dedicated to explaining the role of African Americans in the conflict.

5) Why would any African Americans serve the Confederacy?

It is difficult, if not impossible, to list the full range of motives for any soldier of any race, though free African Americans probably shared the same motives as other free citizens. Admittedly, it is more difficult to summarize motives for slaves who fought to defend a society in which they were not free.

Still, several thousand enslaved African Americans fought for the colonies during the American Revolution, even though British officials offered freedom for any slave joining the Redcoats, and many honorable African Americans have fought for the United States throughout history, even though they were not guaranteed their full rights of citizenship.

Historians studying the Confederate service of African Americans have found several motivations, including a love for their state and nation, despite their disdain for slavery; imminent threats to their own homes by Federal troops marching through the South; personal relationships between servants and some free citizens who enlisted for war; and, in

some cases, the promise of freedom in exchange for military service.

6) Wasn't secession an illegal act?

Secession was entirely legal, because under the U.S. Constitution, individual sovereign states had freely united — for specific purposes and without surrendering their sovereignty. As founding fathers explained in *The Federalist Papers*, because states maintained sovereignty over their own affairs, they could withdraw from the union and exist alone or in confederation with others.

Though many later adopted the position that secession was illegal, as a way of rationalizing the war, even Northern politicians understood this basic right of states. In 1844, the Commonwealth of Massachusetts, hardly a bastion of Southern sympathy, passed their own resolution threatening to secede from the Union in protest of Texas being annexed. Clearly, Massachusetts officials believed, less than two decades before the War Between the States, that states had the right to leave the Union.

Many contemporary arguments over secession fail to realize how very different the Union was in 1860 than it is today, largely because the federal government has since been delegated or has usurped powers our founding fathers never intended for a central government to hold.

Anyone pondering state sovereignty during the years surrounding the War Between the States needs to look no further than the fact that states, not a central government, supplied regiments of troops for the conflict, self-defense being the primary responsibilities of any sovereign political unit.

III. About honoring our Confederate Veterans

1) Why is it important to honor Confederate veterans?

We must honor our Confederate veterans for the many reasons that we honor all veterans — to remember and appreciate those who were willing to give their all for us, teach our children the meaning of honor and sacrifice and remind ourselves that freedom is protected by diligence and its price is measured in lives.

In far greater proportions than any war before or since, these North Carolinians answered the call of duty, even while facing the horrible decision to leave their families, many of them never to return. Unlike other wars, many left as children, others as old men, not to attack anyone, but to defend their homes and families.

Back home, entire families made sacrifices that were beyond anything we could possibly now imagine, and because the war was fought almost entirely in the South, those who did return home found their land destroyed and their brothers dead. Still, out of duty, they left again and even sent their sons and brothers. Often without adequate training and usually without decent clothing and food, they gave their all, including 40,375 who made the ultimate sacrifice out of the 195,000 Confederate soldiers from North Carolina. How can we not honor them?

2) Why can't Confederate veterans be honored with other United States veterans on Memorial Day?

Because Southern veterans from the War Between the States fought for the Confederate

States of America, defending their state and nation against the United States of America, it is inappropriate to honor Confederate veterans on the last Monday in May or to honor them using the modern version of a Flag that flew over their enemy.

Though some with the best intentions and motives honor North Carolina veterans from all wars at the same time, it is important to realize that the Old North State was not part of the United States from 1861 to 1865. Historical truth and faithfulness to the memory of our Confederate veterans require us to honor them on a separate day, using the Flag under which they fought and died. Confederate Memorial Day, by statute in North Carolina is May 10th. A memorial service for Confederate Veterans is held in Raleigh and many other North Carolina cities on that day every year.

3) How can you honor people who were traitors to their country?

Confederate soldiers cannot be traitors to the United States, because they were not U.S. citizens; to be a traitor, you have to be a citizen of the nation you betray, and Confederate soldiers were citizens of the Confederate States of America.

Besides not being true, the argument that Confederate soldiers were traitors to their nation is mistaken, because it relies upon a modern understanding of citizenship that was not accepted in the mid 19th century.

Even before the war, citizens on both sides of the conflict did not see themselves primarily as citizens of the United States, but as Virginians or Pennsylvanians. For North Carolinians, their highest loyalty was not to the United States, but to the Old North State. This is why Confederate Gen. Robert E. Lee, who was offered command of the United States Army in 1861, declined, saying he could not betray his native Virginia.

In short, Confederate soldiers were not traitors, because they did not rise in rebellion against the nation that governed them — or the nation of which they were a part.

4) Why was May 10 selected as Confederate Memorial Day?

Deeply loved and respected by his troops and all Southerners, Gen. Thomas J. "Stonewall" Jackson died on May 10, 1863, near Fredericksburg, Va., from pneumonia contracted while recovering from battlefield wounds. Because Gen. Jackson was so universally respected and his death had a profound impact on the state, the North Carolina legislature chose the day of his death as Confederate Memorial Day in the Old North State. South Carolina also celebrates Confederate Memorial Day on May 10, though each state chose its own date to remember those who served their state and nation - the Confederate States of America.

About this FAQ

This information was based primarily from a booklet: "A Guide to Confederate Issues in North Carolina" - developed for and copyrighted by the NC Division of the Sons of Confederate Veterans.

It has been revised here by Charlie Broadway and Jim Pierce for the North Carolina Division.