

“What I Did This Summer”

A Carolina student had to dig deep to find the truth about rape in the Civil War

by Maureen Stutzman

One day in class, while lecturing on the social implications of the American Civil War and the way it affected the civilian populations of America, my professor casually mentioned that very few rapes occurred during the war.

As a Women's Studies student and a feminist, that statement set off so many bells in my head that I couldn't even hear the rest of the lecture.

Men rape women. Especially during wartime. I couldn't believe that what had been said in class was true.

As it turns out, there are no definitive and well-known studies regarding rape during the Civil War, and in male-dominated academia, that meant it simply hadn't happened.

It is surprising to me that this topic has gone largely unexplored for so long. Rape is one of the most horrific crimes that can be committed and has been part of women's experience for thousands of years. There has yet to be a work produced that focuses specifically on rape during the Civil War and, in most studies of sex and women's experience during the war, rape is only given a brief mention.

All facets of women's experiences must be examined in order to get a full picture of the history of the war. In a search to find the truth about rape during the Civil War, I turned to the National Archives in Washington, D.C.

The archives are the home to all the records of court-martials from the Civil War. If a soldier committed a crime during the war, he would have been charged and tried in a court-martial. Sadly, most of the Confederate court-martial records were lost in a fire set shortly after Gen. Robert E. Lee's surrender. However, there are still approximately 80,000 court-martial records remaining in the archives.

These records cover crimes committed by soldiers in the Union army as well as civilians living in areas of Union army military control. In a recent study, historian Thomas Lowry determined that of these 80,000 cases, 27,903 were charges of

desertion. There were an additional 13,954 cases concerned with soldiers sleeping on post, leaving their post, or being absent without leave.

After desertion, the second most common charge was “conduct prejudicial to good order and military discipline.” In the language of the 1860s, this included rape or intended rape.

Soldiers that harassed or raped women often were not charged directly with rape. Instead, it was quite common for the rape to be hidden under charges of “conduct prejudicial to good order and military discipline” or “conduct unbecoming an officer and a gentleman.”

After shifting through this language (and hundreds of documents) I was able to uncover a large number of rape cases. In fact, the number of cases I was able to find was shocking. There were 335 men charged with the horrid offense from 1861 to 1865.

Even today it is a difficult and painful process to report a rape. In a climate that was extremely hostile to women, then, the fact that this many cases were recorded and brought to trial is quite surprising. I cannot even begin to guess how many rapes were committed that went unreported and unpunished.

The Relevance of Race

The first thing apparent to me was that race was an extremely important factor in these court cases. Of the men charged, 70 of them were either black citizens or soldiers with the United States Colored Troops. These men usually received harsher sentences and were less likely to receive a pardon. I also found that the cases included the rapes of 95 women of color, mostly perpetrated by white men.

One example that highlights the racially charged aspect of rape during the Civil War is the case of Laura Ennis and Charles Clark. Clark, a private in the 20th New York Cavalry, was brought to court for charges of rape and conduct prejudi-