

## **The Legacy of Robert E. Lee**

January 13, 2020

Some have asked why we have made such a "big deal" of Robert E. Lee and issues related to Lee such as the closing off of the recumbent statue. The simple answer is that it was the History Commission which first made a "big deal" out of Lee. Further, the Board of Trustees acted on some of the recommendations of the Commission in closing off the recumbent statue during university events, removing the military portrait of Lee, and re-naming the Lee-Jackson House. The Generals Redoubt has merely responded to some of these actions and attempted to understand the motivation behind them.

Another reason why we have focused on Lee is because of his importance in seeking and promoting reconciliation between North and South in the five plus years after the Civil War. As President Dwight Eisenhower stated in a letter of August 1, 1960,

*From deep conviction, I simply say this: a Nation of men of Lee's caliber would be unconquerable in spirit and soul. Indeed, to the degree that present day American youth will strive to emulate his rare qualities, including his devotion to this land as revealed in his painstaking efforts to heal the Nation's wounds once the bitter struggle was over, we, in our own time of danger in a divided world, will be strengthened and our love of freedom sustained.*

As Lee himself stated after the war, "We are all Americans now." Related to Lee's efforts at reconciliation during his last five and one half years of life are his efforts to save and build a great school at Washington College. One could argue that Lee was the single most important figure in the history of the university, and that he totally transformed it into a modern college through curricular reform, fund raising efforts, a building program, and perhaps most importantly through the introduction of such programs and values as the Honor system, the concept of duty/service, and the practice of civility in all matters. Some have viewed these last years as the most important of his life, outshining even the many other accomplishments of his early life, such as the military genius which he displayed in the Mexican War and his Superintendence of the United States Military Academy.

The last reason why our group has focused its attention on Lee is because for many years there have been efforts to truncate or divide the life of Lee into three parts- before the Civil War, during the war, and afterward. Certainly these were distinct periods in his life and in the life of the county, but Lee was the same man acting according to the same principles and values throughout his life. We need to delve further into his words and actions in order to fully understand the man.

The first thing to note is that Lee came from a very important family, not only in Virginia but in the nation. Two of his ancestors, Francis Lightfoot Lee and Richard Henry Lee, were signers of the Declaration of Independence. His father, Henry "Light-Horse Harry" Lee, served under Washington and wrote his eulogy, "First in war, first in peace, and first in the hearts of his countrymen." Henry Lee also served as Governor of Virginia and was a member of the Virginia Constitutional Convention which voted to ratify the Constitution. Robert E. Lee was intimately knowledgeable about the history and government of the United States.

As a result, Lee did not support the secession movement in the South. When he left his military post in Texas after that state's secession from the Union in early 1861, he stated that "I do not believe in

secession as a constitutional right, nor that there is sufficient cause for revolution." In a letter to William H.F. Lee of January 29, 1861, Lee said "The Framers of our Constitution never exhausted so much labour, wisdom, and forbearance in its formation and surrounded it with so many guards and securities if it was intended to be broken by every member of the confederacy at will. It was intended for perpetual union, . . ., not a compact, which can only be dissolved by .... the consent of all people in convention assembled. It is idle to talk of secession. Anarchy would have been established, not a government, by Washington, Hamilton, Jefferson, Madison, and the other fathers of the revolution." Although Lee did not believe in a "constitutional" right to secession, he, like Madison, the author of the Constitution, did hold out the possibility of some sort of state action as a last resort in the face of illegal and unconstitutional action by the central government. Lee, again like Madison, called this a "revolutionary right" and said that in certain extreme cases the states had the right to defend themselves.

Nor did Lee support slavery or fight to defend that cause. In a letter to his wife of 1846, Lee described slavery as "a union of wealth, poverty, want, elegance, slovenliness." In another letter to his wife in 1856, Lee said that slavery was a "moral evil" and should be eliminated. By that point, Lee has already emancipated all of the personal slaves that he had inherited from his mother. The next year, according to the terms of his father in law's will, he began the process of emancipating the slaves whom his wife had inherited from her father. He completed this process within the five year period required by law and prior to Lincoln's Emancipation Proclamation. When, in April 1861, he was offered the command of the Union army by Francis Blair, Lincoln's Secretary of State, he said "If I owned the 4 million of slaves in the South, I would sacrifice them all to the Union." Lee's daughter said that her father told her that at the time of his resignation from the U.S. Army "I was not contending for the perpetuation of slavery." After the war, Lee related to his private secretary, E.C. Gordon, that he had told Jefferson Davis early and often during the war that the slaves should be emancipated. After the war, Hunter McGuire, Stonewall Jackson's surgeon stated that "I myself know that at the beginning of the war General Lee . . . was in favor of freeing the slaves in the South, giving to each owner a bond to be the first paid by the Confederacy when its independence should be secured." In the fall of 1864, Lee officially proposed employing blacks in the Confederate army in return for their emancipation. He continued to back this position into 1865 although Jefferson Davis and the Confederate Congress never approved it. After the war in November 1865, Lee had a meeting with a Herbert C. Saunders, who wrote down his recollections of the conversation. " On the subject of slavery, he [Lee] assured me that he had always been in favour of the emancipation of the negroes. . . He went on to say that there was scarcely a Virginian now who was not glad that the subject had been definitely settled, though nearly all regretted that they had not been wise enough to do it themselves the first year of the war." Shortly after his surrender in an interview with *The New York Times* of April 29, 1865, Lee said that "the best men in the South [including himself] had long been anxious to do away with this institution and were quite willing today to see it abolished. They consider slavery forever dead."

If Lee did not fight for the right of secession or the defense of slavery, why did he fight? His decision was based on his loyalty to the state of Virginia and his desire to defend it from what he and others in the state considered an unlawful and unconstitutional invasion. We can fault Lee's priorities and his interpretation of the constitution, but we cannot question his sincerity nor his sense of honor. When Lincoln issued a declaration calling for 75,000 troops to march south and put down the rebellion in South Carolina, Lee and other Virginians knew exactly what this meant- that a full-scale war would soon begin, and Virginia must choose between fighting for the Union or fighting to defend itself from a Union

invasion. This was the critical factor in Lee's decision. He resigned from the Union army and became a private citizen only after Lincoln's decision had been announced; he only later decided to take up arms to defend Virginia. According to the code of conduct which Lee followed his entire life, his sense of honor would not allow him to participate in the deprecation of Virginia, and his sense of duty compelled him to defend his native state from what he considered an illegal invasion.

The constitutional question at the time was whether the Executive Branch had the authority to call up such a significant body of troops on its own without the consent of the Congress which was then in recess. The related constitutional issue was whether, in the face of an imminent invasion, Virginia had the "revolutionary right" to defend itself. Governor John Letcher and the General Assembly of Virginia and, most likely, Lee did think they had such a right. After all, they knew that the first state to be invaded by the Union army was Virginia. Lincoln obviously did not think that they had such a right. History has been decided in Lincoln's favor, but this was certainly an open question at the time. It was not Virginia's secession which led to Lee's resignation from the Union army; he did not know about it at the time of that resignation. His statement at the time was "I cannot take up arms against my native state" and he briefly contemplated sitting out the war entirely. Winfield Scott had already told him that he could not sit out the war and remain in the Union army, so Lee felt he had no honorable choice but to resign his commission. Even after resigning, Lee was unsure as to whether he should fight to defend Virginia; he really had little interest in the Confederacy itself. After meeting with Governor Letcher in Richmond a few days following his army resignation, he accepted the command of the Virginia troops (not the Confederate troops) in what he and Letcher viewed as essentially a defensive war on behalf of their state.

During the war, Robert E. Lee was a brutal warrior but a generous and considerate commander, both with regard to his own troops and with regard to the enemy. He is generally considered one of the great military commanders not only in American History but in World History. George Washington and Robert E. Lee are often mentioned in the same breath as outstanding military leaders. In the 1850's Winfield Scott, then serving as the Commanding General of all U.S. military forces, said "Lee is the greatest military genius in America, myself not excluded" and that Lee was "the very best soldier I ever saw in the field." Lee did make mistakes (Gettysburg comes to mind), but he acknowledged those mistakes, and carried out a truly remarkable effort in the face of overwhelming odds. *The London Standard* wrote at the time of Lee's military acumen, "Never was so much achieved against odds so terrible." The generally favorable view of Lee as a military leader has continued down to the present. Dwight Eisenhower, commander of the allied invasion of Europe, considered Lee one of the greatest military minds in history.

Perhaps the most important and impactful period in Robert E. Lee's life were the five and one half years from April, 1865 to his death in October, 1870. This began at Appomattox, where Lee's honorable surrender was met by Grant's gracious acceptance. Thus began an important relationship between the two men who sought reconciliation between not only themselves, but between their two armies, and, indeed, between the two sections of the country. Shortly after the surrender, Lee was interviewed by a reporter for *The New York Times*, who stated that Lee "talked throughout as a citizen of the United States", using the term "we" to apply to the country as a whole and not a section of it. Lee, the interviewer said, sought peace and reconciliation between the two sections and was most hopeful of it. Later, when asked by a bitter Confederate widow how she was to raise her children, Lee replied, "Dismiss from your mind all sectional feeling and bring your sons up to be Americans."

Lee went so far as to testify before Congress about various topics including the desire of the state of Virginia to be re-integrated into the nation, despite the fact that he detested public speaking. He also met privately with Ulysses S. Grant in the White House after Grant was elected President in 1868. In a letter of August 1865, Lee said "The interests of the State [of Virginia] are therefore the same as those of the United States. . . All should unite in honest efforts to obliterate the grievous effects of war and to restore the blessings of peace."

For the remainder of his life, he never publicly criticized the Federal government, the President, or the Congress (although he did harbor private reservations about some of the more extreme forms of reconstruction put forth by the "radical Republicans"). Lee's leadership and quiet dignity during Reconstruction were the culmination of a life devoted to being a Christian gentleman, and were a model to many others. Speaking to some of his old comrades-in-arms in 1866 he wrote, " The accusations against myself I have not thought proper to notice, even to correct misrepresentations of my words and acts. We shall have to be patient and suffer, for a while at least; and all controversy, I think, will serve only to prolong angry and bitter feelings and postpone the period when reason and charity may resume their sway." Even the removal of his citizenship did not lead to harsh or bitter feelings. In early 1867, Lee was urged to run for Governor of Virginia; he pointed out that he was not a citizen and said "If my disfranchisement and privation of civil rights would secure to the citizens of the state the enjoyment of civil liberty and equal rights under the Constitution, I would willingly accept them [denial of rights] in their stead." All of his words and actions after Appomattox led *The New York Herald* to write in 1870 that Lee "passed among men, noble in his quiet, simple dignity, displaying neither bitterness nor regret over the irrevocable past. He conquered us in misfortune by the grand manner in which he sustained himself, even as he dazzled us by his genius when the tramp of his soldiers resounded through the valleys of Virginia."

The manner in which Lee sustained himself during his last years was by serving as President of a small college in the Shenandoah Valley which was then on the brink of extinction. Like George Washington before him, who had provided financial aid to this same struggling institution during an earlier period, Lee was viewed as a savior of what had become Washington College in honor of its great, early benefactor. He has been offered many more lucrative positions, but said, just as he had before the war, that he could not abandon his native state and that he wanted to be "useful" in an area where he had some knowledge and could do some good. And "useful" he was in a way that probably was not anticipated by those who convinced him to come to the school. Lee not only saved the college, he transformed it into a modern university based on a combination of moral and academic education. The moral education of the students rested on his understanding of the code of the gentleman and his deep Christian faith. There had been a rudimentary honor system at Washington College before Lee, but it was often honored more in the breach than in the observance. Lee transformed the Honor System based on his own understanding and the system of honor in place at West Point when he served as Superintendent there. The honor system practiced at Washington and Lee is based on Lee's principles that "everyone should behave as a gentleman [gentlewoman]", and that such a person would not lie, steal, or cheat, or tolerate those who do. Under Lee, the honor system was placed totally in the hands of the students, just as it is today, and the "single sanction" for a violation of the honor system was instituted. Lee had earlier in this life stated that "duty was the sublimest word in the English language", and he expected every student at the college to do his duty. Today, a sense of duty is still nourished at W&L and is manifested largely in the service program. Lee also believed that gentle people should always act with civility, another virtue

which is still celebrated through the speaking tradition and in other ways. Finally, Lee said that he would be satisfied if every graduate of his school became a Christian. He started the Y.M.C.A. program at W&L which under different names existed until recently. Lee recognized the importance of religious and spiritual education even in a non-sectarian school. Today, some see the need for a campus wide chaplaincy program to serve the spiritual needs of students of different faiths.

Lee also revolutionized the academic program in a number of ways. We have already mentioned his fundraising ability in both South and North, where he was much admired at the time. This enabled him to increase enrollment and expand buildings and program for a new type of education. Lee thought that a college education should be aesthetic, theoretical, and practical. He attached the local law school to the undergraduate college, established a business school in 1868, founded the first journalism program in the country, and presented proposals for departments in agriculture, applied chemistry, and engineering. He did not realize all of his dreams but demonstrated that he was a visionary educational leader. As President Kenneth Ruscio has stated, "I personally take pride in his significant accomplishments here and will not apologize for the crucial role he played in shaping this institution. . . Lee deserves, and his record can withstand, an honest appraisal by those who understand the complexities of history. His considerable contributions to this institution are part of that record."

I will end this essay with a 1907 quotation about Lee from Theodore Roosevelt. Roosevelt was asked to attend a celebration of Lee's 100th birthday, and was unable to do so, but offered the following remarks to the organizing committee for the event:

*I join you in honoring the life and career of that great soldier and high-minded citizen whose fame is now a matter of pride to all our countrymen. Terrible though the destruction of the Civil War was . . . , it is yet a matter of gratitude on the part of all Americans that this . . . should have left to both sides as a priceless heritage the memory of the mighty men and the glorious deeds that the iron days brought forth. The courage and steadfast endurance; the lofty fealty to the right as it was given to each man to see the right, whether he wore the grey or wore the blue, now makes the memories of the valiant feats alike of those who served under Grant or Lee, precious to all good Americans. General Lee has left us the memory, not merely of his extraordinary skill as a general, his dauntless courage and high leadership...but also of the serene greatness of soul characteristic of those who most readily recognize the obligation of civic duty. Once the war was over he instantly undertook the task of healing and binding up the wounds of his countrymen, in the true spirit of those who feel malice toward none and charity for all [Here, quoting Lincoln]; in that spirit which from the throes of the Civil War brought forth the real and indissoluble Union of today, it was imminently fitting that this great man..., who at its [the war's] close simply and quietly undertook his duty as a plain, every day citizen, bent only upon helping his people in the paths of peace and tranquility, should turn his attention toward educational work; toward bringing up in fit fashion the younger generation.*

Roosevelt's remarks almost constitute a eulogy for Lee, and, like the statement of Eisenhower later, were made by a President from the party of Lincoln. Gerald Ford and Ronald Reagan made similar comments as did Democrats, John F. Kennedy and Jimmy Carter. One might note the nuance and magnanimity of both Roosevelt's and Eisenhower's comments which stand in stark contrast to the rancorous and simplistic attacks on Lee today by many on the political left. What is called for is a balanced assessment of Robert E. Lee. Lee was not perfect, he was not the "marble man" portrayed in

the imagery of the "Lost Cause". But neither was he the villain or traitor of much current, ideologically driven commentary. He was and is an important figure in American History, who, by his own admission made mistakes, but deserves to be honored and respected at the university which bears his name.

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