

The Loyal Republic: Traitors, Slaves, and the Remaking of Citizenship in Civil War America

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Review

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Mathisen, Erik. *The Loyal Republic: Traitors, Slaves, and the Remaking of Citizenship in Civil War America.* University of North Carolina Press, \$34.95
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In a contemporary moment rife with accusations of collusion and treason, the blithe use of the pardon power, and near daily reminders that the U.S. government teeters on the verge of a constitutional crisis, Erik Mathisen's *The Loyal Republic: Traitors, Slaves, and the Remaking of Citizenship in Civil War America* is lamentably opportune. A research associate at Queen Mary University of London, Mathisen examines how ideas of loyalty informed understandings of citizenship before, during, and after the Civil War. He argues that though it would eventually lose its political luster in the post-war period, allegiance became the "animating principle of wartime citizenship," a development which he suggests redefined how Americans conceived of their relationship to the American state (4-5). With Mississippi as his narrative home-base, Mathisen thus introduces the reader to a Civil War landscape in which oaths of allegiance and acts of fealty delineated membership in a body politic re-made by war.

For many, *The Loyal Republic* may serve as a paradigm shifter. As Mathisen notes in his introduction, citizenship has long been visualized as a legal badge granting access to a bundle of rights, such as the right to vote or file grievance in a court of law. Mathisen, however, joins a handful of scholars currently shifting the focus away from a rights-based understanding of citizenship to one privileging the obligations that exist between a citizen and state. The great benefit of such a move is that the relationship between citizenship and state formation comes into greater focus. As the reach of the state expanded, so too did the means by which men and women could petition the state for protection, representation, or reparative justice and otherwise strengthen their claims to citizenship; the flip side, of course, is that an expanded and increasingly centralized state could act with unquestioned potency, demanding that its citizens submit to policies like conscription, the suspension of habeas corpus, or an increased tax burden. Mathisen's account stands out because he has two countervailing examples for which to chart this relationship: the ascendant U.S. and the failed Confederate state.

Mathisen opens *The Loyal Republic* with an informative overview showing how antebellum citizenship was nothing more than a cluster of amorphous—and often competing—ideas. The only consensus was that it was reserved for white men and white men only. He then dives into the challenges facing the new Confederate nation. He argues that Southern leaders translated loyalty to one's home state into a nascent form of Southern nationalism, which initially buttressed secession and invigorated the Confederate war effort. As the war waged on,

however, Mathisen notes that Confederate policies demanded a conferral of allegiance from state to nation. One such policy was the Confederacy's ongoing battle to wrench control of local militias from state governors. This fight—one that the states eventually lost—circumscribed state authority and exposed Confederate soldiers to a normative martial experience that forged allegiance out of routine military order, corporal punishment, and a re-tooling of the officer corps. Mathisen identifies this common military experience and the loyalty for which it wrought as the nucleus of Confederate citizenship.

The U.S., meanwhile, turned loyalty—or rather, disloyalty—into a bludgeon. As Mathisen points out, American politicians interpreted secession as a personal repudiation of allegiance rather than a corporal, state-led endeavor. Not only did this interpretation upturn antebellum notions of citizenship, it expanded the American state's ability to make war, opening the door to an enhanced policy of property confiscation and, eventually, emancipation. Similarly, Mathisen argues that following the war, loyalty became the metric by which the American state determined Confederate punishment, only, as he cogently explains, punishment was not all that was on the table. Indeed, through a prescient reading of Johnson's pardon policy, Mathisen concludes that wartime loyalty formed the basis of a new-fangled definition of citizenship that split hairs between those worthy of a restoration of rights and those requiring retribution. But as he readily admits, this definition—like its architect, Andrew Johnson—was ill-suited for the times, leaving the question of post-war citizenship as contentious as ever.

According to Mathisen, enslaved men and women stepped into the breach left by these two dueling processes of state formation. He argues that the enslaved navigated both the uncertainties of emancipation and complexities of their legal status by affirming their loyalty to the American state. This was a claim to citizenship rooted less in ideas of universal rights than what Mathisen calls the simple, "hardheaded pragmatism" of war-time emancipation (108). Statements of allegiance tightened the bonds between themselves and the power of the federal state, providing them access to the protection and resources needed to offset the precarious nature of their circumstances. Mathisen holds that over time African American loyalty formed a "counterpoint" to Southern treason and laid a foundation for their post-war claims to citizenship and civic equality (104).

One issue left only lightly explored is the simple fact that in a civil war, loyalty could be made to meet one's immediate interest; it could be fleeting, empty, and highly conditional. This minor quibble reflects a paradox that runs throughout the heart of the book: loyalty lost its political currency. Despite Johnson's desire to make ex-Confederate's grovel, most enjoyed a leniency unheard of in the history of civil rebellions. Likewise, while wartime loyalty helped destroy slavery and bring freed men and women into a new body politic, its political purchase folded when confronted with the twin pressures of reconciliation and white supremacy. Mathisen acknowledges this paradox, engages with it, and even uses it to frame his argument. Yet he closes with a cogent end-around. Loyalty, he concludes, didn't disappear; rather, it became enveloped into broader discussions about Civil War memory, patriotism, and the various meanings of American citizenship. And as his closing assessment of the pledge of allegiance reveals, it remains fixed at the root of our relationship to the American state.

The Loyal Republic is an excellent addition to the field. It joins a spate of recent work—including Manning’s *Troubled Refuge: Struggling for Freedom in the Civil War*, Laura Edwards’s *A Legal History of the Civil and Reconstruction: A Nation of Rights*, and Martha Jones’s new *Birthright Citizens: A History of Race and Rights in Civil War America*—deepening our knowledge of the lengths to which the Civil War reconfigured the fabrics of American society and produced new understandings of what it meant to be an American citizen. For scholars of the Civil War era, it is a must read.

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