

# Abraham Lincoln and the Emancipation Proclamation

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Abraham Lincoln will be forever identified with the Civil War. Simply stated, if it were not for the issue of slavery, Lincoln would not have run to be president in the 1860 Elections. If it were not for his election as our sixteenth president, there would not have been a Civil War. And Abraham Lincoln most likely would have remained an attorney in Springfield, Illinois, with his expressed hope of accomplishing something in his life he would be remembered for, unfilled. Certainly, his name would not have come to assume the historical and mythical proportions we have come to know and to honor.

The Civil War was the most defining event in American history. The human and monetary costs were staggering. It is the only war that has been fought on this country's soil between fellow Americans. This "Brothers' War" resulted in over 620,000 casualties, 2% of a total population of 31,443,323, more than in all the wars combined that this country has fought in. As a percentage of today's population this would be the equivalent of over 6,000,000 Americans. An estimated 50,000 civilians died, approximately 1 out of every 4 households, suffered the loss of a family member. In 1866, half of the Mississippi state budget was used to pay for prosthesis or crutches for her soldiers who lost limbs. The Secretary of the Treasury in 1880 calculated the cost of the war to be 6.2 billion dollars. It has been estimated that the total cost to the South was 4 billion, at a time when the monthly pay of a common soldier was \$13.00 per month. The consequences of the Civil War uprooted centuries old institutions by transforming the social and economic life of half the country and, to this day, has profoundly impacted the entire national character of this Nation to the rest of the world. <sup>1</sup>

## Southern Succession and the Civil War

Although Americans of the thirteen colonies united to fight for their independence from British rule, sectional differences were set aside for the sake of what many believed was an alliance or confederation against a common enemy. Both North and South revered the memory of George Washington and both sections invoked the legacy of the Founding Fathers as justification for going to war. But they were two conflicting versions of this legacy. The South professed to be fighting for self-government and the same rights the thirteen colonies exercised in succeeding from England. The North fought for the preservation of the Union, the

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<sup>1</sup> Drew Gilpin Faust, *This Republic of Suffering: Death and the American Civil War* (New York: Alfred A. Knopf, 2008), pp. xi, xii; James M. McPherson and William Cooper, eds., *Writing the Civil War: The Quest to Understand* (Columbia, SC: University of South Carolina Press, 1998) p. 2; Janice Ferraro Pruchnicki, *Divine Soldier; Samuel Wheelock Fiske* (Guilford, CT: Quickstep Publishing, 1999), pp. 81-83; David M. Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York, Simon Schuster, 1997), p. 12

single nation created as the legacy of the sacrifices and lives lost by their forefathers in the Revolution of 1776. Two fundamental issues were left unanswered by the American Revolution, namely, whether or not in a free government the minority had the right to break up a freely elected government and whether or not this republic would continue to endure half slave and half-free.<sup>2</sup>

The initial goal of the war was preservation of the Union as it was in 1860 with slavery in 15 of the 33 states, but as Lincoln stated in a special session of Congress on July 4, 1861, *“And the issue embraces more than the fate of the United States. It presents to the whole family of man, the question, whether a constitutional republic, or a democracy---a government of the people, by the same people---can, or cannot maintain its territorial integrity, against its own domestic foes. It presents the question, whether discontented individuals---can always---break up their Government and thus practically put an end to free government upon the earth.”*<sup>3</sup>

Lincoln clearly understood that in a world of monarchies, czars and ultra-conservatives who publicly wanted the failure of our experiment in self-government, the resolution of this issue affected future generations not only in this country but throughout the world that looked upon this nation as an example to emulate in its own struggles for independence and the right of self-government. *“The central idea pervading this struggle, in his annual message to Congress on December 3, 1861, is the necessity that is upon us, of proving that popular government is not an absurdity. We must settle this question now, whether in a free government the minority have the right to break up the government whenever they choose. If we fail it will go so far to prove the incapability of the people to govern themselves.”* Nor was this struggle *“altogether for today,”* as he stated in his annual message to Congress on December 3, 1861, *“It is for a vast future also”* It *“embraces more than the fate of these United States. It presents to the whole family of man, the question, whether a constitutional or a democracy---can, or cannot maintain its territorial integrity.”*<sup>4</sup> In both excerpted passages, Lincoln refers to *“these”* United States to

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<sup>2</sup> For understanding the economic, political and military aspects of the Civil War Era see, James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988). For the legacy of Lincoln and the Civil War see, James M. McPherson, *“For a Vast Future Also: Lincoln and the Millennium,”* the Jefferson Lecture delivered on March 27, 2000 for the National Endowment of the Humanities; Bruce Catton and James M. McPherson, ed., *The American Heritage New History of the Civil War* (New York: Viking Penguin Press, 1996), pp. vi-vix

<sup>3</sup> Roy P. Basler, Marion D. Pratt and Lloyd A. Dunlop, eds., *The Collected Works of Abraham Lincoln* (New Brunswick, NJ: Rutgers University Press, 1953), Vol. IV, p. 426

<sup>4</sup> James M. McPherson, ed., *“We Cannot Escape History* (Urbana, IL: University of Illinois Press, 1995) p. 3; *Collected Works of Abraham Lincoln*, Vol. IV, p. 426; Vol. V, p. 53

describe this country at the outset of Southern succession. With the outcome of the Civil War this union of individual states became a single nation, “the” United States.

### The Issue of Slavery

Behind the public outcry of self-righteousness and indignation over the trampling of state rights and the invasion of its native soil as justifications for succession, was the unspoken but underlying issue of the South’s right to own slaves, the social and economic basis of its existence. But how were its rights violated by the national government? Article 1, Section 2, Paragraph 3 of the Constitution, negotiated in the Compromise of 1787, gave the South disproportionate political power by counting each slave as two thirds of a person for congressional representation. Prior to 1850 southern presidents held office 50 of the 62 years, and of the first thirty-one Supreme Court justices, eighteen were southern despite the North having twice the population.<sup>5</sup>

And when had southern soil been invaded? Northern armies had not marched pass its borders to occupy state land when South Carolina became the first state to succeed on December 20, 1860. The Civil War began when the South fired the “first shot” and bombarded Fort Sumter on April 12, 1861. The North at the time had no standing army; it faced the daunting tasks of equipping, arming and training a vast army of eager volunteers who responded to President Lincoln’s call to fill the ranks of a small regular army in response to this act of southern aggression. The cause was the Election of 1860 when Lincoln was elected as president on a Republican platform of limiting the spread of slavery with the intent of its eventual elimination without the acquisition of new land to sustain its economic structure. In his first inaugural address on March 4, 1861 Lincoln tried to prevent the outbreak of the war by appealing to the common legacy that both North and South shared in most eloquent terms, *“I am loath to close. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot grave, to every living heart and hearthstone, all over this broad land, will yet swell the chorus of Union, when again touched, as surely they will be, by the better angels of our nature.”*<sup>6</sup> But the war came.

Lincoln’s initial goal of preserving the Union while ignoring the issue of slavery was a pragmatic political policy. With Washington, D.C. physically cut off and isolated from the northern states by the borders of southern leaning Maryland, he could not afford the loss of the border states of Maryland, Missouri, Kentucky and Delaware. The potential loss of the

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<sup>5</sup> Michael Lind, *What Lincoln Believed* (New York: Doubleday, 2005), pp. 119-120

<sup>6</sup> *Collected Works of Abraham Lincoln*, Vol. IV, p. 271

national seat of power would boost southern morale and strengthen its claim for independence and recognition by the European countries whose economies were closely tied to southern cotton and eagerly wanted any viable reason to intervene in a war that would contribute to the failure of this country's experiment in self-government. Lincoln understood that despite the North's recognition of the moral injustice of human bondage, this did not include the integration of freed slaves into its own social and economic order. It would not fight a war to free slaves. As a legal matter, Lincoln had no authority to address the slavery issue. The right to own slaves was recognized under the protection of property rights clause of the Constitution that Lincoln as its sixteenth president, and every president before him had sworn "to preserve, protect and defend."<sup>7</sup>

But as early as 1854 in a speech at Peoria, Illinois on October 16<sup>th</sup>, Lincoln said, "*The monstrous injustice of slavery deprives our republican example of its just influence in the world*" and "*enables the enemies of free institutions, with plausibility, to taunt us hypocrites---causes the real friends of freedom to doubt our sincerity, and especially because it forces so many good men amongst ourselves into an open war with the very fundamental principles of civil liberty---criticising the Declaration of Independence and insisting that there is no right principal of action but self-interest.*"<sup>8</sup> At the outset of the Civil War the only countries that still permitted slavery was Brazil, Cuba and the United States. As late as April 4, 1864 in a letter to Albert Hodges, Lincoln wrote, "*I am naturally anti-slavery. If slavery is not wrong, nothing is wrong. I can not remember when I did not think so.*"<sup>9</sup>

However, in the first year and a half of the war, the shadow of slavery clouded the clarity of the war's goal. The military strategy of his generals reflected this initial goal of restoring the Union through reconciliation with the South without destruction of its social and economic order. Battles were fought on battlefields where the two armies met and the vanquished departed from the field of battle to fight another day. Confederate soil would be captured and held with military operations limited to suppressing rebellious activities. Lincoln clearly understood that "saving the Union" in this manner would only lead to a prolonged war of attrition whose losses in human and national treasure would not sustain Northern support and would lead to demands for a compromised peace settlement in the South's favor.<sup>10</sup>

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<sup>7</sup> James M. McPherson, *Tried by War: Abraham Lincoln as Commander-in-Chief* (New York: Penguin Press, 2008), p.86; Sean Wilentz, ed., *The Best American Essays on Lincoln* (New York: Palgrave Macmillan, 2009), pp. 28-30

<sup>8</sup> *Collected Works of Abraham Lincoln*, Vol. II, p. 255

<sup>9</sup> *Collected Works of Abraham Lincoln*, Vol. VII, p. 281

<sup>10</sup> *Tried by War: Abraham Lincoln as Commander-in-Chief*, p. 265-272

Acting as his own military strategist, President Lincoln, as Commander-in-Chief, offered strategy, resources and pleaded to the point of exasperation with his defensive-minded generals from McClellan to Meade in the Army of the Potomac, from Buell to Rosencrans in the western theater of war, to engage and destroy the Confederate armies as their main focus and not to capture Richmond, its capitol, or to occupy southern territory. On October 24, 1862 the President responded to Major General George McClellan's excuse that his Army of the Potomac was not able to pursue Robert E. Lee's Army of Northern Virginia after the September 17<sup>th</sup> Battle of Antietam because his horses were lame and "sore-tongued," *"I have just read your dispatch about sore tongues and fatigued horses. Will you pardon me for asking what the horses of your army have done since the Battle of Antietam that fatigues anything?"*<sup>11</sup> The President had visited McClellan on October 2<sup>nd</sup> at his field headquarters to urge and cajole the reluctant Major General to follow up with his victory with a vigorous pursuit to destroy Lee's Army. In his eyes the inert Army of the Potomac was nothing more than McClellan's "personal body guard."<sup>12</sup>

On July 14, 1863 the President received a copy of General George Meade's congratulatory order to the Army of the Potomac on Independence Day, July 4<sup>th</sup>, a day after the three-day Battle of Gettysburg. Upon reading the portion of the order where Meade exhorted "the army to drive from our soil every vestige of the presence of the invader," Lincoln burst out in exasperation, *"Will our generals never get the idea out of their heads? The whole country is our soil."*<sup>13</sup> Again despite the President's urging to pursue Lee's army, Meade waited until July 14<sup>th</sup> to send out his army in pursuit of Lee's retreating army only to find it again had escaped into Virginia across the rain swollen Potomac River when it had dropped enough. Lincoln was again greatly grieved that another opportunity to destroy Lee's army and perhaps end the war was lost because his generals had the "slows."<sup>14</sup>

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<sup>11</sup> *Collected Works of Abraham Lincoln*, Vol. V, p. 474

<sup>12</sup> Don E. Fehrenbacher and Virginia Fehrenbacher, eds., *Recollected Words of Abraham Lincoln* (Stanford, CA: Stamford University Press, 1996), p. 201. Lincoln to Ozias M. Hatch in describing the Army of the Potomac when Lincoln visited Maj. General McClellan in his battlefield headquarters after the Battle of Antietam.

<sup>13</sup> *Recollected Words of Abraham Lincoln*, p. 211. Lincoln to John Hay upon receiving General Meade's July 4, 1863 congratulatory order and learning that Lee's Army of Northern Virginia escaped back into Virginia after the Battle of Gettysburg.

<sup>14</sup> *Recollected Words of Abraham Lincoln*, p. 32. Lincoln to Francis Preston Blair, in response to Blair's defense of McClellan. Although used to describe McClellan, this description applies to all of Lincoln's generals before the appointment of Grant as his General-in-Chief and Grant's subsequent appointments of Sherman and Sheridan to lead the major Union armies..

## The Emancipation Proclamation

As much as Lincoln professed he did not control events, but rather events controlled him, in late Spring of 1862 he began drafting a proclamation to address the legal status of slaves. Lincoln tried up to then to address the issue of emancipation by appealing to border state Unionists to adopt a program of compensated gradual emancipation. But these efforts were no more successful than to get his generals to fight more aggressively. The President saw the issuing of an Emancipation Proclamation within his authority as Commander-in-Chief of the Army and Navy as a means of suppressing the rebellion and winning the war. Freeing slaves had become an important tool in achieving this end as it became apparent the labor of slaves at the southern home front was sustaining its successful war efforts on the battlefields.

Lincoln's genius and skills as a politician were never more self-evident than at this time despite the political pressure of abolitionists and Radical Republicans, who insisted that emancipation include the full rights of citizenship, to Democrats, conservatives and his military and naval advisors who insisted that the Northern people and the Union army and navy would not support or fight a war to emancipate slaves. Added to this was the erosion of support of the press and public for a war that seemed to have no end in sight with each Union defeat. No one knew where the President stood as he remained publicly uncommitted to emancipation. On September 13, 1862 he met with a delegation of abolitionists and told them that the issue of emancipation if it was to be decided would be as a "practical war measure," a position that pleased neither side of the issue. Lincoln used this time to quietly build up a consensus for the proclamation, meeting first with Vice-President Hamlin at the Soldiers' Home on June 18<sup>th</sup> and then widening his circle of confidants by disclosing his intent to issue a proclamation to William Seward and Gideon Welles on July 13<sup>th</sup> as they rode together to attend the funeral of Edwin Stanton's infant son.<sup>15</sup>

On July 22<sup>nd</sup> Lincoln met with his full cabinet and read the first draft of the Emancipation Proclamation. The only suggestion he accepted was Secretary of State Seward's to issue the proclamation after a Union victory so that the proclamation came from a position of strength and not seen as a desperate measure by a defeated national government. The Emancipation Proclamation to take effect on January 1, 1863 declared all slaves within any or part of any state in rebellion against the United States would be forever free and this freedom would be recognized and maintained by the executive government, including both the army and naval authorities. Within a timeframe set for its implementation Lincoln still held out hope that the

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<sup>15</sup> Earl Schenak Miers and C. Percy Powell, eds., *Lincoln Day By Day: A Chronology 1809-1865* (Dayton, OH: Morningside Press, 1991), pp. 121, 128, 139 (1862)

potential loss of the slaves would convince the South to return to the Union and accept a program of gradual emancipation.<sup>16</sup>

As Lincoln was drafting and building support for the proclamation, the horrific Union losses on the battlefields began to sway public opinion. Since the war began, Union armies met defeat at First Bull Run, Seven Pines, the Seven Days battles and Second Bull Run. Only the battles of Shiloh where Grant was able to seize victory from the jaws of defeat and Antietam were Union victories. Union casualties totaled 42,721, unprecedented numbers for a war that many thought in its beginning would come to an end with a single battle. Although criticized for what others considered as taking too much time away from his official duties, the President insisted on conducting public visiting hours for anyone to come to the White house without an appointment to speak to him. These public forums were important to him to gauge public opinion.<sup>17</sup>

On September 17<sup>th</sup> as the Battle of Antietam was fought, Lincoln completed his second draft of the proclamation at the Soldiers' Home. The Union victory at Antietam was the victory he needed to issue the proclamation. He spent the 20<sup>th</sup> carefully preparing the text as an official document. He called a special cabinet meeting for the 22<sup>nd</sup> where he read the final version and announced his decision to issue it. The final version referred to two laws passed in July 1862. The Second Confiscation Act signed by the President on July 17<sup>th</sup> punished southern traitors by confiscating their property, including slaves who were deemed captives of war, setting them free. This act in itself was difficult to enforce. The second law was a militia act that called for the draft of nine month men and empowered the President to enroll "persons of African descent" for "any war service for which they may be found competent." Besides declaring freedom for all slaves in the states or in any part of any state not controlled by the Union, the final version now included, the following passage, "And I further declare and make known, that such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service."<sup>18</sup>

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<sup>16</sup> John Hope Franklin, *The Emancipation Proclamation* (New York: Doubleday, 1963), pp. 39-44; *Lincoln day By Day*, p. 129 (1862)

<sup>17</sup> *Trial By War: Abraham Lincoln as Commander-in-Chief*, p. 231; John MacDonald, *Great Battles of the Civil War* (New York: Collier Books, 1992) pp. 12-56; Philip Kunhardt III, Peter W. Kunhardt and Peter Kunhardt, Jr., *Looking for Lincoln* (New York: Alfred A. Knopf, 2008) p.82

<sup>18</sup> *Lincoln Day By Day*, pp. 140-141; *Battle Cry of Freedom: The Civil War Era*, p. 500; John Stauffer, *Giants: the Parallel Lives of Frederick Douglass and Abraham Lincoln* (New York: Twelve, 2008), pp. 241-242; *Collected Works of Abraham Lincoln*, Vol. VI, p. 30

This provision added to the proclamation had important implications on how the war was now to be persecuted and marked a shift from the original goal of maintaining the Union without addressing the issue of slavery. *“The colored population is the great available and yet unavailed force for restoring the Union. The bare sight of fifty thousand armed, and drilled black soldiers on the banks of the Mississippi, would end the rebellion at once.”*<sup>19</sup> For those who argued that the goal of the war was not emancipation of slaves and called for its rescission, the President responded, *“Those laws and proclamations (against slavery) were enacted and put forth for the purpose of aiding in the suppression of the rebellion...To now abandon them would be not only to relinquish a lever of power, but would also be a cruel and astonishing breach of faith...while I remain in my present position I shall not attempt to retract or modify the emancipation proclamation, nor shall I return to slavery any person who is free by the terms of the proclamation, or by any of the acts of Congress.”*<sup>20</sup> In a more frank exchange with James Conkling, *“I thought that in your struggle for the Union, to whatever extent the negroes should cease helping the enemy, to the extent it weakened the enemy in his resistance to you. Do you think differently? I thought that whatever negroes can be got to do as soldiers, leaves just so much less for white soldiers to do, in saving the Union. Does it appear otherwise to you? But negroes, like other people, act upon motives. Why should they do anything for us, if we do nothing for them? If they stake their lives for us, they must be prompted by the strongest motive---even the promise of freedom. And the promise being made, must be kept...And then, there will be some black men who can remember that, with silent tongue, and clenched teeth, and steady eye, and well-poised bayonet, they have helped mankind on to this great consummation; while, I fear, there will be some white ones, unable to forget that, with malignant heart, and deceitful speech, they strove to hinder it.”*<sup>21</sup>

In his second annual message to Congress on December 1, 1862, President Abraham Lincoln defined the war’s meaning in a passage of eloquence and power, *“Fellow citizens we can not escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. This fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation. We say we are for Union. The world will not forget that we say this. We even here---hold the power and bear the responsibility. In giving freedom to the slave, we assure freedom to the free---honorable alike in what we give, and what we preserve. We shall nobly save, or meanly*

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<sup>19</sup> *Tried By War: Abraham Lincoln as Commander-in-Chief*, p. 267; *Collected Works of Abraham Lincoln*, Vol. VI, p. 149

<sup>20</sup> *Collected Works of Abraham Lincoln*, Vol. VII, p. 51

<sup>21</sup> *Collected Works of Abraham Lincoln*, Vol. VI, pp. 409-410



*lose, the last best hope of earth.”*<sup>22</sup> Just as the sacrifices of those who fought and died for independence as a separate nation in 1776 inspired Lincoln and the people he led, and now their sacrifices in the Civil War would leave a legacy of democracy and freedom to future generations.

January 1, 1863 fell on a Thursday and began as an official day for the President as he hosted the traditional New Year’s Day reception at the White House for official Washington, military and naval officials and the public, which began at 10:00 a.m. and ended at 2:00 p.m. Shortly afterwards, Lincoln made his way upstairs to his study where the document awaited his signature without ceremony in the presence of few witnesses. The proclamation as an official document does not contain the eloquent language we have come to expect from Lincoln, but its closing statement marks its significance. As he was steadying his hand after hours of greeting and shaking the hands of hundreds of people, the President read these words, *“And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.”* With a firm and steady hand, he affixed his signature on the Emancipation Proclamation and said, *“I never, in my life, felt more certain that I was doing right than I do in signing this paper.”* With this act Abraham Lincoln fulfilled his wish that he achieved something in life that people would remember him for.<sup>23</sup>

#### Significance of the Emancipation Proclamation

The various factions that raised objections when the proclamation was issued in September continued when it became effective on January 1<sup>st</sup>. The abolitionists and Radical Republicans complained that the proclamation did very little in freeing all the slaves. Their point was if the President did nothing about the slaves that remained in the Union under control of the national government, how effective would the proclamation be for slaves in the Confederate states that were not under its control? The opposition Democrats and conservative element were angry and dismayed that the initial goal of preserving the Union now included the freeing of slaves. Their cries for a peace candidate to run against Lincoln in the 1864 elections grew louder and strengthened. But the Southern slaves, the people most directly affected by the proclamation, were jubilant, as they made no distinction between where the proclamation was to or not to go into effect. As the Union armies advanced further and further south, more and more slaves reached the Union lines to secure their freedom.

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<sup>22</sup> *Collected Works of Abraham Lincoln*, Vol. V, p.537

<sup>23</sup> *Collected Works of Abraham Lincoln*, Vol. VI, p. 30; *The Emancipation Proclamation*, pp. 94-98

Frederick Douglass, the leading Negro abolitionist of his day, had this to say, “*For my own part, I took the proclamation first and last, for a little more than it purported, and saw in its spirit a life and power for beyond its letter. It’s meaning to me was the entire abolition of slavery, whenever the evil could be reached by the federal arm, and I saw that its moral power would extend much further. It was, in my estimation, an immense gain to have the war for the Union committed to the extinction of slavery, even from military necessity.*”<sup>24</sup> Douglass was correct in his estimation of the proclamation’s significance. Lincoln believed he did not have the constitutional basis to free the slaves except in those states under rebellion. It was a temporary war measure with no permanent legal basis, but it represented a major shift in the attitude of the North towards its war objectives and, more importantly, the first step toward the complete abolition of slavery. After the Emancipation Proclamation was issued, the President lobbied hard for the passage of the Thirteenth Amendment to the Constitution, which passed the House on January 31, 1865 and ratified on December 6, 1865, abolishing slavery as a legal institution. Recognition and acceptance of the amendment and an oath of allegiance became a basis of restoring the rebellious states back into the Union during the period of reconstruction after the war.<sup>25</sup>

The Emancipation had the effect of turning popular foreign opinion in favor of the Northern states for its commitment to end slavery. Any hope the Confederacy had of receiving official recognition as an independent nation by foreign countries, especially, by England, ended for good. But the irony over the issue of slavery, the basis of southern society and the cause of the war, came when Robert E. Lee with a depleted army and in desperation asked that slaves be armed to defend the Confederacy, with the promise of freedom. On March 13, 1865 the Confederate Congress authorized the use of black troops. But it was a measure that came too late as Lee surrendered the Army of Northern Virginia to Ulysses S. Grant on April 9<sup>th</sup> at Appomattox Court House, Virginia.<sup>26</sup>

### The Unfinished Legacy of the Civil War

The Union triumph in 1865 settled both issues of disunion and slavery. No state or responsible political party has since advocated succeeding from the United States. The Emancipation proclamation made it possible to pass the Thirteenth Amendment, banning

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<sup>24</sup> Frederick Douglass, *Autobiographies: Narrative of the Life: My Bondage and My Freedom; Life and Times* (New York: Literary Classics of the United States, 194), p. 792

<sup>25</sup> *What Lincoln Believed*, pp. 183, 211

<sup>26</sup> *The Emancipation Proclamation*, pp. 145-149; Geoffrey C. Ward, Ric Burns and Ken Burns, *The Civil War: An Illustrated History* (New York: Alfred A. Knopf, 1990), p. 363

slavery as an institution and causing the most sudden and radical social change in this Nation's history.

Lincoln, whose decision to issue the Proclamation that played such a pivotal role in affecting the war's outcome, underwent as much a radical change. He initially believed that stopping the spread of slavery would lead to its eventual peaceful extinction. Slave owners would be compensated for freeing their slaves with these freed blacks colonized to countries "more suitable" for their race. He held the same beliefs as the majority of whites in this country that the Negro was not his equal nor could they live together in harmony. But unlike those who held these beliefs, he considered the Negro as a human being. The Emancipation Proclamation reflected his continued evolution on emancipation. No longer was colonization discussed as a viable solution as Lincoln cautiously began to consider the inter-racial relationship of a white and black society in a united country.

The last speech Lincoln gave on the evening of April 11, 1865, given in response to a public celebration of the end of the war, addressed for the first time of conferring voting rights to the "colored man." *"I would myself prefer that it were conferred on the very intelligent and on those who serve our cause as soldiers."*<sup>27</sup> 200,000 black soldiers or approximately a quarter of the army would have served at war's end with 38,000 casualties, 35% higher than those suffered by their white counterparts.<sup>28</sup> But in the audience was John Wilkes Booth and that fateful night to come in Ford's Theater.

As the war's outcome became clear that it would be a northern victory, debates over the terms and conditions under which the rebellious states would re-enter the Union divided the Republicans. The party conservatives wanted the President to preside over a quick reunion with lenient terms for the southern states but a slow transition to black freedom. The Radical Republicans wanted Congress to decide the South's fate, to strip the rebels of power while granting the slaves immediate freedom. Lincoln's own plan called for amnesty to all rebels except high ranking officers and officials and to allow states to re-enter after 10% of the eligible voters swore an oath of allegiance to the government. But all would need to agree on an amendment to the Constitution to abolish slavery and on unconditional surrender of the Confederacy.<sup>29</sup>

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<sup>27</sup> *Collected Works of Abraham Lincoln*, Vol. VIII, p. 403

<sup>28</sup> Paul Kendrick and Stephen Kendrick, *Douglass and Lincoln* (New York: Walker Publishing, Company, Inc., 2008) p. 241

<sup>29</sup> *The Parallel Lives of Frederick Douglass and Abraham Lincoln*, pp. 278-279

Lincoln's martyrdom should have made the period of Reconstruction from 1865 to 1876 most favorable to implement his "new birth of freedom" that so much blood and treasure achieved. But his moderate hand to guide and oversee the process was now the responsibility of Andrew Johnson, the southern Unionist governor from Tennessee, whom the Republican Party selected as Lincoln's running mate to broaden its appeal during the 1864 election. Whereas Lincoln possessed the capacity to grow, be open-minded, attuned to public opinion and able to get along with all factions within the party, Johnson was stubborn, narrow-minded, insensitive to differing opinions and deeply racist. He "*was no friend to my people*" as Frederick Douglass would later write.<sup>30</sup>

The vast majority of southern whites, supported by northern Democrats, deeply opposed any recognition of the legal and political rights for these former slaves. Johnson pardoned high-ranking southerners, established "new Governments" by restoring home rule, where Blacks had neither voice nor rights. As these governments through "Black Codes" reduced these freed bondsmen and women to a social and economic status akin to slavery, Johnson refused to listen to the increasing concerns of northern opinion. His stubbornness and refusal to compromise alienated both moderate and radical wings of the Republican Party and pushed moderates toward more radical positions. Sweeping aside Johnson's plan to oversee Reconstruction, Congress enacted a series of measures that would guarantee the rights of citizenship. The Civil Rights Act of 1866 gave Blacks equality before the law; the Reconstruction Act of 1867 divided the South into five military districts to enforce these laws, guaranteed universal male suffrage and ordered all states seeking readmission to ratify the 14<sup>th</sup> Amendment (ratified on July 9, 1868) that granted citizenship with rights of equal protection and due process under the law.

Johnson did everything in his power to obstruct and encourage southern whites to resist implementing these measures, actions that led to his impeachment that failed by a single vote. But his actions encouraged actions of violence by groups as the Ku Klux Klan that did much to lead to the failure of Reconstruction. Congress passed other measures in its effort to introduce an inter-racial democracy in this country. The 15<sup>th</sup> Amendment, ratified on February 3, 1870, granted voting rights to all male citizens regardless of color or previous condition of servitude. The Civil Rights Act of 1875 made racial discrimination in transportation and public places illegal and strengthened the federal government's ability to enforce these laws to counter the wave of state measures, as poll taxes, literacy tests and other Black Codes that deprived Blacks voting

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<sup>30</sup> "*Lincoln's Legacy*," a National Museum of American History brochure, in partnership with American Heritage Magazine, for its exhibit, "*Abraham Lincoln: An Extraordinary Life*," in celebration of the 200<sup>th</sup> anniversary of his birth. Eric Foner, "*If Lincoln Hadn't Died*," pp. 21-22

rights, force them to work as sharecroppers and subjected them to be terrorized by vigilante groups.<sup>31</sup>

But the Northern public was growing weary of the cost of reconstruction. At best they were indifferent to the plight of blacks. The political winds in Washington were also changing as the will to continue this noble effort waned and essentially ended with the compromise election of Rutherford B. Hayes in 1876. The general election between Hayes and Samuel Tilden was inconclusive and a rigged electoral commission with eight Republicans and seven Democrats voted to give the election to Hayes after the Republicans agreed to support southern home rule, provide economic aid and withdraw all federal troops. In reality there was never the sufficient number of troops needed to enforce either the laws or safeguard the rights and safety of the black population. The South lost its battle for independence but won the war by returning to home rule and regional autonomy within the Union. Slavery was finished but racism was not. By the 1890's Lincoln's legacy of emancipation was all but forgotten and healing the rift between the North and South, as was Lincoln's initial goal in persecuting the Civil war, supplanted our Nation's commitment to civil rights.<sup>32</sup>

There is no denying that the legacy of the Civil War moved this nation on the road toward racial equality for people of all races. In my own lifetime Jackie Robinson ended sixty years of baseball segregation when he broke the major league color barrier in 1947 with the Brooklyn Dodgers. I was six years old in 1954 in the first grade when the Supreme Court decided in the case of Brown vs. the Board of Education in Topeka, Kansas that segregation in public schools denied equal protection of the laws under the 14<sup>th</sup> Amendment, paving the way for integration of schools and the Civil Rights movement. It would take another president's assassination and the succession of another vice-president named Johnson to pass the Civil Rights Acts of 1964 and 1968 that banned all discrimination based on race or color. Forty years later in 2008 the first African American was elected President of the United States.

As the Reconstruction Period ended, Abraham Lincoln's "new birth of freedom" would only apply to a white society in America. But to the rest of this world, this noble experiment in democracy would continue to be the land of freedom and opportunity to make something of oneself, as Abraham Lincoln had done. His example of the embodiment of honesty, hard work and his eloquence in articulating and commitment to the principles upon which this Nation was founded, continues to be a universal message to those seeking a "new Birth of Freedom."

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<sup>31</sup> Allen Thorndike Rice, ed., *Reminiscences of Abraham Lincoln by Distinguished Men of His Time* (New York: North American Review, 1888), p. 191; "If Lincoln Hadn't Died," p. 22; *What Lincoln Believed*, pp. 216-219

<sup>32</sup> *What Lincoln Believed*, pp. 219-221; 241-242

