

# Robert E. Lee and Slavery

The general's own words  
plainly state his view of the  
Peculiar Institution

By Elizabeth Brown Pryor

**A**s a biographer I am often asked which part of my subject's story has been most difficult to explore. All historic figures have troubling aspects, of course, and the two with which I am most familiar, Clara Barton and Robert E. Lee, are no exception. In Lee's case it is easily his lifelong interaction with slavery.

The "peculiar institution"—as slavery was known in the South—is itself a distressing topic. Its ugly details challenge us. So does the painful paradox of a nation rooted in liberty, yet exercising daily oppression. If you add Lee to this mix, more conflicting emotions are awakened. He is a controversial figure, seen by some as a shameless traitor and by others as a beloved hero. His association with slavery has been characterized with similar partisanship, sometimes painting an image that is more fabled than factual.

Some people may ask why we should delve into this difficult topic. There are several reasons we ought to be interested. First, as students of history, our job is to try to establish as clearly as possible what happened in the past and how those events and attitudes affected our national development. This is particularly important when we are talking about figures such as Lee, whose image has largely been shaped by oral tradition. Since we are historians rather





A woman awaits her fate inside the Alexandria, Va., slave pen, where during the prewar years she could have fetched as much as \$1,500. Robert E. Lee grew up in Alexandria, an important center of the slave trade.

than folklorists, part of our task is to separate reality from legend.

Lee's views on slavery are also central to his story because they influenced decisions that would have profound consequences for the United States. Slavery shaped his resolution to fight for the South. Lee's opinions also served as a beacon for generations of Southerners as they struggled to comprehend the tragedy of the war. Without an understanding of Lee's racial attitudes, it is impossible to make sense of either his own actions or his strong impact on Southern society.

Finally there is the fact that Lee has been presented as more than a significant military leader. He has often been

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### **'Lee's opinions served as a beacon for Southerners as they struggled to comprehend the tragedy of the war'**

portrayed as a man of great personal virtue—a man to be emulated. When we set up a model like this, it not only *invites* us to examine his character, it virtually *requires* us to do so. Any community that claims to be based on ideals must know who and what it reveres. If we are going to embrace heroes, it is important that we accept their human frailty as well as admire their achievements. If we do not, we create empty icons, whose hollowness undermines any ability to inspire.

**T**he first thing we can say about Robert E. Lee's interaction with the institution of slavery is that it is extremely well documented. This may surprise some people. One biographer, Douglas Southall Freeman, claimed that Lee said "nothing of any consequence" about slavery. Statements like this have left many people with the impression that Lee was somehow outside the messiness of human bondage. Actually, he wrote hundreds of letters that

show he fully participated in the institution and held strong opinions about it. Interestingly, this rich cache of information was in plain sight and had been available for decades. I was privileged to read a large number of recently discovered Lee family documents, but the most illuminating materials were already in well-known archives and courthouses, easily accessible to anyone. Because of this abundance of information no one has to interpret Lee's attitudes or actions. He is very open in telling us about them himself.

To understand Lee's viewpoint we have first to appreciate his day-to-day interaction with slavery. His earliest knowledge of the institution was gleaned on his father's plantation. "Light-Horse Harry" Lee had been a bold Revolutionary War hero—and an equally bold financial speculator. By the time Robert was 14 months old, Harry Lee had lost most of his property and was thrown into debtor's prison. Slaves were included on his "schedule" of debt payments alongside horses, dogs and hogs. Sometimes servants were snatched in the night by creditors trying to recover their losses. Others were hired away to bring in income, apparently with little attention to maintaining their family connections. Among the first lessons young Robert learned about slavery, therefore, was that when all was said and done, African Americans were simply property.

This view was reinforced when his family moved to Alexandria, Va., an important center of the slave trade. The Lees lived only a few blocks from some of the country's major dealers in human flesh, and coffles of manacled slaves were a daily sight. Though some were sickened by these scenes, most people became inured to them and simply acquiesced. And that was what Robert E. Lee did: He acquiesced.

Lee's other significant experience with slavery was at Arlington, his parents-in-law's estate. George Washington Parke Custis, Lee's father-in-law, had inherited hundreds of slaves from

his grandmother, Martha Custis Washington. Custis had pretty standard ideas about slavery: He denounced the institution as a "culture" that was preying on the society, but did nothing to overturn it. He was not really interested in managing his large labor force and left it to a series of uneven overseers. Some of these men "oversaw" reprehensible operations, and Custis was accused of "cruel, inhuman and barbarous treatment of slaves," including at least one murder.

But Mary Fitzhugh "Molly" Custis, Lee's mother-in-law, held different views. She liberated the slaves she inherited and ultimately persuaded her husband to free his own in his will. While working for slavery's demise, she tried to soften conditions at Arlington as much as possible. She taught the bondsmen to read and write, and provided religious meetings—much of which was illegal. She took a personal interest in the slave families, which were never broken up during her lifetime.

Molly Custis also supported the American Colonization Society, which proposed emancipating slaves and returning them to Africa. Today this is sometimes seen as a halfway measure that only substituted one tyranny—deportation—for another. But Mrs. Custis considered it a practical step to get around the stringent laws of Virginia, which prohibited freedmen from staying in the state, and as a result discouraged manumission. The Colonization Society also opened the first real debate about the future of slavery in America. Amazingly, Molly Custis had an active voice in that debate, advocating the elimination of slavery more than a decade before the abolitionists began to organize.

Molly Custis was by all accounts a superior woman, and she had great influence on her son-in-law. He considered her a surrogate mother and adopted her religious principles and

**This William E. West portrait of Lee at age 31 was painted seven years after he married Mary Custis at her family home, Arlington House.**

many of her social precepts. But on the issue of slavery he failed to follow her lead. Indeed when Lee ran the Arlington estate, after the death of his parents-in-law, his style as a master was in striking contrast to the traditions Mrs. Custis had established.

And what about Lee's own slaves? He inherited 10 or 12 from his mother, but it is difficult to determine whether he freed any of them. Before the Mexican War he wrote a will that would have liberated one family; however, since he was not killed, those provi-

sions never went into effect. There is no evidence of Lee's slaves being emancipated—no courthouse records, no mention of it in his massive letter books. One of his sons later said that he had freed all his slaves before the war, but had taken no legal action so they would not have to move out of Virginia. That seems questionable, however. A freed African American really could not exist in Virginia without papers; the law would put him right back into slavery.

In fact, we have an example of a freed couple without documents being thrown into jail in 1853 by Lee's father-in-law, a justice of the peace. We also know that Lee was aware of the need to provide free papers, since he went to considerable trouble to get proper documents for the Custis slaves who were freed during the Civil War. In any case, his own papers show that he owned slaves well into the 1850s and considered buying another in 1860. He also used his wife's slaves as personal servants throughout the Civil War.

Lee's letters tell us much about his racial attitudes. He seemed to dislike the bondsmen's presence and generally avoided dealing with them. ("Do not trouble yourself about them, as they are not worth it," he counseled his wife.) He had a low opinion of blacks as workers and complained continually about their habits. ("It would be accidental to fall in with a good one," he ultimately concluded.) He found the constant need to provide for the slaves burdensome, and as a result frequently rented them out.

As late as 1865 he was still asserting that "the relation of master and slave...is the best that can exist between the white & black races." He had equally dismissive views of other groups who threatened white aspirations, including Mexicans and American Indians, whom he several times described as "hideous" and whom he believed to be culturally inferior. It is important to note that these are not random comments, written on a bad day, but a constant pattern in Lee's writing.



WASHINGTON AND LEE UNIVERSITY | EXINGTON, VA. PREVIOUS PAGES: LIBRARY OF CONGRESS

Of course, Lee was not the only person to hold these views in his day. This kind of thinking led not only to the justification of slavery, but also to the Mexican War and aggressive actions against American Indians. Indeed, most Americans, North and South, were unable to envision a multiracial society based on equality. Even those opposed to slavery had trouble doing so. Abraham Lincoln, for example, never considered African Americans his equal and only reluctantly relinquished his plans to deport freed blacks to Central America or Haiti.

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these views. Washington, Jefferson, George Mason and Henry Clay—just to name a few—all struggled with the ethical consequences of their racial beliefs. Many never took action to free their slaves or to right legal wrongs, but they did agonize over the contradictions they perceived. So did several of Lee's Army friends, who sympathized with the Indians and ultimately opposed slavery. By contrast Lee never seems to have suffered any spiritual pain over the inequitable society surrounding him.

In 1856 Lee summarized his beliefs in a telling letter to his wife. "In this enlightened age," he wrote,

there are few, I believe, but will acknowledge that slavery as an institution is a moral and political evil in any country. It is useless to expiate on its disadvantages. I think it, however, a greater evil to the white than to the black race, and while my feelings are strongly interested in...the latter, my sympathies are stronger for the former. The blacks are immeasurably better off here than in Africa, moral-

ly, socially, and physically. The painful discipline they are undergoing is necessary for their instruction as a race, and, I hope will prepare and lead them to better things. How long their subjugation may be necessary is known and ordered by a wise and merciful Providence.

On first reading, this letter seems confusing and contradictory. Lee acknowledges that slavery is evil, but then says the evil is greater for whites than for blacks, without giving an explanation of how this could possibly be. He says he assumes that the institution will fade away, but offers no prescription for hastening that day. Instead he takes a complicated middle ground in which he regrets the existence of slavery but claims it is necessary, and then sidesteps any responsibility for the slaves' condition by saying that *that* is up to God, not man.

In fact, what seems like a convoluted assessment is actually an unusually clear statement of the proslavery views of Lee's era. Apologists admitted that slavery was regrettable but concocted elaborate justifications for its continuation. The belief that slaves were better off than blacks living in Africa; that their character needed somehow to be elevated by whites; that it was *necessary* to prolong slavery into an unpredictable future—even a Divine Sanction for it all—were themes of sermons, pamphlets and newspaper articles. Proslavery advocates such as James Henry Hammond, George Fitzhugh and Thomas Dew underscored that *they* were not responsible—God had created the institution, and some sort of providential action would make it disappear.

Amazingly, this letter has sometimes been used to point to Lee as an abolitionist. This view is particularly hard to understand because in the same letter Lee slams those who opposed slavery. "The abolitionists," he wrote, "have neither the right nor the power to interfere in what he has no concern. Still I fear he will persevere in his evil course." So the question arises: How could anyone turn this letter into proof

of Lee's antislavery views? Is this wishful thinking, or possibly part of the "Lost Cause" propaganda?

To demonstrate how facts can become veiled by popular tradition, let's look at a story that is often told to illustrate Lee's kindness to slaves. Soon after the end of the war, one of his friends wrote: "You must remember Nat, who was Aunt Lee's dining-room servant: after her death his health became very bad; [Robert] took him to the South, had the best medical advice, comfortable room, and every thing that could be done to restore him and attended to him himself." This story was repeated—sometimes with embell-



Selina Gray, slave housekeeper at Arlington House. Lee believed the "painful discipline" of slavery would prepare slaves for "better things."

ishments—by many historians over the years. One has Lee nursing Nat "with the tenderness of a son" and personally laying him in his grave; another says he cared for the slave "tenderly and faithfully until death delivered the poor fellow." The story as Lee himself tells it, however, is quite different.

It is true that Nat joined Lee on his first Army assignment, near Savannah, Ga., and that he died of consumption there within a few months. Lee was concerned about Nat's health but confided that "I know not what to do with him." He got the old man a room, con-

sulted a doctor, and asked a boatman to look in on him occasionally, but did not personally follow Nat's progress closely. Indeed, Lee admitted that his posting, 15 miles away, often kept him away from Nat for weeks. When the slave died, far from attending to his burial, Robert was astonished to be told the news. "I had not the least idea he was so low....I was perfectly shocked to hear of his death when I had been flattering myself that he was recovering," he told his fiancée. Actually the mother of one of his friends had taken responsibility for Nat. "Mrs. Mackay in some of her visits of Benevolence had found him out," Lee wrote, "...and unbeknowing to me,

visited him regularly & sent him all the delicacies from her own table."

Now, this is not a terrible story. It is not a story of brutality or crass neglect. But neither is it the saga of nursing Nat "with the tenderness of a son" that Lee's admirers liked to tell. If anything it is a story of a distracted young man who was more or less oblivious to his old servant's condition. If the tale has a ministering angel, it is Eliza Mackay, not Robert E. Lee.

But it is an excellent illustration of the way historical incidents become bloated when they start to be used as parables. Those who believed the prettier versions of this tale repeated it until it became a kind of "common

knowledge" about Lee's concern for his slaves. Some writers then took real liberties with the story's meaning. Freeman cited it as proof that Lee could not possibly have fought to uphold the system of slavery! Another writer saw it as an example of Lee's "solicitude" for his servants, concluding that "none had a kinder or more faithful master."

**W**hich leads us to ask another question: Would his own servants have been likely to agree with the statement that Lee was a kind master?

Our best information about the slaves' thinking comes from the time when Lee was executor of his father-in-law's estate. George Washington Parke Custis died in 1857, leaving a messy will. To sort out matters, Lee got temporary leave from the Army. As executor he had legal authority over the slaves, as well as day-to-day responsibilities for their supervision.

And what did the slaves say about Robert E. Lee? One called him "the meanest man I ever saw." "He was a hard taskmaster," confided another. "He tried to keep us slaves, when we was as free as he," was another comment. In addition, the slaves showed their feelings by their actions. During the time Lee was master at Arlington he had a chronic problem with run-aways. They also frequently refused to recognize his authority, ignoring his orders or trying to undermine his plans. On one occasion they even physically threatened Lee. "Only the merciful hand of Kind Providence and their own ineptness prevented a general outbreak," wrote Lee's wife.

A slave rebellion at Arlington? How did such chaos come about? As previously mentioned, Lee's father-in-law had written a complicated will. He freed all his slaves, but with the vague

**More than half of Arlington's slaves were mulattos, including some whom Lee described as "nearly white." At left, a portrait of Arlington's Charles Syphax holding his grandson.**



IMAGES COURTESY OF ARLINGTON HOUSE, THE ROBERT E. LEE MEMORIAL, NPS

provision that it should be done sometime within five years. He also bequeathed extravagant legacies to his granddaughters that proved difficult to pay from the estate's earnings. As executor, Lee interpreted this to mean that he could keep the African Americans enslaved until he had paid the legacies. Actually the will stipulated that he should sell land to pay the bequests, but Lee did not want to do this, even though the Custis estates contained thousands of acres.

The slaves, however, who had excellent lines of communication, believed they had been freed. Despite Lee's efforts to make their lives more comfortable (repairing long-neglected houses, for example), they were angry at being kept in bondage and increasingly tested their new master. "Reuben Parks & Edward, in the beginning of the previous week, rebelled against my authority—refused to obey my orders, & said they were as free as I was, &c, &c," Lee told a son. "I succeeded in capturing them however, tied them and lodged them in jail." To increase the estate's earnings, Lee relied on his old habit of hiring out the slaves to other masters. Many of them were sent hundreds of miles away and were extremely unhappy. The slaves who were hired out had no idea where they were going or when—if ever—they might return; no way of contacting their relations, and no guarantee of a sympathetic master. In addition, by hiring all the strong males away, Lee broke up every family at Arlington, something the Washingtons and Custises had taken great pains not to do.

When Lee realized he could not pay the legacies by the end of five years, things took a turn for the worse. Rather than sell land, he petitioned the local court to keep the slaves in bondage as long as needed to fulfill his daughters' inheritance. He also sued

for permission to send the slaves out of the state, which was not common practice. The local magistrate recognized this and ruled against Lee, who responded by appealing the case to a higher court.

The slaves, as usual, caught the drift of events and became actively alarmed. They may have thought that Lee

would never give them their freedom. They must have feared that once sent out of the state, they would never again see their families. I should add that these two measures—sending the slaves south and breaking up their families—were against the socially accepted practices of Lee's neighbors and relatives. It is this set of actions,



**A Union soldier stands guard outside Alexandria's Price, Birch & Co., as three cohorts look on. Before the war, up to 1,000 slaves might be warehoused at a time inside its holding pens.**

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which were considered harsh in his own time, and which jeopardized the future of people who had been legally liberated, that most clearly put Lee on the darker side of slavery.

This was when the slaves began to protest openly—verbally, as we have seen, as well as by running away, and even through physical violence. The

situation at Arlington became so bad that several newspapers seized on the story. One of the things they reported was that after recapturing three of the runaways—one of whom was a woman—Lee had them brutally whipped. That story is corroborated by five eyewitness accounts, all of which agree in substantial detail.

Those accounts state that Lee was infuriated and wanted to set an example for other slaves who were rebelling against him. One newspaper maintained that Lee viciously whipped the woman himself, but the more sober witnesses state that he called in the county sheriff, Dick Williams, to serve out her punishment. Lee's own ac-





count books show him paying an extraordinary sum of money to that very man “for capturing, &c, the fugitives.” At the time Lee told his son, “The New York Tribune has attacked me for my treatment of your grandfather’s slaves, but I shall not reply.” Many years later he maintained that there was “not a word of truth” in the story. But there was *more* than a word of truth in it—all of the details can be verified by Lee’s own writings.

Not only do Lee’s papers uphold the story, there is nothing improbable or out of character about this incident. We know there was a whipping post at Arlington and that Lee had a strong temper. Moreover, Lee was not only

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within his rights to lash the fugitives, it was actually the penalty prescribed by law. Sheriffs were routinely called in to do just that kind of demeaning work. As one Virginia constable described it: “It was part of my business to arrest all fugitive slaves....Next day they are examined and punished. The punishment is flogging. I am one of the men who flog them.”

In addition, we know Lee had little objection to this kind of chastisement. In one letter, for example, he argued with his wife about a slave who had been mistreated by a neighbor. Mary Lee thought they should buy the man to rescue him from his unkind owner. But Lee protested, asking: “Is everything to be yielded to the servant and nothing left to the master?” He then declared that buying the slave would set a bad precedent, undermining “the instruction and example that was intended for the others.” One of the men who was later punished for running away recalled that Lee said the whipping was meant to “teach us a

lesson we would never forget.” Interestingly, using punishment to set an example was a disciplinary measure Lee also used while superintendent of West Point.

The lawsuit dragged on until 1862. While the court deliberated, Lee told his son he might ignore the five-year deadline for freeing the slaves and “just leave them as they are.” Ultimately the appeals court ruled against Lee, directing him to liberate the slaves by January 1, 1863. Only then did he free the bondsmen as his father-in-law had desired. In the end he sold property—just as the will had proposed—to pay the legacies to his daughters.

Remarkably, some biographers have labeled Lee an “emancipator” despite the clear record of his actions and beliefs. How can this be? I think the answer is rooted in the longing people have for their idols to be great in every way, rather than ordinary or imperfect. As heroes become iconic figures, people also want to attach their aspirations to them, in a process sociologists call “transference.” In their zeal, they hope their leaders will represent not only what they are as a society, but what they would like to be. It is fascinating and telling that what Southerners have wanted Lee to represent—the better self they want him to be—is an antislavery leader.

Lee’s experiences at Arlington and his role in capturing abolitionist John Brown in 1859 radicalized his feelings on slavery. He feared the increasingly powerful Northern majority, which he had been complaining about since the 1830s. It enraged him to feel defenseless in the face of what he saw as mounting Yankee humiliations. As the nation lurched toward crisis, his carefully crafted middle ground on slavery began to give way. He backed the Crittenden Compromise, which would have prohibited slavery from ever being abolished in the United States, saying that it “deserves the support of every patriot.” Though he denounced secession, and his own kin were sharply divided (a nephew and many

close cousins fought for the Union), in 1861 Lee decided to defend the South’s way of life, of which slavery was the distinguishing feature.

After the war, Lee continued to hold attitudes about class and race that were chained to the old order. A few weeks after Appomattox he expounded to a newspaperman on the need to “dispose” of the freedmen. He not only advocated the deportation of African Americans, he backed a plan to replace them with destitute whites from Ireland, who would form a new servant class. He also signed a petition that proposed a political system precluding all blacks, and many poor whites, from voting.

His public pronouncements were sometimes at odds with his private actions. Despite the fact that Lee told the Joint Committee on Reconstruction that everyone wished the former slaves well, for example, the records of the Freedman’s Bureau show that students under Lee’s direction at Washington College were heavily involved in their harassment. The situation turned serious on several occasions. Some of “General Lee’s boys” shot an African American for not stepping into the gutter when they passed. Incidents of rape were common. It appears that an organization similar to the Ku Klux Klan was founded by the students during Lee’s presidency. Lee sent out some orders forbidding participation in any public antiblack rallies, but Washington College documents show that he did not strictly enforce that policy. Certainly he never used the near imperial control he had at the college to stop those activities.

**F**or a biographer who comes to have a close, admiring relationship with the person being studied, finding such information is painful. I can recall sitting in the Alexandria courthouse, holding the legal documents Lee had filed, shaking my head and thinking: “Oh, I hope this is not going where I think it is!” Many readers will undoubtedly also find this aspect of

Lee distressing. And I think that we are right to be troubled by it. That is the appropriate response, whether out of sorrow for the callousness in our past, or simple disappointment that someone we revere held attitudes that even in his day were on the sorry end of humanity's scale.

But where then does this leave us? Should we conclude that Robert E. Lee was an immoral man, unworthy of historical interest? Throw him on the

trash heap of history? Or should we apologize for him, and portray him as merely representative of his era?

In my judgment, we should take care not to go too far in either direction. We do have to recognize the intellectual and cultural norms of Lee's time. We also have to recognize that as much as we might like to have principles that never vary, this is actually not the way societies behave. Values change over time, and human beings are often slow

to catch up. We have to understand Lee within the context of *his* standards, not our own.

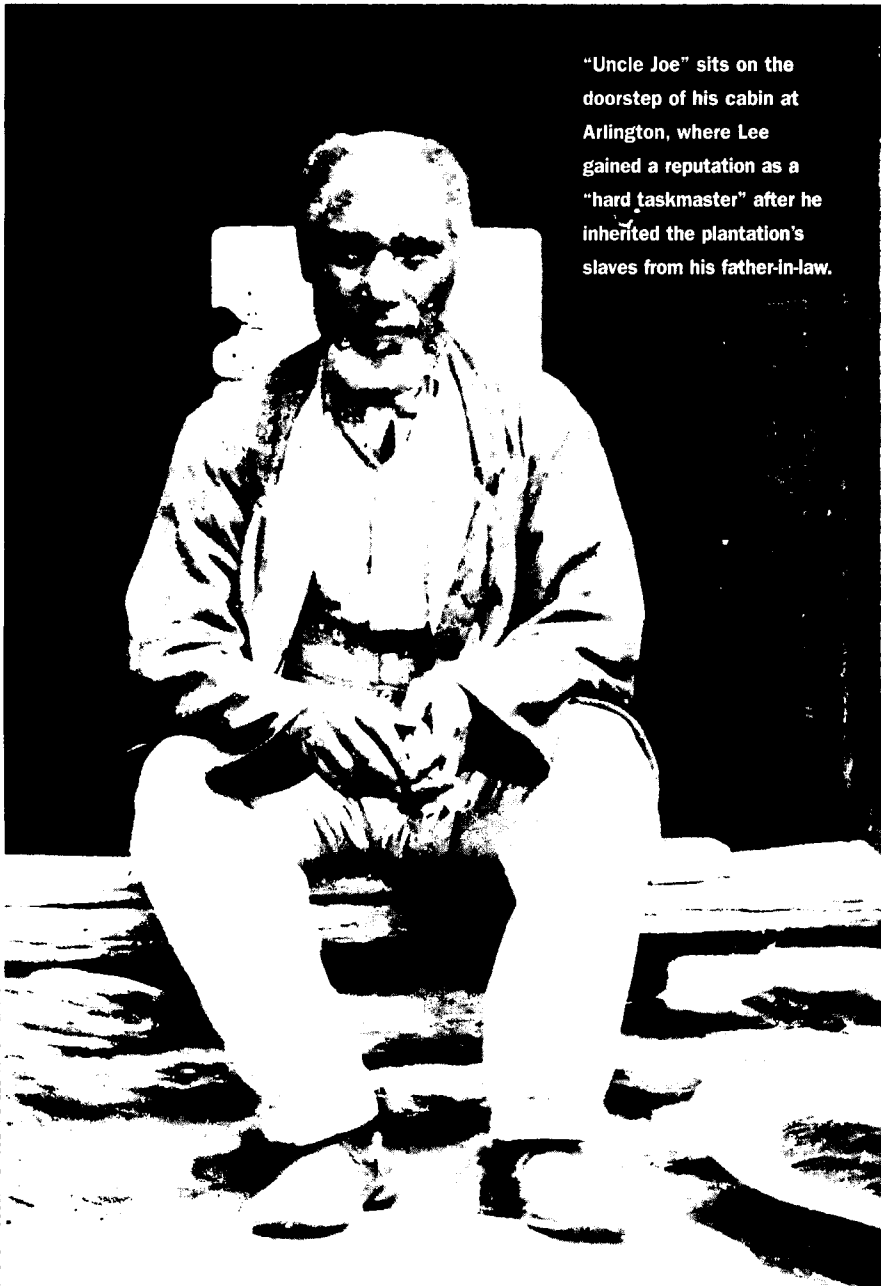
That being said, we cannot use this as a reason to absolve Lee from responsibility for his own attitudes. While we might be able to say, "Well, he wasn't any worse than anybody else," by the same token we also have to say that he wasn't any better than anyone else. And there is the rub, because generations have been led to believe that Robert E. Lee was better than everybody else—even on this difficult issue of slavery. Yet all of the evidence shows he lacked the vision or the humanity that would have allowed him to transcend the petty opinions of his day. Nor did his racial attitudes ever grow or evolve as, for example, did Washington's. While we can understand the reasons for that, we cannot award him the greatness that comes from being able to see beyond the commonplace and take actions that would raise him above the ordinary.

What I would propose is that all of us who admire Lee embrace him for the complex, contradictory, fabulous but flawed person that he was. If we try to make him more, we actually insult him. Every time someone maintains that he never used the word "enemy," or that he never lost a battle (he just ran out of ammunition), or that he was opposed to slavery—any time we make these mistaken assertions, we are implying that the person he really was, is not good enough.

I would say simply: If you want to do Robert E. Lee justice, embrace the fine qualities that he truly has to offer us—and they are considerable—but also recognize his limitations and the injustices perpetrated at his hands. *Then* lend him your respect. It is the greatest compliment you can give him. **CWT**

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*Elizabeth Brown Pryor's book Reading the Man: A Portrait of Robert E. Lee Through His Private Letters won both the Lincoln Prize and the Jefferson Davis Award. Her list of sources for this article is in "Resources," on P. 71.*



"Uncle Joe" sits on the doorstep of his cabin at Arlington, where Lee gained a reputation as a "hard taskmaster" after he inherited the plantation's slaves from his father-in-law.

COURTESY OF ARLINGTON HOUSE THE ROBERT E. LEE MEMORIAL NPS