

# LINCOLN LORE

Bulletin of the Lincoln National Life Foundation - - - - - Dr. Louis A. Warren, Editor  
Published each week by The Lincoln National Life Insurance Company, Fort Wayne, Indiana

Number 681

FORT WAYNE, INDIANA

April 27, 1942

## LINCOLN'S OPINION ON THE DRAFT

Following the Draft Riots in New York and Boston in July, 1863, Abraham Lincoln wrote out his opinion on the justice of the Selective Draft Measure. At the beginning of the World War an English publication, *The Spectator*, of London in its issue of September 26, 1914, in reviewing the documents made some interesting comments which are copied in part:

"Abraham Lincoln was a Liberal and a Democrat and an upholder of popular rights if ever there was one in the world. Yet, strange as it may seem to our Radical friends, he was from the very beginning a strong advocate of compulsory service, or, as he called it, conscription, as the fairest and best way of raising troops for a great national emergency. He was, of course, very strongly attacked for his advocacy of compulsion, and in the crisis of the anti-Draft agitation he prepared an appeal to the people in defence of the Draft which we say without hesitation is one of the greatest State papers ever produced in the English language. This memorable document, however, was never issued, and for a very curious reason. The moment the Draft was actually put into operation, not only did it do its work splendidly, but it proved to be far less unpopular than had been imagined. It was seen that there was no need for any defence of it from Lincoln. Accordingly Lincoln, not because he disbelieved in his arguments, but from that moderation and reticence which always marked him, refused to publish a document for which there was no need . . ."

Excerpts from the remarkable document are here made available:

"It is at all times proper that misunderstanding between the public and the public servant should be avoided; and this is far more important now than in times of peace and tranquility. I therefore address you without searching for a precedent upon which to do so. Some of you are sincerely devoted to the republican institutions and territorial integrity of our country, and yet are opposed to what is called the draft, or conscription.

"At the beginning of the war, and ever since, a variety of motives, pressing some in one direction and some in the other, would be presented to the mind of each man physically fit for a soldier, upon the combined effect of which motives he would, or would not, voluntarily enter the service. Among these motives would be patriotism, political bias, ambition, personal courage, love of adventure, want of employment, and convenience, or the opposites of some of these.

"We already have, and have had in the service, as appears, substantially all that can be obtained upon this voluntarily weighing of motives. And yet we must somehow obtain more, or relinquish the original object of the contest, together with all the blood and treasure already expended in the effort to secure it. To meet this necessity the law for the draft has been enacted. You who do not wish to be soldiers do not like this law. This is natural; nor does it imply want of patriotism. Nothing can be so just and necessary as to make us like it if it is disagreeable to us. We are prone, too, to find false arguments with which to excuse ourselves for opposing such disagreeable things. In this case, those who desire the rebellion to succeed, and others who seek reward in a different way, are very active in accommodating us with this class of arguments. They tell us the law is unconstitutional. . . .

"It is clear that a constitutional law may not be expedient or proper. Such would be a law to raise armies when no armies were needed. But this is not such. The republican institutions and territorial integrity of our country cannot

be maintained without the further raising and supporting of armies. There can be no army without men. Men can be had only voluntarily or involuntarily. We have ceased to obtain them voluntarily, and to obtain them involuntarily is the draft—the conscription. If you dispute the fact, and declare that men can still be had voluntarily in sufficient numbers, prove the assertion by yourselves volunteering in such numbers, and I shall gladly give up the draft. Or, if not a sufficient number, but any one of you will volunteer, he for his single self will escape all the horrors of the draft, and will thereby do only what each one of at least a million of his manly brethren have already done. Their toil and blood have been given as much for you as for themselves. Shall it all be lost rather than that you, too, will bear your part?

"I do not say that all who would avoid serving in the war are unpatriotic; but I do think every patriot should willingly take his chance under a law made with great care, in order to secure entire fairness. This law was considered, discussed, modified, and amended by Congress at great length, and with much labor; and was finally passed by both branches, with a near approach to unanimity. At last, it may not be exactly such as any one man out of Congress, or even in Congress, would have made it. It has been said, and I believe truly, that the Constitution itself is not altogether such as any one of its framers would have preferred. It was the joint work of all, and certainly the better that it was so. . . .

"The principle of the draft, which simply is involuntary or enforced service, is not new. It has been practised in all ages of the world. It was well-known to the framers of our Constitution as one of the modes of raising armies, at the time they placed in that instrument the provision that 'the Congress shall have power to raise and support armies.' It had been used just before in establishing our independence, and it was also used under the Constitution in 1812. Wherein is the peculiar hardship now? Shall we shrink from the necessary means to maintain our free government, which our grandfathers employed to establish it and our own fathers have already employed once to maintain it? Are we degenerate? Has the manhood of our race run out?

"Again, a law may be both constitutional and expedient, and yet may be administered in an unjust and unfair way. This law belongs to a class, which class is composed of those laws whose object is to distribute burdens or benefits on the principle of equality. No one of these laws can ever be practically administered with that exactness which can be conceived of in the mind. . . .

"First, it starts with all the inequality of the congressional districts; but these are based on entire population, while the draft is based upon those only who are fit for soldiers, and such may not bear the same proportion to the whole in one district that they do in another. Again, the facts must be ascertained and credit given for the unequal numbers of soldiers which have already gone from the several districts. In all these points errors will occur in spite of the utmost fidelity. The government is bound to administer the law with such an approach to exactness as is usual in analogous cases, and as entire good faith and fidelity will reach. If so great departures as to be inconsistent with such good faith and fidelity, or great departure occurring in any way, be pointed out, they shall be corrected; and any agent shown to have caused such departures intentionally shall be dismissed.

"With these views, and on these principles, I feel bound to tell you it is my purpose to see the draft law faithfully executed."