



# Lincoln Lore

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## THE PRESIDENT AND THE HISTORIAN: LINCOLN AND GEORGE LIVERMORE

Just as the contemporary interest in civil rights has had its effects upon living historians, guiding them to write on once neglected subjects, so an earlier era of interest in civil rights had its effects upon the subject matter of historical research. The Civil War directed the interests of George Livermore (1809-1865), a frail Massachusetts antiquarian and book collector, to the subject of the "Opinions of the Founders of the Republic on Negroes as Slaves, as Citizens, and as Soldiers." Some of the things that Livermore discovered by careful research in the published writings of the founding fathers and in the manuscript collections of the Massachusetts Historical Society may well have startled members of that Society present when, on August 14, 1862, he read his paper concerning the racial attitudes of that first generation of Americans. Indeed, some of his discoveries made over a hundred years ago would be news to historical societies today.

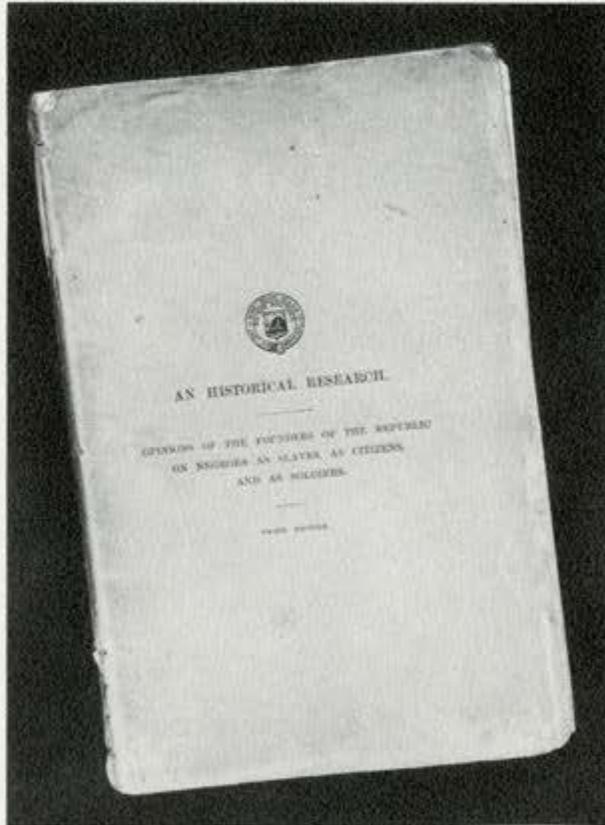
Livermore's *Historical Research*, as he called the published version of the paper he read to the Massachusetts Historical Society, is of special interest to Lincoln students because Abraham Lincoln apparently read Livermore's pamphlet—and at a critical time. Charles Sumner, the Republican Senator from Massachusetts, presented Lincoln with a copy of Livermore's *Historical Research* in November of 1862. The pamphlet is thought by some to have influenced Lincoln's decision, made between the issuance of the preliminary Emancipation Proclamation on September 22, 1862 and the official promulgation of the Proclamation on January 1, 1863, to include a paragraph endorsing the use of former slaves as soldiers in the Union Army. This opinion is strengthened by the fact that Lincoln consulted Charles Sumner about the final version of the Proclamation on Christmas Day, 1862. It is also added support by the story that George Livermore had Sumner give Lincoln a gold pen to sign the Proclamation which was returned to Livermore as a keepsake of the momentous historical event. In the editor's

opinion, the story is made even more plausible by the nature of Livermore's pamphlet itself.

Livermore's pamphlet had two parts. The first was concerned with the subject, "Negroes as Slaves and as Citizens," and consisted of lengthy quotations from the writings of the founding fathers loosely strung together by introductory remarks and brief comments by Livermore. But Livermore was no antiquarian, for he wrote about the past in order to influence the present and future:

In this time of our country's trial, when its Constitution, and even its continued national existence, is in peril, and the people are beginning to be aroused to the magnitude of the work to be done, all other subjects dwindle into comparative insignificance. Loyal men, of every calling in life, are laying aside their chosen and accustomed private pursuits, and devoting themselves, heart and hand, to the common cause. As true patriots, then, we, members of the MASSACHUSETTS HISTORICAL SOCIETY, should do something more than comply, as good citizens, with all the requirements of the Constitution and the laws: we must study, in the light of history, and by the traditions of those who originally founded and at first administered the Government, the fundamental principles on which it was based, and the paramount objects for which it was established. Having done this, it may not be amiss for us to offer the results of our historical researches to others not having the leisure or the opportunity to investigate for themselves.

Thus, although the pamphlet was laden with long extracts from original documents, it was really a tract for the times. Nor did Livermore hide behind historical objectivity: he said he was trying "to ascertain who have been unfaithful to the 'compromises of the Constitution,' and to the principles upon which the Union was based, and for which the Government was established." In other words,



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Livermore read his paper before the Massachusetts Historical Society on August 14, 1862. He printed it at his own expense for gratuitous distribution as a paper read before the Society. The second edition was published in the *Proceedings of the Massachusetts Historical Society*. The Lincoln Library and Museum's copy is a third edition published for the New England Loyal Publication Society in 1863 by A. Williams and Company. The New England Loyal Publication Society was the Boston counterpart of the Loyal Publication Society located in New York City. The Boston society printed broadsides mostly, rarely publishing pamphlets as the New York society did. However, John Murray Forbes, the wealthy Boston merchant who founded the New England group, was especially interested in the raising of black regiments; perhaps his interest helps explain their publishing Livermore's pamphlet.

Livermore was researching who was to blame for the Civil War.

The first section was therefore a commonplace, if at times artful, attempt to line the founding fathers up on the side of the North. Livermore began by refuting the contentions of the president of the Confederacy with the words of its vice-president, Alexander H. Stephens. Jefferson Davis had claimed that the North was unfaithful to the original compromises of the Constitution. Stephens had justified secession on other grounds:

*The prevailing ideas entertained by . . . most of the leading statesmen at the time of the formation of the old Constitution, were, that the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally, and politically. It was an evil they knew not well how to deal with; but the general opinion of the men of that day was, that, somehow or other in the order of Providence, the institution would be evanescent, and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at the time. The Constitution, it is true, secured every essential guarantee to the institution while it should last; and hence no argument can be justly used against the constitutional guarantees thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of equality of races. This was an error. It was a sandy foundation; and the idea of a government built upon it,—when the "storm came and the wind blew, it fell."*

*Our new government is founded upon exactly the opposite ideas. Its foundations are laid, its cornerstone rests, upon the great truth, that the negro is not equal to the white man; that slavery, subordination to the superior race, is his natural and normal condition. This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth.*

Having contradicted the Confederate president through the words of the Confederate vice-president, Livermore went on in the first section to document Stephens's assumption that the ideals of the Confederacy represented a radical break with the opinions of the founding fathers.

What followed was a fairly conventional documentation of the case for the founding fathers' having thought slavery a moral evil that should be put on the road to ultimate extinction as soon as possible. Such cases always relied heavily upon emphasizing the importance of the Declaration of Independence, which Livermore termed "The primal American Magna Charta," and attempting to explain the Constitution away. The latter argument depended on emphasizing that, as Livermore construed the preamble, "It was established for the purpose of securing liberty . . ." It stressed also that the document did "not permit the word 'slave' anywhere to tarnish its text."

The argument relied heavily as well on the opinions that some of the men present at the constitutional convention expressed outside the document. Livermore could quote Northerners and Southerners alike on this question. Thus Benjamin Franklin wrote to a friend as early as 1773:

I have since had the satisfaction to learn that a disposition to abolish slavery prevails in North America; that many of the Pennsylvanians have set their slaves at liberty; and that even the Virginia Assembly have petitioned the king for permission to make a law for preventing the importation of more into that Colony. This request, however, will probably not be granted, as their former laws of that kind have always been repealed, and as the interests of a few merchants here has more weight with Government than that of thousands at a distance.

When he quoted George Washington, Livermore not only rested his case on the father of his country but on a prominent Virginian and slaveholder. Despite his economic stake in the institution, Washington thought that slavery should and would soon be abolished:

I hope it will not be conceived from these observations that it is my wish to hold the unhappy people, who are the subject of this letter, in slavery. I can only say, that there is not a man living who wishes more sincerely than I do to see some plan adopted for the abolition of it: but there is only one proper and effectual mode by which this can be accomplished, and that is by

legislative authority; and this, as far as my suffrage will go, shall never be wanting. [Washington to Robert Morris, April 12, 1786.]

The present prices of lands in Pennsylvania are higher than they are in Maryland and Virginia, although they are not of superior quality; [among other reasons] because there are laws here for the gradual [sic] abolition of slavery, which neither of the two States above mentioned have at present, but which nothing is more certain than they must have, and at a period not remote. [Washington to Sir John Sinclair, December 11, 1796.]

To Washington and Franklin, Livermore added John Adams, Thomas Jefferson, John Jay, Christopher Gadsden, Henry Laurens, and others; yet one stubborn fact remained: "But still, in three separate clauses, the Constitution recognizes the existence of slavery . . ." When talking about the Constitution, Livermore had ultimately to rely on things extra-constitutional, like "spirit":

One thing is certain, that . . . the common sentiment, in the Convention and throughout the country, was, that the letter and the spirit of the Constitution, fairly interpreted and faithfully applied, afforded a full guaranty of universal freedom throughout the Union at no distant day. The purpose of the Constitution was put into the preamble in no equivocal language, and for no doubtful purpose. It was "TO SECURE LIBERTY," and not to protect slavery . . .

I say that the above was a conventional argument, for it could be found in many ante-bellum anti-slavery speeches. In fact, one can find Abraham Lincoln using a very similar argument at the Cooper Institute in 1860. This, as much as anything else, makes the case for Livermore's influence on Lincoln convincing: Livermore's was just the sort of argument that Lincoln himself might have used.

In the Cooper Institute address, Lincoln attempted to turn the tables on Stephen Douglas, who always professed to abide by the compromises of the Constitution. Lincoln said he fully endorsed Douglas's assertion that, "Our fathers, when they framed the Government under which we live, understood this question just as well, and even better, than we do now." He went on to argue that, contrary to Douglas's belief, this dictated federal control of slavery in the territories. First he showed that twenty-three of the thirty-nine men who signed the Constitution were on record as having supported legislation like the Northwest Ordinance of 1787, in which Congress interfered with slavery in the territories. He argued, just as Livermore had by quoting Alexander Stephens, that "We stick to, contend for, the identical old policy on the point in controversy which was adopted by 'our fathers who framed the Government under which we live;' while you with one accord reject, and scout, and spit upon that old policy, and insist upon submitting something new." He pointed out "that neither the word 'slave' nor 'slavery' is to be found in the Constitution."

It was polemical ground that Lincoln had trod before, most notably in his speech at Peoria in 1854. There he had stressed that "the sheet anchor of American republicanism" was the Declaration of Independence and the statement that "the just powers of governments are derived from the consent of the governed." He had interpreted the Constitution this way:

I particularly object to the NEW position which the avowed principle of this Nebraska law gives to slavery in the body politic.

I object to it because the fathers of the republic eschewed, and rejected it. The argument of "Necessity" was the only argument they ever admitted in favor of slavery; and so far, and so far only as it carried them, did they ever go. They found the institution existing among us, which they could not help; and they cast blame upon the British King for having permitted its introduction. BEFORE the constitution, they prohibited its introduction into the north-western Territory—the only country we owned, then free from it. AT the framing and adoption of the constitution, they forebore to so much as mention the word "slave" or "slavery" in the whole instrument. In the provision for the recovery of fugitives, the slave is spoken of as a "PERSON HELD TO SERVICE OR LABOR." In that prohibiting the abolition of the African slave trade for twenty years, that trade is spoken of as "The migra-



From the Lincoln National Life Foundation

This commemorative broadside published by F. G. Renesch of Chicago in 1919 invoked the memory of the Emancipation Proclamation and linked it to the achievements of the American Negro since Lincoln's time. Of particular interest, of course, is the reference to black soldiers in World War I. The two faces flanking Lincoln are those of officers of the 370th United States Infantry Regiment (formerly the Eighth Illinois), the only regiment in the United States Army with black officers from the highest to lowest ranks called into service in World War I. Lieutenant Colonel Duncan was the highest ranking Negro in the American Expeditionary Forces. Frederick Douglass was a contemporary of Lincoln's and a black abolitionist. Paul Dunbar (1872-1906) was a black poet and novelist who won wide critical acclaim before World War I. His father, an escaped slave, enlisted in the 55th Massachusetts Infantry, a black regiment that served in the Civil War. Appropriately for the spirit of Lincoln's thought, he is pictured holding a document with words from the Declaration of Independence written on it.

tion or importation of such persons as any of the States NOW EXISTING, shall think proper to admit," &c. These are the only provisions alluding to slavery. Thus, the thing is hid away, in the constitution, just as an afflicted man hides away a wen or a cancer, which he dares not cut out at once, lest he bleed to death; with the promise, nevertheless, that the cutting may begin at the end of a given time. [Roy Basler, ed., *The Collected Works of Abraham Lincoln* (New Brunswick: Rutgers University Press, 1953), II, 274.]

Reading Livermore's pamphlet is almost like reading the notes for a Lincoln speech.

Though the argument was scholarly and the circumstances of its original presentation far removed from the seat of power in Washington, Livermore's *Historical Research* was not an historical apology for past governmental measures—however much it may sound like one. It was, on the contrary, a carefully structured argument for change, some would have said for revolutionary change. When Livermore first read his paper before the Massachusetts Historical Society, it was by no means clear that the Lincoln administration would take any measures at all to affect the institution of slavery.

It was even less clear at the time whether free blacks would be allowed to serve in the armed services of the United States. As recently as August 4, 1862, Lincoln had told a delegation from Indiana offering two regiments of black soldiers for the Northern armies that he was not ready to enlist blacks, because such action "would turn

50,000 bayonets from the loyal Border States against us that were for us." By January 1, 1863, though, Lincoln was ready; he tacked on to the official Emancipation Proclamation issued that day this declaration: "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 paid service." In between, Lincoln had apparently read Livermore's pamphlet.

As Benjamin Quarles describes it in *Lincoln and the Negro* (New York: Oxford University Press, 1962), Charles Sumner sent Livermore's pamphlet to Lincoln in November. Sumner wrote another correspondent that the pamphlet had interested Lincoln. On December 24, 1862, Lincoln apparently told Sumner that he had mislaid Livermore's pamphlet, and Sumner gave him his own copy on Christmas Day. At the time, Lincoln was working with Sumner on the wording of the official proclamation. Moreover, Brown University owns a copy of Livermore's *Historical Research*, inscribed by the author to the President.

The second part of Livermore's pamphlet dealt with the subject of "Negroes as Soldiers." The approach to this subject was the same as that taken in the first part of the pamphlet, but the territory was not nearly so familiar. In fact, Livermore was probably doing pioneer research in this field:

A question of much importance is presented to our

National Government at this time respecting the employment of negroes as soldiers. Those on whom devolves the responsibility of suppressing this monstrous Rebellion, must ultimately, and at no distant day, decide the matter. In their decision, they will undoubtedly be influenced by a regard to the usage and experience, in this respect, of those who directed our military affairs in the war of Independence, as well as by a consideration of the probable effect of their action on our loyal soldiers, and on the armed traitors who are arrayed against them.

It is not strange that the President, on whom, more than on all others, rests the responsibility of taking the final step in this direction, should pause a while to consider the subject in all its bearings, and to allow public opinion to shape itself more distinctly, that his decision, when made, shall have from the Nation a cordial and general support.

Thus did Livermore rather gingerly approach the problem, duly noting Lincoln's stated objections, but addressing himself to another argument in a form that he perhaps knew Lincoln, who professed to "love the sentiments of those old-time men," would find compelling.

As in the first part, Livermore had to sidestep some official policies and legal enactments, and he even found "an historic parallel" in this: "It may be well to observe, that what has caused so much complaint in the management of the present civil war—the apparently vacillating action and unsettled policy of the administration and the army with regard to the use of negroes as soldiers—is not without a precedent . . . in the annals of the Revolutionary War." Negroes were officially barred from the Continental army by this resolution early in the conflict:

The officers are to be careful not to enlist any person suspected of being unfriendly to the liberties of America, or any abandoned vagabond, to whom all causes and countries are equal and alike indifferent. The rights of mankind and the freedom of America will have numbers sufficient to support them, without resorting to such wretched assistance. Let those who wish to put shackles upon freemen fill their ranks with such miscreants, and place their confidence in them. Neither negroes, boys unable to bear arms, nor old men unfit to endure the fatigues of the campaign, are to be enlisted.

George Washington came to the black soldiers'—and indirectly to Livermore's—rescue by writing to the President of Congress on December 31, 1775:

It has been represented to me, that the free negroes who have served in this army are very much dissatisfied at being discarded. As it is to be apprehended that they may seek employ in the Ministerial Army, I have presumed to depart from the resolution respecting them, and have given license for their being enlisted. If this is disapproved of by Congress, I will put a stop to it.

A meeting of the general officers of the Continental army also resolved to exclude blacks from enlistment, but in regard to free Negroes this was ignored, apparently. Congress decided in Washington's favor on January 16, 1776: "That the free negroes, who have served faithfully in the army at Cambridge, may be re-enlisted therein, but no others."

More important, various colonies pursued different policies in regard to the use of blacks as soldiers. Some rewarded slaves who enlisted with freedom. In Rhode Island, for example, the General Assembly in February, 1778,

*Voted and Resolved*, That every able-bodied negro, mulatto, or Indian man slave, in this State, may enlist into either of the said two battalions to serve during the continuance of the present war with Great Britain: that every slave so inlisting shall be entitled to and receive all the bounties, wages, and encouragements allowed by the Continental Congress to any soldier inlisting into their service.

*It is further Voted and Resolved*, That every slave so inlisting shall, upon his passing muster before Col. Christopher Greene, be immediately discharged from the service of his master or mistress, and be absolutely FREE, as though he had never been incumbered with

any kind of servitude or slavery. And in case such slave shall, by sickness or otherwise, be rendered unable to maintain himself, he shall not be chargeable to his master or mistress, but shall be supported at the expense of the State.

Livermore also documented exciting instances of black patriots in the cause of American independence, from the death of Crispus Attucks at the Boston Massacre to the defense of Colonel Greene by black soldiers at Points Bridge, New York in May of 1781.

Everything, of course, was meant as a lesson for the present. "Two or three incidents in the earliest conflicts with the British troops," wrote Livermore, "will show how little prejudice there was against negroes at the commencement of the war, and how ready the citizens generally then were, not only to secure their services as fellow-soldiers, but to honor them for their patriotism and valor." He quoted the historian George Bancroft's assessment of the place of the blacks in the Revolutionary experience:

Nor should history forget to record, that as in the army at Cambridge, so also in this gallant band [at Bunker Hill], the free negroes of the Colony had their representatives. For the right of the free negroes to bear arms in the public defense was, at that day, as little disputed in New England as their other rights. They took their place, not in a separate corps, but in their ranks with the white man; and their names may be read on the pension-rolls of the country, side by side with those of other soldiers of the Revolution.

He also included some digs at the South:

Although slavery existed throughout the country, it is a significant fact, that the principal opposition to negro soldiers came from the States where there was the least hearty and efficient support of the principles of Republican Government, and the least ability or disposition to furnish an equal or fair quota of white soldiers.

South Carolina and Georgia contained so many Tories, at one time, that it was supposed the British officers, who elsewhere would, by proclamation, free all negroes joining the Royal Army, might hesitate to meddle with them in these Colonies, lest "the king's friends" should suffer thereby.

Livermore's historical brief perhaps fell a bit short of its mark. In the Civil War Negroes served in black units and most often with white commissioned officers. Black soldiers at first received ten dollars a month, three dollars of which could be deducted for clothing; the white soldier received thirteen dollars a month plus clothing. Eventually, however, Congress equalized the pay of black and white soldiers.

Probably about 180,000 Negroes served as soldiers (officially called "United States Colored Troops") in the Civil War. They were used for scouting in cases where they knew the Southern terrain well and for spying where they could pass as slaves. At first they tended to be assigned to a great deal of garrison duty. Nonetheless, black soldiers saw major action as early as May 27, 1863, at Port Hudson, Louisiana. They carried out a famous assault at Fort Wagner in South Carolina on July 18, 1863, and fought at Petersburg. In all, black soldiers participated in 250 actions in the Civil War. More than 35,000 Negroes died of disease or hostile action during the war. Although most black troops served under white officers, about one hundred Negroes became commissioned officers during the Civil War. Abraham Lincoln never regretted his decision to endorse the use of black soldiers in the Union forces, a use which he termed "very important, if not indispensable," to the Union cause. After about one year's trial of the new soldiers, Lincoln could say, "So far as tested, it is difficult to say they are not as good soldiers as any."

It is always treacherous ground to prove that a book influenced a man; it is hard to prove even that someone read a book. Still, we do know at least that the argument was the sort that might have appealed to Lincoln. It was the sort he might have used himself had he had to prepare a long speech justifying the clause in the Emancipation Proclamation endorsing the use of blacks as soldiers in the Union armies.