

Case Synopsis

During the American Civil War, fought between 1861 and 1865, over 600,000 men became prisoners of war. The vast majority of these captured soldiers were quickly exchanged back to their own armies. However, this exchange system broke down in mid-1863 as the Union Army began to recruit African American soldiers, many of whom had been former slaves, and the Confederate army refused to consider exchanging them. This, coupled with the fact that the Union army had more men and did not need a prisoner exchange to fill out their ranks, resulted in both sides taking hard positions in the prisoner exchange discussions, and the exchanges stopped. As a result, large prison camps were needed in both the north and the south, to hold the thousands of prisoners who were being captured on the battlefield, but could no longer be exchanged.

The largest of these prison camps was Andersonville. Located in rural southwest Georgia, the Confederate prison at Andersonville was isolated from any major population centers and was far from the battlefields of the war. A nearby rail depot was used to transport both prisoners and supplies to the prison camp. The prison was an open air stockade that eventually consisted of around 26 acres. Originally intended to hold 8,000-10,000 Union prisoners, the prison population swelled to over 30,000 in the summer of 1864 as fighting in Georgia and Virginia resulted in large numbers of captives.

In this overcrowded prison, disease became widespread. Scurvy, dysentery, diarrhea, gangrene, small pox, malnutrition, and exposure to the elements killed nearly 13,000 Union soldiers at Andersonville during the 14 months that Andersonville was in operation, making it the deadliest place in the Civil War. After the war, the northern public was outraged at what occurred at Andersonville and demanded justice. They saw no reason that prisoners, who were supposed to be cared for, should die in such large numbers. The commander of the prison, Captain Henry Wirz, was arrested in July 1865 and was charged with violating the laws of war. In the fall of 1865 a military tribunal met in Washington, DC to hear his case.

Historically, in the trial of Henry of Wirz, the prosecution sought to prove a conspiracy between Wirz and the leadership of the Confederacy. Much of the trial centered on trying to establish a connection between Captain Wirz and key Confederate leaders, including President Jefferson Davis and General Robert E. Lee. Their hope was to prove that Davis & Lee had conspired with Wirz to kill Union soldiers at Andersonville, and could thus use that to charge both leaders. For the purposes of this mock trial, this conspiracy has been omitted, and the focus is on establishing Wirz's responsibility for Andersonville in light of the Lieber Code, which was adopted in 1863 to protect the rights of soldiers and civilians in the Civil War.



The gates of Andersonville Prison, Library of Congress