

LINCOLN LORE

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LINCOLN LORE

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FEBRUARY 11-12, 2016

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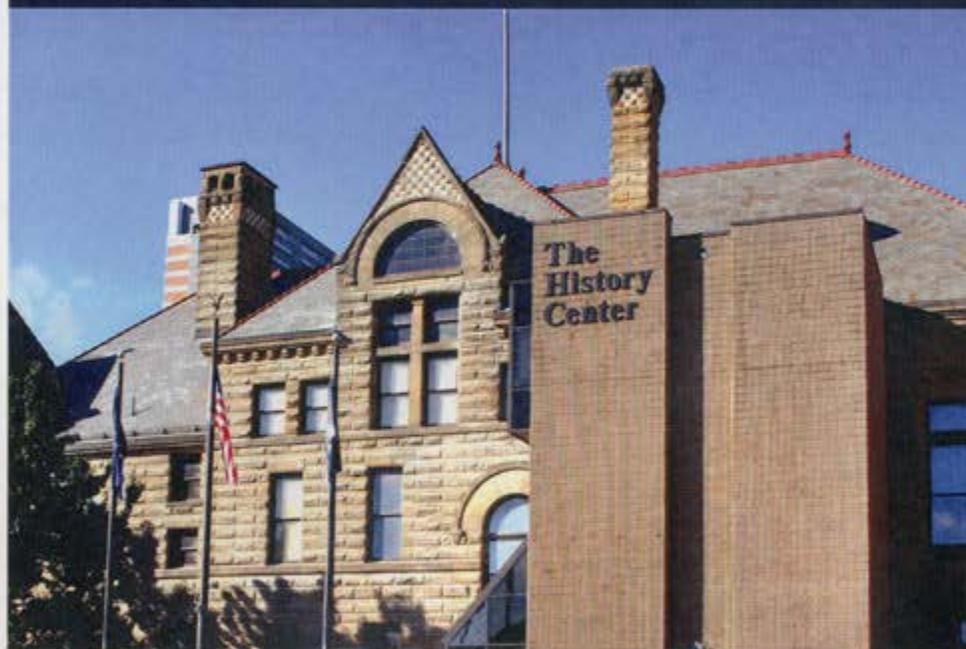
The Abraham Lincoln Association presents the Annual Benjamin P. Thomas Symposium. For more specific information, please call Executive Manager Mary Shepherd at (866) 865-8500 or visit: <http://www.abrahamlincolnassociation.org/Symposium.aspx>



SPRING 2016

FIFTH ANNUAL ROLLAND LECTURE FORT WAYNE, INDIANA

The annual Rolland lecture will be hosted at the Allen County Public Library this spring.



MARCH 14, 2016-MAY 20, 2016

LINCOLN MEMORABILIA AT THE HISTORY CENTER

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Objects from the Lincoln Financial Foundation Collection will be on view at The History Center in Fort Wayne from March 14, 2016-May 20, 2016. Organized by the Indiana State Museum and Historic Sites, the exhibition features prints, sculpture, photographs, campaign and assassination memorabilia and photographer Alexander Gardner's studio chair. For more information about the Indiana State Museum, see page 23-24.

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FROM THE LINCOLN FINANCIAL FOUNDATION COLLECTION

The Lincoln Spirit Photograph (1872) on the cover of *Lincoln Lore* is the most popular photograph found in the Lincoln Financial Foundation Collection. Abraham Lincoln was assassinated in 1865, but this photograph shows him posing with his widow seven years later.

Sometime in late 1871 or early 1872, while still mourning her husband and her youngest son, Tad, Mary Lincoln traveled to Moravia, New York, where she visited a number of Spiritualists and believed she saw Tad's face during a séance. She then went on to Boston for a two-week stay, during which she visited a well-known medium. There she saw Lincoln's spirit during a séance and felt that he put his hands protectively on her shoulders. After that experience, she went to the studio of spirit photographer William Mumler to have her photograph taken. The cover image of Mary was the result. She is dressed in deep mourning with Lincoln's "spirit" standing behind her, gazing lovingly down at her with his hands on her shoulders. Mary found great comfort in the photograph, believing that it proved her husband's continuing care for her and their eternal connection as husband and wife. She lived ten more years after the photograph was taken but never again sat for a portrait.

The first two photographs below, taken by Mathew Brady in 1861 and January 1862, show First Lady Mary Todd Lincoln in happier times. Her gowns, created for Executive Mansion social events, reveal her love of fashion. She wears off-the-shoulder, full-skirted gowns embroidered with floral motifs and accessorized with fresh flowers at the bodice and floral headpieces. After Willie Lincoln's death in February 1862, Mary dressed in dark dresses of simpler, though still fashionable, design, as shown in the third photograph taken in autumn 1863.

- Jane E. Gastineau, Lincoln Librarian at the Allen County Public Library, Fort Wayne, IN



Mary Lincoln, Mathew Brady, 1861
(OC-0253)



Mary Lincoln, Mathew Brady, 1862
(LN-1096)



Mary Lincoln, Mathew Brady, 1863
(LFA-0078)

LINCOLN

Through the Lens of History

An Interview With Harold Holzer

SG: Why does the life of Abraham Lincoln continue to enthrall us?

Harold Holzer: I am more and more convinced that we continue to cherish Lincoln not just because he helped save the Union and destroy slavery, which he of course did, and not just because he advocated—and so beautifully wrote about—the American dream, which he truly did as well, but rather because he lived it himself. Lincoln demonstrated for all of us that Americans do not have to be born of privilege, like European royalty, to triumph in our society—that talent and hard work can raise any father's son to what Lincoln called “this big White House.” And if we had lost faith in what my friend, historian Gabor Boritt, called the American “right to rise,” look at Bill Clinton, who truly came from nothing; or Barack Obama, a mixed-race child raised by his mother and his grandparents. I'm sure there are other modern manifestations, too—men who rose to the presidency from backgrounds that offered no sure predictions of success, much less global fame. Of course Lincoln's words still echo in our national vocabulary, and his commitment to the “unfinished work” of equality still inspires commitment, but it's that incredible, fabled log cabin-to-White House life that still so powerfully represents what America is all about. Oh, yes, he

died for our nation's sins, too, which makes him the martyr of choice for all time.

SG: What lessons, if any, have political leaders learned from Lincoln's life? What lessons *should* they have learned?

HH: Well, this is a tough question to answer, mainly because every American President with whom I've ever been privileged to talk about Lincoln has claimed an association with his famous Civil War-era predecessor, and since these presidents cover the gamut from conservatism to progressivism, it's hard ever to presume to know for sure which side has a greater claim to the Lincoln legacy. Some of my liberal friends are offended when George W. Bush speaks of his reverence for Lincoln; some of my conservative friends recoil when Barack Obama quotes Lincoln in saying “we must not be enemies.” I say that critics on both sides are being absurdly critical. Why would we *not* want our leaders, regardless of political party or philosophical persuasion, to pause in their efforts and consider: what would Lincoln have done? From what I've heard from their own lips, their admiration is sincere, and their efforts at emulation well-meaning. President Bush 1 learned about isolation and loneliness from Lincoln—both he and the 16th president, he told me, left buried children in their home towns when they went off to the presidency,

and this, he believed, affected each of them very deeply. Bill Clinton learned the power of rhetoric, the power of rising from rural isolation to great leadership from Lincoln, as well as the belief that federal action could be a positive good, not an abrogation of the state rights we presumably fought a civil war to restrict. George W. Bush in turn was I think emboldened by Lincoln's abrogation of constitutional freedoms in the name of saving the country itself. He justified his post-9/11 wiretap program on the Lincoln model. And Mr. Obama I believe, and with justification, believes that without Lincoln, his own presidency, even at this time, would not have been possible. All these associations are valid. I encourage all of them. Any presidential candidate of the future who identifies instead with James Buchanan or Warren Harding deserves suspicion and rejection. Let them all get right with Lincoln instead—and we, the people, can shout out when we feel they've misinterpreted the legacy. What Lincoln lessons *should* future presidents learn? The ability to communicate honestly and directly to the people; resolution in crisis; respect for others; courage to fight when the cause is just and the country is in jeopardy; faith in the federal government (sorry, I know not everyone agrees with me) as an engine for positive change; and, when necessary, forgiveness—malice toward

none. Empathy, a golden tongue, and real toughness—it's a miraculous combination, and few presidents have come close to attaining it.

SG: Which of our Founding Fathers does Lincoln most resemble in views regarding the proper role of the Federal Government? On the same subject, which Founder's viewpoint does he reject?

HH: Richard Brookhiser has written a compelling book describing Lincoln as the "Founder's Son"—that is, a lifelong admirer of Washington, a fan of Thomas Jefferson's writing, a believer in Madison's constitutional nationalism, and at the same time capable of rejecting the founder's hypocritical tolerance of slavery. I think it's notable that after a few months in office, Lincoln stopped talking about the founders altogether. He begins developing the self-assurance—who knows? Maybe the ego—to speak for himself without leaning on his illustrious predecessors. He even travels to Mount Vernon without getting off the boat and visiting the place! How bizarre is that? On the issue of rejecting the founders, I am convinced that Lincoln knew about the rumors of Jefferson's fathering a child by his slave Sally Hemings, and was horrified by the audacity and hypocrisy involved. Lincoln's famous 1859 "all honor to Jefferson" message, which he composed as a speech but never delivered personally, was thus cleverly designed, I think, to claim the "good" Jefferson (the author of the "all men are created equal" credo Lincoln cited so often) for the Republicans, while leaving the "bad" Jefferson (the slaveowner whose bigotry only grew as he got older but not wiser) for the Democrats. Lincoln certainly rejected that part of Jefferson's legacy that revolted him, but I think it's far more telling that the man who declared, "there is no Washington in that" when Marylanders asked him not to send Union troops through their state, later stopped mentioning Washington at all. When Lincoln declared, in his farewell address to Springfield, that he believed he had a task before him greater than that which faced Washington, I think he really meant it.

After he got to the White House, he had no heroes at all; just awesome burdens to deal with himself, and the self-assurance to confront a staggering crisis he believed the founders never envisioned.

SG: If one subscribes to the concept that there are "historical eras," Abraham Lincoln was born on the cusp between Enlightenment and Romanticism. Is there any evidence in his writing/speaking/ thought that would support the concept that he reflected both "Ages"...or was his mind one that cannot be categorized?

HH: Of course there is ample evidence from his reading that he embraced Enlightenment philosophy and emulated romanticist writing. The thing that Lincoln managed to do so brilliantly and uniquely, I think, was create his own fresh, inimitable style of expression. Aside from Whitman, he was the most regressing and most original voice of the mid-19th-century. No one else crystallized the core promise of basic human rights and the exceptional responsibility of the American dream more poignantly and convincingly than Lincoln; and no writer crafted a more distinctive American style than he did—one "plain people" understood and modern people still cite with awe. I don't think for a minute that Lincoln contemplated either era. He simply created his own ethos, and his own mode of expression, and made them last forever—words written in letters of gold, as Harriet Beecher Stowe once marveled.

SG: Did the American public have different expectations for the presidency in the 1860s than today?

HH: Oh, certainly. When Lincoln took office, presidents since George Washington were usually neither seen nor heard. The federal government was invisible, too, except at the local U. S. Post Office. The federal army was tiny, scattered, and out of sight. States largely did their own thing within the country, and cities and villages did their own thing within their respective states. But I think people of the time quickly recognized that, as Lincoln told them

on July 4, 1861, a "people's contest" had erupted between a system of aristocracy-driven slave labor and one of free labor and the right to upward mobility—and that, as Lincoln put it, the tug had to come. My latest coauthor, economist Norton Garfinkle, and I advance this idea in our forthcoming book, *A Just and Generous Nation*, which proposes that the real reason Lincoln fought the Civil War was to guarantee that future Americans enjoyed opportunities for upward mobility. But to get back to your question, the transformation of the presidency under Lincoln was just enormous, and one can begin to calculate his huge impact simply by the number of photographs and print portraits he inspired—not to mention the outpouring of grief unleashed by his assassination. As Jim McPherson once put it, before the Civil War, people regarded the U.S. as a collective noun—"the United States are." After the Civil War, the country became a singular noun: "the United States is." By the same token, before 1861 the presidency wasn't; after 1861, the presidency was. Once Lincoln had emerged as preserver of the Union, great emancipator, and martyr of liberty, as captions to period pictures describe him, our chief magistrate was no longer a caretaker. And ever since, he or she is expected to be a defender, navigator, advocate, and initiator.

SG: Are we indulging in unfair judgments if we criticize Lincoln for such war-time measures as the suspension of habeas corpus? Or are we correct to be cognizant of possible legal precedents for future presidents?

HH: Lincoln, I believe, made compelling legal arguments, time and time again, for "severing the leg" of constitutional safeguards, as he quaintly put it, in order to save the entire body—the body politic, that is the constitution itself, during a civil war. But I think no future president is ever going to cross that line, not after the postwar Supreme Court decisions criticizing Lincoln's policies in retrospect, not to mention the World War I-era rulings fully consecrating freedom of speech over any

leader's interpretation of repression in the national interest. And so no one really got punished for leaking or publishing the Pentagon Papers, especially not my late friend Arthur Ochs Sulzberger, then chairman of the *New York Times* (who would have been imprisoned had he done such a thing during the Lincoln presidency), while WikiLeaks can blast holes in our network of national security virtually unmolested—don't get me started on that subject!. The pendu-

not re-enforce, Robert Anderson's Charleston garrison, and absolutely believed the installation that the federal government built should remain in federal hands. The result could not have worked out better for the Union cause. No federal soldier died in the bombardment. The U. S. flag was shot down—more than once—inspiring outrage in the North. Lincoln then felt he had the authority to call for volunteers and order a blockade without even summoning Congress back

occasion to rally America. It often takes a village. But it usually takes a crisis.

SG: As we have passed the 150th anniversary of Abraham Lincoln's death, what advice do you have for those who hope to keep his legacy strong?

HH: Above all I would like educators and curriculum-designers to restore the study of American history to our schools. None of our kids and grandkids are going to be interested in *any* aspect of our legacy without the grounding of a decent history education, and the current landscape is about as bleak as it's ever been. I'm cheered when young students call on me for interviews for their National History Day projects; I never say no. But they are the exception, not the rule. Frankly, it's a disaster out there, and I don't know how we can address the lost generation who think the Civil War was fought between the British and the Nazis and remember only that Lincoln was killed by John Wilkes Booth. What can we do in the meantime? Support efforts to preserve and interpret Lincoln sites, take our families on legacy-style vacations, and of course nurture the kind of terrific scholarship we've seen in such abundance during the Civil War sesquicentennial, and hopefully will not end with the conclusion of those observances. In short: work the Lincoln story both from the bottom up (teaching history early and often) and the top down (encouraging young scholars to continue re-interpreting Civil War-era history). If we do both, Lincoln's legacy will long endure. If we don't, I worry that the usable and inspiring past will simply vanish. ♦



Bombardment of Fort Sumter | Harper's Pictorial History of the Civil War

lum has swung. I don't think Lincoln deserves the condemnation he gets from some revisionists on this issue, but I also don't think or expect that modern or future presidents will cite him as a precedent-setter in future us.-them civil liberties cases.

SG: How were presidential options/decisions as a result of the firing on Fort Sumter and the bombing of Pearl Harbor similar? Different?

HH: Well, the conspiracy theories are certainly similar: the idea that FDR knew that the Japanese would attack Hawaii and callously sacrificed American lives just to get our anti-war nation into the fight against the Axis; and the idea that, earlier, Lincoln hoped for Confederate aggression against Fort Sumter in order to rally the North to mobilize against secession. If there's truth to either myth, I think the Sumter story has a bigger claim on reality. Lincoln certainly hoped to re-supply, but

to Washington quickly. Did Lincoln play out all these contingencies in his head, in advance? Did he accept the reality that federal soldiers might have died in an attack on Fort Sumter? Probably; and because Jefferson Davis foolishly exercised bravado in Charleston Harbor, the North did mobilize against the Confederacy. And if one believes those who say Northern victory was inevitable, then Davis's miscalculation cost 750,000 lives without changing the predictable outcome. I'm no FDR expert, but where Pearl Harbor is concerned, I just cannot fathom his willingness to subject American boys to a devastating attack, and sacrificing the bulk of the American naval fleet in the bargain, just to arouse his reluctant countrymen into war. The Japanese launched a sneak attack on Pearl Harbor. The Confederate attack on Sumter was as predictable as the church bells that sounded hourly in Charleston. But like Lincoln, FDR used the

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Harold Holzer

Harold Holzer is the Chairman of the Abraham Lincoln Bicentennial Foundation and Director of the Roosevelt House Public Policy Institute at Hunter College. Mr. Holzer is the author and/or editor of 50 books on Abraham Lincoln. His book *Lincoln and the Power of the Press* won the 2015 Lincoln Prize.



Map of the Chicago and Mississippi Railroad

An Interview with Richard Striner: The United States and the Westward Movement during Lincoln's Time

SG: When John Winthrop spoke of a "shining city on a hill," was he speaking with only a spiritual connotation, or did he foresee a desire to conquer a continent?

Richard Striner: There is an obvious connection between the words that Lincoln wrote in his annual message to Congress in 1862, when he called America the "last best hope of earth," and the lay sermon preached by John Winthrop in 1630 aboard the ship *Arbella*, when he told his fellow Puritans that their settlement in Massachusetts would serve as a model for others: "For wee must Consider that wee shall be as a City upon a Hill, the eies of all people are upon us." But as for conquering a continent, there is reason to regard the sense of Winthrop's statement as being almost the opposite. Unlike the Pilgrims who fled to America under the leadership of William Bradford, the Puritan migration of 1630 was intended to be temporary. Winthrop's brand of Puritans were "non-separating Congregationalists," which meant that, unlike the separatist Pilgrims of Plymouth colony, they did not intend to leave

England forever or completely repudiate the Church of England. To the contrary, they meant their settlement in Massachusetts Bay to serve as a working model for reforming the Church of England. When the time was right, they intended to return to England with the practical experience to break down the ecclesiastical hierarchy of the Anglican Church and then allow the church to devolve into a network of quasi-independent congregations. The fact that they did not return to England must be attributed to the politics of the English Civil War in the 1640s when the victorious English Puritans under Oliver Cromwell instituted a Puritan polity that was different from the Massachusetts version. In addition, the Massachusetts model was in social terms the opposite of Lincoln's vision for America. Lincoln's anti-slavery mission was grounded in a vision of open opportunity, a free society in which all who (like Lincoln) were born to a lowly status could rise as high as their talents could take them. But John Winthrop in 1630 warned his fellow Puritans that the existing social stratification was providen-

tial and should not be challenged; "in all times," he said, "some must be rich, some poor, some high and eminent in power and dignitie; others mean and in subjeccion." The single best treatment of these issues can be found in the classic 1952 essay by Perry Miller, "Errand Into The Wilderness," most conveniently accessed in a book of his collected essays that bears the same title. But in a major sense, the Puritan vision was hugely influential in the spirituality that Lincoln brought to his second Inaugural Address. The Puritans were believers in "covenant theology;" they felt that like the children of Israel they constituted a chosen people who bore nothing less than a divine commission to live up to certain rules and expectations laid down in an explicit compact. And they believed that like the ancient Israelites they would either be rewarded or punished by God in response to their behavior, that the judgment of the Lord would be visited upon them collectively, which is to say they would either prosper or suffer as an entire community. "We must be knit together in this worke as one man," Winthrop preached, "always

having before our eyes our Commission and community in the worke." And if Massachusetts should fail or fall into hypocrisy, the wrath of the Lord would descend. In 1668, William Stoughton warned that "if we should so frustrate and deceive the Lords Expectations, that his Covenant-interest in us, and the Workings of his Salvation should be made to cease, then all were lost indeed; Ruine upon Ruine, Destruction upon Destruction would come." Here, surely, was a model for the vision set forth by Lincoln in 1865, when he said that the covenant principle embodied in the founding of the United States, nothing less than the golden rule as embodied in Jefferson's maxim of human equality, had been flouted by a nation of hypocrites, North and South, who for generation after generation had allowed the monstrosity of human enslavement to persist in a land rhetorically dedicated to the self-evident truth that all were equally entitled to life, liberty, and the pursuit of happiness. And now, Lincoln said, "this terrible war" that brought such ruin and destruction to the people of America had been nothing less than "the woe due to those by whom the offense came," a providential punishment of the entire community, North and South, for their gross act of covenant-breaking, for an ongoing act of national hypocrisy that at last became intolerable to God. "As was said three thousand years ago," Lincoln contended, "so still it must be said 'the judgments of the Lord are true and righteous altogether.'" One more thing: it is worth noting that since the Puritans of Massachusetts Bay never did return to England and complete their original mission — their "errand" — it was left to their children and their children's children to determine what (if any) great destiny might still be awaiting them. In the unforgettable conclusion of his essay "Errand Into The Wilderness," Perry Miller put it this way: "Having failed to rivet the eyes of the world upon their city on a hill, they were left alone with America."

SG: What was the prevailing British attitude about westward expansion before 1776? How did relationships with France play into the story?

RS: After the defeat of the Spanish Armada in 1588, the prevailing view in Elizabethan England — at least among Protestants — was to see the victory as a glorious and providential defeat of the Catholic Counter-Reformation and to view England as a latter-day Protestant chosen people whose divine mission was to roll back Spanish power even more. One way to do this was to establish English settlements in the New World, where the Spanish already had an immense presence. So it stood to reason that the colony of Virginia was given no western boundary, since, if God willed it, Virginia in time might roll out all the way to the Pacific. But with the rise of more divisions within England itself by the 1620s and 1630s, America became a game board upon which different English factions mustered power against one another as well as against foreign powers. After the English Civil War and the ensuing restoration, the rise of France in the New World began under Louis XIV and French power expanded gradually in a river-borne empire down the St. Lawrence to the Great Lakes, and then down the Mississippi to the Gulf of Mexico. Meanwhile, England experienced another internal convulsion in the 1680s with a new showdown between Crown and Parliament for constitutional supremacy. After the Glorious Revolution of 1688 — which made England definitively a constitutional monarchy and which rolled back the last realistic fear of a Catholic Counter-Reformation in England (in possible partnership with Louis XIV), England — and, after the early eighteenth-century union with Scotland and Wales, we may properly speak of the United Kingdom of Great Britain — entered into a prolonged recuperation period during the early Georgian era, which is to say the 1710s and 1720s. The prevailing sentiment in ruling circles was to put the divisions and confrontations of the seventeenth century behind, to bask in a mood of contented relax-

ation, to view ambitious projects with caution, and to promote what might be called an era of good feelings. In a climate of opinion like this, there was nary a chance for any big dreams of imperial expansion to flourish in Parliament. But then, in the 1750s, a historic clash with the French began in the Ohio River valley and the war that resulted — the Seven Years War, known on these shores as the French and Indian War — resulted in massive British victory under the leadership of the elder William Pitt. With victory, however, came a push for retrenchment by 1763. The cost of the war had added greatly to the British national debt, and the expense of garrisoning an expanded colonial frontier was daunting to the budgetary bean counters, such as William Grenville, who had toppled the Pitt administration. And after a pan-tribal revolt by Native Americans along the Appalachian frontier — Pontiac's Rebellion in 1763 — the British handed down an edict restraining American colonists from further westward expansion until further notice. So by the brink of the American Revolution, British plans for westward expansion in North America had been put on hold.

SG: The phrase Manifest Destiny was coined during Lincoln's lifetime. Did he ever mention it specifically or can we only assume his beliefs by his support for such enterprises as canal and railroad expansion?

RS: Many attribute the term "Manifest Destiny" to John O'Sullivan, the editor of the *Democratic Review*. The term, to many, connoted an aggressive American expansionism that aimed in the 1840s and 1850s to augment the United States' dominion in North America at the expense of anyone else who was in the way, especially Native Americans and Hispanics. Many Democrats were keen supporters of such a policy, whereas a great many Whigs, including Lincoln, regarded it as shameful aggression. I frankly do not know whether Lincoln ever used the term "Manifest Destiny," but his assertion that the Mexican War was essentially the result of American bullying was a vivid

demonstration of his beliefs about this particular form of nation-building. Lincoln certainly believed that America's national might was potentially a magnificent thing—and as a modernizer he was always a vigorous and fervent advocate of Hamiltonian measures to build up America's transportation infrastructure—but he also believed that unless the highest ideals of America could be preserved, the strength of the United States might become sinister. Harry V. Jaffa once wrote in his book *Crisis of the House Divided* that for Lincoln “the freedom of a free people resides above all in that consciousness of freedom which is also a consciousness of self-imposed restraints In the consciousness of a strength which is not abused is the consciousness of a greater strength.” One more thing: to many American anti-slavery activists in the 1840s, the Polk administration's program of “Manifest Destiny” seemed like a pretext for expanding the slavery system, and Lincoln, as an up-and-coming leader of the Free Soil movement, was alert to this issue as well.

SG: Why did the Lincoln Family move from Indiana to Illinois?

RS: There is less documentation about this issue than historians and Lincoln biographers would like. The reasons for this move are less certain than the reasons for the Lincolns' move from Kentucky to Indiana: Lincoln's father wound up on the losing side of several land-title disputes in Kentucky. There is some evidence to indicate that the Lincolns left Indiana for fear of a “milk sickness” epidemic; this disease, which was caused by drinking the milk of cows that had ingested the poisonous white snakeroot plant, had killed Lincoln's mother, Nancy Hanks Lincoln, in 1818.

SG: Thomas Jefferson, one of Lincoln's heroes, uttered the statement:

“Those who labor in the earth are the chosen people of God, if ever he had a chosen people, whose breasts He has made His peculiar deposit for substantial and genuine virtue.”

Is it difficult to reconcile Lincoln's personal lack of enthusiasm for farming with his hero's statement?

RS: It is not really difficult to differentiate Lincoln's veneration for Jefferson as an oracle of freedom from his skepticism toward Jeffersonian doctrines of more questionable validity. Lincoln had a supremely analytical mind and he would scrutinize any doctrine or maxim, playing Devil's advocate for serious reasons as well as to give free reign to his wit. This was a mental proclivity that served him well in his legal and political careers. As a follower of Henry Clay and an advocate of heroic government, Lincoln naturally embraced the doctrines of Alexander Hamilton, who had been Jefferson's political nemesis during the 1790s. Lincoln never identified with Jefferson the government-basher, and he never succumbed to Jefferson's uncritical romanticizing of agrarian life, which Lincoln himself had experienced all too vividly in his youth. His self-made career was among other things an achievement in self-liberation—liberation from the stultifying drudgery of manual labor. Nonetheless, as he rose in the ranks of the Free Soil movement during the 1850s, he found it effective and also expedient to invoke the legacy of Jefferson the author of the Declaration of Independence, a document that Lincoln meant to exalt far above the federal Constitution in historical stature. “All honor to Jefferson,” he wrote in 1859, “the man who . . . had the coolness, forecast, and capacity to introduce into a merely revolutionary document, an abstract truth, and so to embalm it there, that today, and in all coming days, it should be a rebuke and a stumbling block to the very harbingers of re-appearing tyranny and oppression.”

SG: What is your view of the constitutionality of Jefferson's Louisiana Purchase?

RS: I tend to be a “broad-constructionist,” which is to say that like Alexander Hamilton, John Marshall, and Abraham Lincoln I support the view that unless the Federal Constitution strictly and explicitly forbids a particular policy or action, it is perfectly appropriate for the federal or state governments to adopt whatever legislation seems necessary and proper.

Jefferson, hitherto a strict-constructionist, suddenly began to see the merits of a more flexible constitutionalism in his presidential years when he was offered the almost irresistible chance to acquire the Louisiana Territory, which seemed in his romanticized view to promise an almost paradisiacal opportunity for sturdy, self-reliant, and virtuous farmers to flourish and populate the continent. So Jefferson, with an almost winsome dose of political and intellectual cunning, negotiated the treaty, and then submitted it to the Senate with the warning that it might or might not be constitutional and that the Senate would have to bear the responsibility for making that judgment in the vote on ratification. The nub of the issue was that the Constitution makes no provision for the purchase of additional territory for the purpose of augmenting the size of the Union. But nothing in the Constitution prohibits such action, so it seems to me that the Louisiana Purchase was perfectly fine. In any case, there was ample precedent for creating new states out of unorganized western territories. Several British colonies had no western boundary and during the debates over ratification of the Articles of Confederation, the leaders of several small states insisted that states such as Virginia must adopt western boundaries and then cede their territories beyond the Appalachians to the Union, so that new states could be created in the West. The Confederation Congress duly made provision for this process in the Ordinance of 1784 and the Northwest Ordinance of 1787. The Louisiana Territory, after its acquisition, was gradually subdivided by acts of Congress in a manner consistent with the practice of the 1780s. It bears noting, however, that the precedent of further American land acquisitions was pushed beyond defensibility in the aftermath of the Spanish-American War when under the McKinley administration the United States took over previously Spanish possessions such as the Philippines without any clear objective of grooming those areas for statehood. For this reason, American anti-imperialists from 1898 onward

condemned the acquisitions as essentially unconstitutional and in this particular case I sympathize with their arguments — not so much for constitutional reasons as for moral and political reasons.

SG: Did Lincoln ever mention the stipulations found in the Monroe Doctrine?

RS: Lincoln never made very much use of the doctrine, except insofar as it might be germane to European recognition of (and possible intervention on behalf of) the Confederacy. The doctrine and its corollary issues impinged upon Lincoln's Civil War policymaking in at least two instances. First, during the Fort Sumter crisis, Secretary of State Seward tried to interest Lincoln in the idea of fomenting war with one or more European powers in the hope that this might serve to contain secessionism and reunite North and South in a common cause. Seward's idea was to claim violations of the Monroe Doctrine, but Lincoln had no interest whatsoever in Seward's overall plan. Second, in the course of the Civil War, Emperor Napoleon III of France sent French troops to Mexico, ostensibly to hold the Mexicans accountable for the payment of monetary debts, and he tried to institute a Mexican monarchy with an Austrian archduke on the throne. Lincoln tacitly approved of Seward's counter-pressure against Napoleon III. After the Civil War, Seward succeeded in getting the French troops removed from Mexico.

SG: Please explain the westward expansion issues most prevalent in the Mexican War. Did Lincoln's opposition to the War result in reduced political support?

RS: American expansionism fed upon a number of different motivations and impulses, and long before the vast Louisiana Territory was settled, developed, and assimilated into the United States, American expansion overlapped it. All sorts of ventures led to expansion. The trapping and fur trading business, for instance, emerged from the economic nature of the French imperial system in North America, which thrived on

the fur trade with Native Americans. Huge companies, like the Hudson's Bay Company, were started in Canada, and American merchants took part in a vast trans-oceanic fur trade, which spread to the Pacific Northwest. A German immigrant, John Jacob Astor, started an American company in 1819 whose operations ranged from New York to the Columbia River. This laid the groundwork for American claims, in competition with the British and the Russians, to the "Oregon Territory," which the British and Americans had occupied jointly pursuant to the Anglo-American Convention of 1818. Far to the south, after Mexican independence was gained, Americans moved into Texas, and the long-term result was the political and cultural clash that led to the fight for Texas independence. In this case, the controversy over slavery was a factor early on, since many of the American settlers in Texas were slave owners and Mexico had outlawed slavery. In the meantime, a long-term geopolitical struggle had begun in America in the aftermath of the Missouri Compromise, which (among its other provisions) had established a dividing line across the Louisiana Purchase Territory, a line that would separate the areas that would be open to the creation of new slave states from the areas in which slavery would be prohibited. The upshot: the free-state system got the lion's share of the territory, and so militant defenders of slavery like John C. Calhoun began to perceive in the 1820s that the institution of slavery might be toppled if and when a super-majority of free states came into existence. Such a super-majority could ratify an anti-slavery amendment to the Constitution, and this, of course, would be precisely the way in which American slavery came to an end in 1865. To avert such an outcome, defenders of slavery created a number of simultaneous political strategies, and one of them was to seek an ever-expanding amount of new territory for the creation of additional slave states. Hence the fight over Texas annexation, which lasted from 1836 to 1845, was largely a matter of the long-term geopolitical fight

between the slave-state bloc and the free-state bloc in the United States.

Texas annexation loomed large in the presidential election of 1844, and the Democratic candidate, James K. Polk, supported the annexationists. But to soften anti-slavery resistance to Texas statehood, he also pledged to settle all disputes about the Oregon country in America's favor, boasting that he would acquire the entire territory up to its northern boundary at the 54° 40' parallel (he eventually compromised with the British and accepted a border with Canada at the 49th parallel). In any case, the general idea was to preserve an even balance of power between the slave states and the free states: if Texas added to the power of the slave states, then Oregon would benefit the free states. But Polk, like others, had been entertaining the additional hope that the overall theme of western expansion — the theme of "conquering the West" — might capture the imaginations of Americans to such an extent that North-South tensions might be overcome in the unifying grandeur of "Manifest Destiny." An expansionist faction of the Democratic Party called "Young America" was founded in 1845. Polk pledged himself to gain the entire West Coast of North America (below Canada) for the United States. He would make the Mexicans an offer for the purchase of California, which the British had also offered to purchase. But the prospect of selling California prompted an upheaval in Mexican politics, and the Mexicans refused to sell. Nonetheless, a residual dispute about Texas provided Polk with the opportunity to gain California.

When Texas was admitted to the Union in 1845, the United States thereby inherited a Texas-Mexico boundary dispute. Mexican leaders insisted that the boundary between Texas and Mexico was the Nueces River, while Texans claimed that the Rio Grande was the border. At stake were thousands of acres of land. Polk sided with the Texans and garrisoned the Texas side of the Rio Grande. The Mexicans claimed an invasion of their soil, and so Mexican troops crossed the Rio Grande and the Mex-

ican War broke out.

Lincoln, like many Whigs, argued that Polk had put the United States in the wrong, and he introduced a resolution in Congress declaring that the spot where American blood had been shed was disputed. Lincoln's "spot resolution" seemed unpatriotic to some. But opponents of slavery in

a "chain of turnpikes, roads and canals from Passamoquoddy [Maine] to New Orleans." Such thinking was increasingly common after the War of 1812. Jefferson, in the aftermath of the Louisiana Purchase, re-examined his earlier aversion to strong federal action and he approved of the National Road from Cumberland, Maryland, to Wheeling, Virginia,

increasingly averse to a proactive federal government and Calhoun turned 180 degrees to become a champion of constitutional strict construction and states' rights. The principle was simple enough: given the division of the Louisiana Purchase under the terms of the Missouri Compromise, the slave states would be outnumbered by free states, and if a powerful federal government had been created in the meantime, that activist government might fall into the hands of abolitionists. And so slave state opposition effectively thwarted the program of Clay until the Civil War — when Lincoln and the Republican Congress supported all kinds of civilian-side federal activism, including the building of a trans-continental railroad.

SG: Please comment on the question of slavery's expansion westward in political terms. What was the difference between the role of the federal government when an area was simply a territory and when it became a state. Can this concept be seen in the original Northwest Territory?

RS: Until the Civil War, the federal government had no authority — with one exception — over slavery within the states, since the legal foundation for slavery lay in state constitutions and state laws. The one exception was the role of the federal government in apprehending fugitive slaves. But though the federal government had no power to undermine slavery within states until the Civil War provided the occasion for confiscating slaves within states to suppress rebellion, Congress had definitive authority over slavery within territories, at least until that authority was challenged by the Supreme Court in the 1857 Dred Scott decision. Under both the Articles of Confederation and the Federal Constitution, Congress had the power to regulate federal territories, subdivide them, determine the rules and procedures that particular territories would have to follow in order to apply for statehood, and then determine whether or not to accept the draft state constitution that any territory submitted for congressional approval. Under



*Scene in Vera Cruz during the bombardment, March 25, 1847 (LC-USZC4-3605)
Photo courtesy of Library of Congress*

both political parties condemned the Mexican War as a scheme to spread slavery even further in the West. Instead of quieting the controversy over slavery, Polk's use of the Manifest Destiny ploy made the controversy worse than ever.

SG: What was Henry Clay's American System?

RS: The gist of Clay's system was the idea that an activist federal government would engage in Hamiltonian-type public works — or "internal improvements" as they were typically called in those days — that would bind the large republic together, chiefly through transportation infrastructure, as we call it today. In order to "bind and connect us together," Clay recommended in the early 1820s

that Congress authorized in 1806. He then directed his treasury secretary, Albert Gallatin, to study the long-term transportation needs of the United States, and the Gallatin Report, which was delivered in 1808, recommended a \$20 million program of road- and canal-building. While the War of 1812 interrupted such plans, it also demonstrated how necessary they were. Consequently, during Monroe's administration, there was broad consensus in Washington that "internal improvements" were in order. While Clay's American System was a vivid enunciation of the idea, others — even John C. Calhoun, who served as secretary of war under Monroe — supported it as well. But in the aftermath of the Missouri Compromise, slave state leaders were

the Articles of Confederation, Congress had barred slavery from the old Northwest Territory and laid down the rule in 1787 that territories above the Ohio River applying for statehood would have to submit to Congress a draft state constitution that prohibited slavery. In 1857, the Supreme Court (following the logic of John C. Calhoun) ruled that Congress lost such authority when the Bill of Rights was added to the Constitution. The Fifth Amendment provides, in part, that “no person shall be . . . deprived of life, liberty, or property, without due process of law.” And since slaves were property, the Supreme Court ruled that any action to bar slave owners from taking their slaves into federal territory would “deprive” them of this property without due process. Republicans ridiculed and defied this decision, and Lincoln in his Cooper Union speech of February 27, 1860 showed how the historical facts made the premises of the Dred Scott decision ludicrous. Lincoln showed that while the 1787 Northwest Ordinance had been passed by Congress under the Articles of Confederation (rather than the federal Congress under the federal Constitution), one of the first acts of the first federal Congress was to reaffirm the Northwest Ordinance as valid federal law. And then Lincoln pointed out that at the very same time that Congress was reaffirming the Northwest Ordinance, Congress was also considering and passing the Bill of Rights, including the Fifth Amendment, thus demonstrating that the members of Congress who voted both to affirm the Northwest Ordinance and to pass the Fifth Amendment considered the measures completely compatible with one another.

SG: Please explain the Wilmot Proviso.

RS: As the Mexican War broke out in 1846, the implications for the issue of slavery expansion versus “Free Soil” were perfectly obvious. The Wilmot Proviso was text introduced in the House of Representatives as a rider to a war appropriations bill. Democrat David Wilmot of Pennsylvania proposed that as a condition of

war appropriations, any additional territory that might be gained from the republic of Mexico would be off-limits to slavery. The proviso passed dozens of times in the House, where Lincoln, who was serving his one and only term in Congress, voted for it regularly. But it was killed every time in the Senate. There were still an equal number of free states and slave states, and this meant in practical terms that any anti-slavery legislation would be automatically dead on arrival in the Senate until such time (if ever) that the equilibrium between the rival power blocs would be offset one way or the other.

SG: What role did the future of California play in political discussions?

RS: The role of California was obvious: it threatened in 1850 to become the “tipping point” in the geopolitical war between the rival power blocs of states. Since the Wilmot Proviso never passed Congress, there was no legislative provision with regard to the issue of slavery in the “Mexican Cession.” The issue dominated the presidential election of 1848. And then the California gold rush of 1849 brought thousands of settlers to the West Coast, both overland and in clipper ships racing south around Cape Horn and then northward to the “Golden Gate.” The result was that California was populated fast, and in 1850 California statehood advocates applied for admission to the Union . . . as a free state. Slavery advocates exploded in rage; admission of California as a free state would mean that the slave-state system had been barred from the entire Pacific West Coast (unless of course another Mexican war could be fomented for the purpose of gaining even more territory for the Union in Central America). But John C. Calhoun and other slavery defenders took action immediately. “California will become the test question,” he warned in the Senate. “If you admit her, under all the difficulties that oppose her admission, you compel us to infer that you intend to exclude us from the whole of the acquired territories, with the intention of destroying, irretrievably, the equilibrium between the two sections.”

The Compromise of 1850 brought a short-term end to this crisis, but the overall crisis of the Union was entering its final and decisive phase.

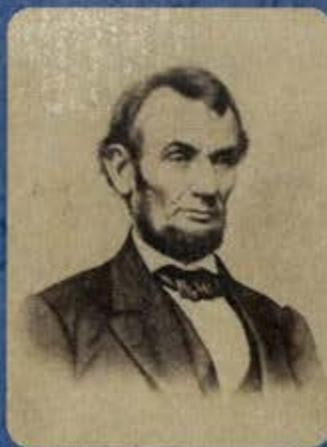
SG: Although his major book was published long after Lincoln died, what is your opinion of Frederick Jackson Turner’s theory on the Closing of the Frontier?

RS: I have always had mixed feelings regarding the “frontier thesis” of Frederick Jackson Turner, i.e., his contention that the continuous presence of a “frontier line” in America was somehow the most decisive factor in shaping American culture and American history and that the “disappearance” of the line, as revealed by the census of 1890, demonstrated that America had reached a great historical turning point. On the one hand, this interpretation had some obvious merits, including its historiographical significance in advancing an analytical approach to the interpretation of American history. On the other hand, I regard the thesis as an oversimplification if people take it to mean that the frontier line was more important than any other factor in American history. Richard Hofstadter subjected the legacy of Turner to a satisfying analysis in his book *The Progressive Historians: Turner, Beard, and Parrington*. ♦

ABOUT THE AUTHOR

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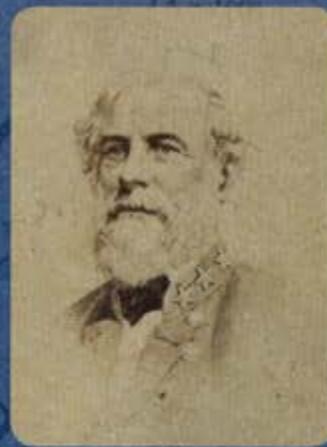
Abraham Lincoln
(LN-0295)



Ulysses S. Grant
(LFA-0263)



Jefferson Davis
(OC-0529)



Robert E. Lee
(OC-0768)

An Interview with John Marszalek: A Retrospective on the Sesquicentennial of the Treaty of Appomattox

SG: Are we capable, at this safe distance from a besieged national government, of an objective opinion of some of the “war measures” which Lincoln took (e.g. calling of militia, suspension of habeas corpus, issuance of the Emancipation Proclamation)?

John Marszalek: Abraham Lincoln clearly had some difficult decisions to make when he became president of the United States in March 1861. The seceding states had already formed the Confederate States of America, and their recently elected chief officer, Jefferson Davis, was a seasoned military leader and politician. Never before had the nation split the way it had in 1861, so Lincoln had no real precedents to follow in reacting to this crisis. As a former Whig, he was a proponent of a strong national government, yet one in which the Congress dominated and the chief executive executed the laws that Congress passed. Yet, as a Whig, he believed that the president who had such limited powers during time of peace had expanded powers during times of war. And he believed strongly in the power and near sanctity of the Union as the best preserver of democracy. In short, Lincoln believed in the necessity of the Union, he believed in the president’s power to preserve it, and he was a firm believer in the Declaration of

Independence and the Constitution. Consequently, Lincoln knew he had to act constitutionally, to follow the law in all his actions. Yet he saw that the Constitution was a flexible document, and he interpreted it in such a way as to insure his ability to act decisively. In some instances, as for example, his calling out of the militia was clearly within his constitutional powers; the Constitution explicitly said that he could do this. It was not so evident in his suspension of the writ of habeas corpus. In this case, the Constitution listed this power in the section which detailed congressional authority. Lincoln forthrightly took this power on to himself, however, arguing, convincingly to some and unconvincingly to others, that his status as wartime president gave him the right to do so. The promulgation of the Emancipation Proclamation was another action which Lincoln said was constitutional, but only as part of his wartime powers. During peace, he knew he could not exercise it. Thus he did not free all the slaves, but only those in areas still in insurrection against the United States. He was basically taking the position that he was not so much freeing slaves as he was taking military power from the Confederacy and adding it to the Union side. Slaves who at this point were aiding the Confederacy

would be taken away and added to Union strength in the form of colored troops. In this way, he was not emancipating for its own sake, but emancipating to strengthen the Union and weaken the Confederacy. The legality of these and other such actions has been questioned during the war and ever since. Lincoln perhaps provided the best answer himself. He insisted that his highest duty was to preserve the Union. Any action that he could take for this reason, he believed he had the power to do. And he was determined to do it in such a way that the American democracy under the Constitution would be protected. His aim was no dictatorship, rather a preservation of the democratic Union. Looking back from today’s world, it is clear that he used vast powers to preserve the Union, but he used those powers in a careful manner, so that he would not lose the Union by taking firm acts to preserve it.

SG: I am interested in the long-range influence which fighting in the Civil War had on Oliver Wendell Holmes, Jr. Please comment.

JM: Oliver Wendell Holmes, Jr. possessed one of the most famous legal minds in American history. Born in Massachusetts in 1841 to a well-known father, he became an associate justice of the U.S. Supreme Court

in 1902, serving until his death at 90 years of age in 1932. He was the oldest justice ever to serve on the nation's highest court. His second greatest fame is his service in the Civil War. His father was an abolitionist and in his early years, Holmes



Oliver Wendell Holmes Jr. (LFA-0273)

shared this belief. With his father's help, he gained a commission in the summer of 1861 as a lieutenant in the 20th Massachusetts Regiment. He saw combat from the Peninsular Campaign in 1862 through the Wilderness Campaign of 1864. He suffered harsh wounds in three battles, and he almost lost his life to dysentery. When he fulfilled his three year enlistment in 1864, he resigned from the army to begin his intellectual career in the law. He is the most frequently cited justice of the 20th century, yet the most famous quote attributed to him is probably apocryphal. During Jubal Early's raid on Washington in 1864, President Abraham Lincoln was present at Fort Stevens, and his 6 foot 4 inch frame was conspicuous over the parapet to Confederate riflemen. Allegedly, Holmes shouted at the president: "Get down, you damn fool." In fact, as Holmes indicated in a June 14, 1922 letter, it

was probably a common soldier or General Horatio Wright who uttered the cry. Yet the quotation sticks to Holmes. Another frequently mentioned quote also involves the Civil War, and this one is accurate. At an 1884 Memorial Day Speech in New Hampshire before a Grand Army of the Republic audience, he said: "In our youth our hearts were touched with fire." Because of such statements, the question is frequently asked about the influence of his service in the Civil War on his later legal opinions. In the immediate years after the War, Holmes did not talk about the conflict at all. In fact, his 1884 Memorial Day speech was his first reference to the war. He did not seem to read any of the many Civil War books that came out during his lifetime; he never joined any of the Civil War veterans' organizations, and he did not attend veteran reunions. Even though he was an abolitionist, he had no interest in becoming an officer in a black unit; he did not reenlist in the army when his term was over in 1864, even though many soldiers did; and he showed little interest in civil rights for African-Americans in general. The war was a frightening experience to him, and he admired soldiers who did their duty, not those who were idealistic. Holmes was a conflicted complicated individual filled with intellectual superiority who never quite came to grips with his wartime experience. He believed in the role of government regulation, although he did not really care for other progressives who agreed with him in this philosophy. It might make more sense to say that it was his experience with the law which affected him more than did the time he spent in the Civil War. However, when he died, found in his closet was a blood-stained uniform he had worn when he had been wounded, and three minie balls which had injured him over sixty years previously.

SG: Was the resolution at Appomattox viewed with differing opinions, as to magnanimity, in the North and in the South? Did Southerners appreciate Grant's decision to allow Confederate officers to keep their side-arms and horses?

JM: The meeting at Appomattox Court House between Ulysses S. Grant and Robert E. Lee is one of the most iconic events of American History. The noble-looking Lee representing the Army of Northern Virginia and the disheveled Grant with his muddy boots representing the Army of the Potomac met to end the war in the East. Part of the mythology of the grand meeting concerns Grant's magnanimity to his fallen foe. He treated Lee, who was his elder both in age and service in the American military, with marked respect, and Lee was his usual stoic self. When Grant's terms proved magnanimous, Lee was obviously touched. Grant could have placed dire restraints on the defeated Confederates and their commander, but he allowed officers to keep their fire arms. He had the common soldiers stack arms, but he allowed them to keep their horses and mules in order to help them with the spring planting. Grant told Lee that he and his soldiers would not be bothered so long as they obeyed the law in the future. Later, when there was talk of trying Lee for treason, Grant threatened he would quit, if the Appomattox promise to Lee was violated. Not all northerners were happy with Grant's lenient terms, but Lincoln was pleased because he had been calling for just such a conclusion to the war. The South expressed satisfaction then and into the 21st century. Despite the Lost Cause attacks on Grant for allegedly being a drunkard, a butcher, and an incompetent, southerners always praised Grant for his generous terms at Appomattox. As the attacks on Grant are fading into the mists of time, southerners emphasize more and more the Union general's kindness.

SG: When was the concept of the nobility in fighting for a Lost Cause first articulated?

JM: The term "Lost Cause" is usually credited to the editor of a Richmond newspaper, Edward A. Pollard, who published the book *The Lost Cause* in 1866. Pollard was a fervent secessionist and had fought in the Confederate army. In this book, he presents a pro-southern view of that conflict.

While this book and others which were published during the post-Civil War years analyzed what had happened during the four years of combat and contained hints of the Lost Cause (and sometimes much more in their accounts), the real birth of the Lost Cause did not take place with the publication of this book. The

blamed defeat primarily on the fact that the North simply had more of everything. Despite such material deficiencies, the South remained in the fight for a long time, and southerners saw this as a testament to the fighting superiority of the Confederate soldier. Confederate Memorial Day honored those who died in

make the South appear even more virtuous. In fact, the Lost Cause grew so powerful that even the victorious North began to accept its premises. To cite the most conspicuous erroneous example: Robert E. Lee was Christ-like and the leading military man of the Civil War, while Ulysses S. Grant, who actually won the war,



Ulysses S. Grant & Robert E. Lee at Appomattox

Lost Cause is the South's attempts to come to grips with its loss in the Civil War. Throughout the conflict, southerners had believed that their victory was inevitable, many going so far as to say that God so willed it; while others claimed the superiority of people in the South versus those in the North. When defeat came, therefore, the South was hard pressed to explain it. Its first attempts centered on commemoration of the dead Confederate soldiers, the heroes of the Confederate war effort. Even Robert E. Lee in his farewell address to his troops praised their bravery and

the effort to defeat the overwhelmingly arrogant North. The concept that slavery had nothing to do with the war developed quickly, so there was little guilt about the Confederate cause not being a just one. And despite the fact that the former slaves, now free, were incapable of becoming full-fledged citizens, the victorious North still tried to make it so. The North was villainous, while the South was virtuous. As time went on, the Southern Historical Society and the establishment of a variety of male and female patriotic and heritage organizations only worked to

was a drunken incompetent butcher who threw men needlessly into battle and had them killed because he had replacements. The South dealt with its loss in the Civil War by claiming its superiority in virtue and the immorality of the North, its leaders, its soldiers, and its society.

SG: Please comment on the short and long-term effects of the 13th, 14th, and 15th Amendments.

JM: The passage of the 13th, 14th, and 15th amendments between 1865-1870 accomplished more constitutionally than was done in any other

period in American history. These amendments were the first additions to the Constitution since 1804. Over the previous sixty years during some of the greatest crises in American history, the nation did not add any new amendments to the Constitution, yet it added three immediately after the Civil War. The three amendments, sometimes referred to as the "Reconstruction amendments" or the "post-Civil War amendments," were the nation's response to the results of the Civil War: the end of slavery and the entrance into society, for the first time, of a large mass of non-whites. The 13th amendment finalized the Emancipation Proclamation and eradicated slavery from the Constitution and from every state and locale in the nation. The 14th amendment stated that every former slave, now free, was a full-fledged citizen of the United States. The 15th amendment, on paper, guaranteed every American male the right to vote. None of these amendments completely fulfilled their promise during the years immediately after the Civil War and for most of the years after that. The 13th amendment eliminated slavery, but a new form of land peonage took its place. The 14th amendment did overturn the Dred Scott case and indicated that African Americans were citizens. However, the Supreme Court quickly ruled that there was a difference between national and state citizenship. The amendment, it decreed, only prevented states (not individuals) from discriminatory practices against the former slaves, but only against their national citizenship, not their state citizenship rights. (Such rights as generally accepted civil rights were derived from state citizenship, so these could not be disturbed). At the same time, the Supreme Court declared corporations to be legal persons and thus protected by this amendment. The Court ruled that due process in dealing with corporations was not only procedural (that the proper legal order was followed) but also substantive (the very law as written violated such due process). The 15th amendment ensured the right to vote, but the local municipalities quickly learned how they

could get around such guarantees through poll taxes and other subterfuges. In fact, the guarantees of these three amendments were never actually enforced until the Civil Rights Revolution of the 1960s. Of all these amendments, the 14th has proven to be the most important. This amendment was the vehicle the Supreme Court later used to apply the Bill of Rights to individual states, and even today the issue of citizenship of children born in this nation to illegal aliens is being debated.

SG: How did military tactics and strategy change during the War? Were there long-term ramifications of these changes? Same question for the relationship between the President and his commanders in the field.

JM: It is often stated that the Civil War was both an old war and a modern war. Certainly when the conflict began and for most of it, one could argue, military strategy and tactics were based on Napoleonic ideas. More precisely, officers on both sides continued to be influenced by the writings of Antoine Henri Jomini, the Swiss author of publications written in French which told commanders how to fight a battle and a war. This book was so influential that when Henry W. Halleck, later commanding general of Union armies during the Civil War, wrote his own book on military strategy, he based it almost exclusively on Jomini's strategies. Jomini's principles called for a commanding general on the battlefield to maneuver his troops so that masses of his army would confront fractions of the enemy. The outnumbered adversary would then obviously have to withdraw, and the victorious army would capture the strategic place in question. It was the capture of strategic places like Washington, Richmond, Corinth, and the Mississippi River which was the aim of all the maneuvering. The disposition of the defending army was hardly significant. For example, Halleck's capture of Corinth, the site of intersecting north-south and east-west railroads, was far more important than the fact that General P.G.T. Beauregard and his defending Confederates got away.

As the war went on, however, the Federal armies under the command of President Abraham Lincoln and Commanding General Ulysses S. Grant and his key subordinate William T. Sherman undertook a new form of combat. Instead of massing against key points, Federal troops attacked everywhere at the same time, using their superior numbers to prevent the Confederates under Robert E. Lee from maneuvering. Importantly too, the Federal army's aim was not to capture places as much as it was to destroy the opposing army, or as in the case of Sherman, to use destruction and psychological warfare instead of maneuvering to capture strategic places. The Confederacy could not stand such pressure and crumbled under it. Important changes in warfare also came as a result of the change of technology: the telegraph, the air-balloon, the railroad, the steam boat, and, most importantly, the change in weaponry. Both armies moved from the smooth bore musket with its range of around 100 yards to the rifled musket with its range of 800 yards. Frontal assaults became obsolete. However, both sides, particularly the Confederacy, continued to utilize old tactics. When the Federals moved to the new thinking, the Confederacy, which stayed with the old, had little chance to win. In the end, Abraham Lincoln, Ulysses S. Grant, and William T. Sherman's willingness to fight a new war, and the Confederacy's determination to hold onto the old (Robert E. Lee's decision to defend Richmond over everything else) proved essential. Lincoln, Grant, and Sherman worked as a team. Grant kept Lee engaged in Virginia, slowly bleeding his army to numerical exhaustion, while Sherman kept Johnston pinned down, forcing his dismissal in favor of John Bell Hood. Sherman then captured Atlanta, forced Hood out of the area, and then marched to the sea and through the Carolinas, leaving Hood's army to be destroyed in Tennessee by George H. Thomas. Lee and Jefferson Davis could not adjust to this new kind of warfare and saw both their eastern and western armies decimated, while Sherman attacked

the very psyche of the Confederate cause. The Federal use of new warfare provided it with the victory it had unsuccessfully been searching for when it used the old war.

SG: Probably not a fair question, but was there a time during the War, prior to Appomattox, that the Confederates should have realized that continued hostilities would not result in victory — and that surrender would result in saving lives and property? Is there documented evidence that the possibility was discussed?

JM: Once again, the question of should the Confederacy, particularly Robert E. Lee, having realized that continued hostilities could not produce victory, have surrendered long before Appomattox? There seems to be no doubt that Lee realized at least after Gettysburg when he offered his resignation that his army had no chance to win. It was not just the crushing defeat in Pennsylvania but the fact that Confederate armies in both the eastern and western theaters were losing men at an alarming rate to combat, disease, and desertion. There are historians who agree that Lee should have urged a stubborn Jefferson Davis to come to grips with defeat, but some say that it would not have made any difference because Davis stubbornly wanted to keep up the fight, even after the capture of Richmond. Others argue that it is not the job of a commanding general to advise surrender; his job is to continue fighting until civilian authorities decide that the cause is lost. Southerners stubbornly believed that Robert E. Lee would win, so they had no interest in surrendering. Even at Appomattox, Lee tried to come up with some way to keep up the combat. And even while Lee and Joe Johnston surrendered, Jefferson Davis tried to escape to keep up the fight.

SG: Are there military leaders on both sides of the conflict who are overrated by historians? Have some been underrated?

JM: The question of ranking military leaders on both sides of the conflict during the Civil War is one that Civil War Round Tables debate repeatedly, Civil War buffs argue about in

letters to the editor, and even professional historians discuss repeatedly. This was also a favorite topic of deliberation among participants in the war, and, in many ways, the Lost Cause has an important element of the worth of generals within it. There are many ways to consider this question, but I want to quote a Civil War general's evaluation. William T. Sherman read a March 1887 article in *Macmillan's Magazine* in which British General Lord Wolseley said that Robert E. Lee "towered far above all men on either side in that struggle." Sherman responded in the May issue of the *North American Review* and argued that Wolseley was completely wrong. Sherman concluded that in the Civil War: "His [Lee's] Virginia was to him the world. . . . He stood at the front porch battling the flames while the kitchen and house were burning, sure in the end to consume the whole." Sherman concluded that Lee was not the greatest general of the Civil War; he insisted that Ulysses S. Grant and George H. Thomas were superior to Lee. I believe that the greatest general of the Civil War was Ulysses S. Grant, but I consider Sherman to be the second greatest. George H. Thomas was indeed a great military man, and he demonstrated such both as a subordinate and as an independent commander. Robert E. Lee was tactically audacious and accomplished great victories on individual battlefields. He was, however, not strategically adept. To paraphrase Sherman, Lee could not get Virginia out of his mind. He fought well there, but he sent inferior generals out of that region to the West, and he refused to allow troops in Virginia to be sent west. The result was that Union forces, under both Grant and later Sherman, assisted by Thomas, accomplished victory after victory until Lee found Sherman and Thomas nipping at his heels, while Grant kept him pinned down in his beloved Virginia. Union victory thus came. Because of the Lost Cause, Union generals have been generally underrated, but this attitude is changing.

SG: Are there constitutional differences between the federal government's parameters for dealing with a rebellion, as opposed to dealing with hostilities with a foreign nation? Same question for the options available to Abraham Lincoln and those open to Jefferson Davis.

JM: The Civil War was a constitutional conflict. Jefferson Davis and the Confederates argued that the states had held on to their sovereignty when they had entered the Union, so they had the right to leave it. Abraham Lincoln and the Republicans argued that the Union was indivisible, that when the states entered the Union they gave up their sovereignty to the national government. Taking this and many other points into consideration, a major disagreement at the time and ever since is the question of the legal nature of the Civil War as defined by international law. What happened between 1861-1865: was it an insurrection, a rebellion, or an international war? Each of these terms has its own definition. An insurrection is an organized and armed uprising to overthrow the government or simply to get rid of certain laws or change some administrative practice. A rebellion is considered to be a much more organized political and military organization than is an insurrection. An international war is a conflict between two or more independent states who have diplomatic recognition and are accepted as part of the family of nations. In the Civil War, Lincoln and the Republicans insisted that what was taking place was an insurrection, while Davis and the Confederates said they were fighting an international war because both they and the United States were independent states (nations). Note, however, that the Confederacy never gained diplomatic recognition from any of the world's acknowledged nations. England and France continually hinted during the war that they might give the Confederate States of America diplomatic recognition, but they never did. It was more complicated than that, however. The United States claimed sovereign rights (insurrection status) against the Confederacy, but it also gave the Confederates

and other nations belligerent rights when Lincoln applied the blockade and accepted prisoner of war status for both sides. Belligerent rights could only be granted to combatants in a rebellion or international war. If Lincoln had been consistent, he would have closed the ports, which was what international law said could legally be done in an insurrection. In short, the Union fought the war both as an insurrection and a rebellion. When the war came to an end, there was no peace treaty (Robert E. Lee's surrender dealt only with his Army of Northern Virginia). In reality, the Confederates unconditionally surrendered to the United States. Consequently, the United States was able to establish Reconstruction based on insurrection, not international war or a rebellion. Both Abraham Lincoln and Jefferson Davis therefore had different points of view, each basing them on the U.S. constitution and international war. However, the United States of America defeated the Confederate States of America, and thus, Lincoln's view won out. It is also fair to say that international law (the matter of diplomatic recognition) favored Lincoln's side. Had the Confederates been more militarily successful, however, other nations perhaps would have offered diplomatic recognition, and Jefferson Davis's, instead of Lincoln's, view would have become the accepted one. Such was not the case.

SG: As you look back over 150 years, what are the enduring lessons to be learned from our Civil War?

JM: The American Civil War was a brief interlude in the history of the United States and of the world. Yet the four years from 1861-1865 contained in them a variety of lessons that have influenced the nation from that time to the present. One of the earliest lessons that Americans learned in the Civil War was that warfare is never as romantic and pre-ordained as it seems to be when it begins. Most northerners and southerners went into conflict enthusiastically, believing that they would inevitably and quickly win. Yet this war lasted a long time, and it saw a huge num-

ber of casualties, as many as almost all the other wars in American history combined. Even more frightening were the horrible wounds that so often resulted in death, let alone the fact that more soldiers died from disease than from combat wounds. The Civil War also demonstrated to Americans that its effects would linger long after the fighting stopped. In the 1890s, for example, most of the state of Mississippi's budget consisted of the cost of artificial limbs to try to replace legs lost in combat or from gangrene. Many soldiers also suffered from what today is called post traumatic stress syndrome. There is not even an accurate count of this illness because too many afflicted soldiers were unwilling to admit their suffering. American soldiers returning from 21st century Middle East warfare are victims of a variety of booby-traps, and like Civil War veterans need prostheses to replace shattered limbs, and they suffer PTSS. The Civil War also demonstrated that it only grew worse the longer it went on. The so-called gentlemanly war of the early war years was replaced by "hard war" or "destructive war." War became not simply army against army but society against society. All elements of life in the nation were affected, from human beings to the environment. The period after the Civil War demonstrated, as do most wars, that warfare brings out the worst in human beings not just in combat but afterwards. In the United States, the philosophy of realism took the place of romanticism. Life became harder and more vicious, as shooting other human beings made post-war corruption seem less evil. The Civil War was fought because of the existence of slavery in one section of the nation, and this section determined to maintain white supremacy, even after slavery was ended. Joining the KKK and using violence against the former slaves seemed justified as a way to maintain life as it had always been lived before. The "white" nation was to remain on the backs of black people; segregation and discrimination replaced slavery, and racism remained at the center of American society. There were also a variety of other results of the war which

helped produce modern society. The merchant capitalism of the pre-war years became industrial capitalism afterwards. Agriculture gave way its predominance to industry. The development of military strength produced world prestige for the United States. The philosophy of secession was never even mentioned again until the recent years in the 21st century. The Morrill Land Grant Act of 1862 produced practical, rather than classical, college education and included study in military subjects. The war produced a mobility never before experienced by Americans. Even Mrs. Jefferson Davis moved to New York City. Individuals like Frederick Pabst, Andrew Carnegie, Marshall Field, Charles A. Pillsbury, Melville Ingalls, J. P. Morgan, and a host of others could have served in the Civil War army, but they stayed at home and gained an economic jump on others who did serve. And perhaps most significantly, the Republican Party controlled the federal government from 1861 to 1932, with only Grover Cleveland and Woodrow Wilson interrupting the Republican dominance. Overall, the nation that went into the war was not the nation which came out of it. ♦

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Left: John Wilkes Booth (LN-1693), Right: Booth and the Devil (LFA-0196)

Why John Wilkes Booth Killed Abraham Lincoln: The Personal and Cultural Contexts of the Assassination

by David S. Reynolds

Why did John Wilkes Booth kill Abraham Lincoln in Ford's Theatre 150 years ago? This key historical question has never been answered satisfactorily. It's well known that Booth was a Southern loyalist and a white supremacist who hated Lincoln. But that did not make him remarkable. There were plenty of Southern loyalists who hated Lincoln and wanted to kill him, but Booth was the one who did it. Why? The answer, I believe, has to do with an explosive cultural mixture that involved four men: Booth, his father Junius Brutus Booth, the abolitionist John Brown, and President Lincoln.

The sad story of April 14-15, 1865, is well known: the recent treaty at Appomattox, leading to a euphoric mood in Washington; the decision to attend Ford's Theatre for a performance of "Our American Cousin;" the sound of a gunshot; Booth's leap to the stage and subsequent escape from Washington; the manhunt; and the eventual death of the assassin.

News of the killing spread, and, as after any huge public tragedy—think of 9/11—there was a mixture of confusion, paranoia, and anger. Assassins were thought to be everywhere.

Innocent people who were brought in as possible witnesses were jeered by crowds who yelled, "Hang him! Hang him!" It was soon said that Secretary of State William H. Seward had been killed and that other leaders were in danger.

Many of the facts soon came to light: Lincoln's assassin, it was learned, was the famous actor John Wilkes Booth. He was athletic, and he often leapt onto the stage the way he had after the shooting; for instance, he entered the witches' scene in *Macbeth* by leaping from rocks 12 feet high. Throughout the early 1860s, Booth had made as much as \$20,000 a year as an actor, which in those days was a hefty income.

But he had been born and raised in the slave state of Maryland, and his sympathies were with the Confederacy. A year before the murder, in the summer of 1864, he had stopped touring as an actor and had devoted himself to avenging the South by plotting against Lincoln. The president seemed vulnerable then. The Union armies appeared to be stalemated. Widespread war weariness had set in. There was growing hostility to Lincoln, even in the North. The

so-called Copperheads, or Northern Democrats who opposed both Lincoln and the war, gained a hearing in newspapers, speeches, and popular works like the satirical poem *The Lincoln Catechism* and the bitter pamphlet *Abraham Africanus*. These writings portrayed Lincoln as a despicable tyrant who had violated both the Constitution and the Bible and whose politics would cause a nightmarish racial reversal in America.

Such anti-Lincoln attitudes were widespread enough that the president received death threats. Lincoln was often exposed unprotected to the public. Unlike today, when for most people the president is just an image on the screen, back then, virtually anyone could go see the president. Lincoln held regular public receptions at the White House where he often greeted complete strangers—a dangerous practice in the eyes of Mrs. Lincoln, who said, "Mr. Lincoln's life is always exposed...The President has been warned so often, that I tremble for him on every public occasion. I have a presentiment that he will meet with a sudden and violent end." His stepmother Sarah Bush Lincoln had predicted from the start

that he would be killed, and when she heard he had been killed, she said, "I knowed they'd kill him. I been awaitin' fur it."

Lincoln's victory in the 1864 election, resulting largely from recent Union victories, only intensified John Wilkes Booth's ardor. With so much hostility in the air, we can again ask, Why Booth? Why not someone else? Yes, Booth was a racist who called slavery a blessing and said, "this country was formed for the white not for the black man." He detested Lincoln, but these views were typical among Lincoln haters. And yet no one else pursued the idea of harming Lincoln with his unrelenting determination. Why?

I would point to two strong cultural influences on Booth that haven't been adequately discussed: first, what was known as the American style of acting, which featured intense passions and total absorption into the role being played; and secondly what was called the higher law, or devotion to divine or moral principle rather than human law. First, let's look at acting styles of that day, of which there were two main kinds: the so-called Teapot Style, used by many British actors who strove for subtlety, not drama, typically keeping one hand on the hip while making circular motion with the other hand. A more tempestuous style—it came to be known as the American Style—was popularized by certain actors, notably Junius Brutus Booth, the father of John Wilkes Booth. The elder Booth was an alcoholic who had a checkered private life, but onstage, he was electric. The poet Walt Whitman often saw him perform and credited Junius Brutus Booth with being "one of the grandest revelations of my life, a lesson of artistic expression." Whitman in his poetry would take emotional expression to new heights, and he owed much of this technique to Junius Booth. Whitman wrote, "The words fire, energy, abandon, found in him unprecedented meanings...When he was in a passion, face, neck, hands, would be suffused, his eye would be frightful—his whole mien enough to scare audience,

actors; often the actors were afraid of him." Junius Booth often carried his acting too far. He once became so carried away as Othello trying to suffocate Desdemona with a pillow that other actors had to pull him away for fear he would actually kill her. As Richard III, many times he pursued the terrified Richmond of the evening clear out into the streets—once into a tavern, where he had to be forcefully disarmed. Nor did he always surrender his roles in daily life. He walked the streets in the robes of Richard or Shylock or Cardinal Richelieu, flinging coins to people who paraded after him.

Among Junius Brutus Booth's twelve children, three became noted actors: John Wilkes, Junius, Jr., and Edwin. John Wilkes Booth was sometimes compared to his famous father. A Boston reviewer said of John Wilkes Booth, "He had more of the native fire and fury of his great father than any of his family." But Walt Whitman, who had loved the father's acting, had reservations about the son. Whitman thought John Wilkes Booth had moments of genius on stage but said that he seemed "a queer fellow" who had a "strangeness... an exaggeration of spirit—almost a wildness." Whitman didn't like the younger Booth's version of the American Style, which lacked finesse while often going over the top. On stage, John Wilkes Booth's sword fight became so intense that he inflicted real wounds and was wounded himself. Once, his opponent of the evening whispered during a sword fight, "For God's sake, John, die! Die! If you don't, I shall!"

For John Wilkes Booth, acting merged with real life. That had also been true of his father, but he was politically neutral, and it was true of his brother Edwin, although Edwin was an abolitionist who loved Lincoln. The pro-Confederate John Wilkes Booth often played the role of rebels who rose up against wicked tyrants and killed them, and for him Lincoln was the ultimate tyrant. That's why when he wrote about himself in his diary while he was fleeing south after the assassination, he compared

himself with such rebel characters. While being hunted through the cold swamps and woods, he scribbled these words, "I am here in despair. And why? For doing what Brutus [in Shakespeare's *Julius Caesar*] was honored for. For what made William Tell [in Schiller's play *William Tell*] a hero. And yet I, for striking down a greater tyrant than they ever knew, am looked upon as a common cut-throat. But my action was purer than either of theirs..."

In saying that his action against Lincoln was purer than that of previous rebels points toward the second major influence on John Wilkes Booth: what was then called the higher law. In 1850, Senator William Seward, who realized that the Constitution could be seen as a proslavery document, had famously declared, "There is a higher law than the Constitution"—that is, the law of moral or religious principle, according to which slavery was evil. Soon the air was buzzing with talk about the higher law. This higher law was amplified and acted on by the militant abolitionist John Brown, a devout Calvinist who thought God had chosen him to wipe out slavery. Brown killed proslavery settlers in the Kansas Territory and then in 1859 raided Harpers Ferry, Virginia, with a band of 21 men in a bold-but-doomed effort to trigger slave rebellions that he thought would terrorize the South so much that it would compromise on slavery. Instead, Brown was captured, found guilty on three counts, and then executed on December 2, 1859.

Among the troops who surrounded Brown's scaffold was the 21-year-old John Wilkes Booth, who had left an acting engagement in Richmond and had joined a militia unit that was among the soldiers at the execution. John Brown's political views were the polar opposite of Booth's. Brown had taken up arms against slavery so that 4 million enslaved people could be freed and then integrated into American society. Booth, of course, had exactly opposite attitudes. Despite this profound disagreement, however, Booth as he witnessed Brown's behavior on the scaffold developed a

deep admiration for the abolitionist. He saw him mount the steps with self-assurance, calmness, and even graciousness. Booth later recalled, "Poor John Brown! He was a brave old man!"

While Booth revered Brown, he detested Lincoln, whom he considered a treacherous politician who connived his way to kingly power and became, Booth said, "a tool of the North to crush out slavery." To Booth, John Brown seemed far nobler than Lincoln, since, in Booth's words, "open force is holier than hidden craft." Booth said sneeringly, "Lincoln's appearance, his pedigree, his low coarse jokes and anecdotes, his vulgar similes, his frivolity, are a disgrace to the seat he holds." When Booth compared the two men, Brown came out infinitely higher than the president. Booth wrote, "Lincoln is standing in the footprints of old John Brown, but is no more fit to stand with that rugged old hero—Great God! No. John Brown was a man inspired, the grandest character of this century!"

In fact, Booth's writings suggest that he wanted to be another John Brown, but in reverse. If the intrepid John Brown could dare to try to change America by taking up violence in a holy cause, so could Booth, or at least that's what he thought. Booth as a teenager had met a gypsy fortune teller who had predicted, "You'll have a fast life - short, but a grand one." The word "grand" stuck with Booth. He saw John Brown "the grandest character of the century," and, who knew, maybe he could be even grander. Like Brown, Booth talked of slavery in religious terms, though from the opposite viewpoint. Brown saw slavery as the product of Satan; Booth saw it as God's gift to man, or, in his own words, as "one of the greatest blessings that God has ever bestowed on a favored nation." If Brown had acted boldly under the conviction that he was God's chosen instrument, so did Booth, who after he shot Lincoln wrote in his diary that he had done "something decisive and great" under divine direction. Booth wrote, "Our country owed all

her troubles to him [Lincoln], and God simply made me the instrument of his punishment.... God's will be done."

And so, both Booth and Brown followed the higher law. But whose law was better? For most of us, of course, the answer is obvious. But we should recognize that John Wilkes Booth, shockingly enough, has had admirers over the years. There is a long tradition of Booth-worshipping, from avid relic-gatherers just after the assassination—to the Confederate veteran Joseph Pinkney Parker, who in 1904 erected a monument with the words, "In honor of John Wilks [sic] Booth/ For killing old Abe Lincoln"—to the author Izola Forrester, allegedly the granddaughter of Booth, who wrote in a 1934 book that "you cannot but feel a deep love for [Booth]"—to the Southern radio host Jack Hunter, who said that he personally raised a toast on every May 10, Booth's birthday, to Lincoln's assassin, about whom he declared, "John Wilkes Booth's heart was in the right place."

As for John Brown, many people today, including a few widely-read commentators consider him a fanatical, perhaps insane, homegrown terrorist. But Brown was held in the highest esteem by some of America's most thoughtful observers. Emerson compared him to Jesus Christ, Harriet Beecher Stowe called him the greatest American, Frederick Douglass declared, "I could live for the slave, but he could die for him," and W. E. B. Du Bois wrote, "John Brown was right."

The contradictory responses to Booth and Brown, make it tempting to conclude that one person's terrorist is another's freedom fighter. But the picture gets more complicated—and more suggestive—when we recognize that Lincoln also advocated extreme violence in the name of higher ideals. Initially, he had distanced himself from John Brown, declaring that while Brown's motives were worthy, his actions were illegal. But as the Civil War wore on, Lincoln de-emphasized law and precedent in pursuit of his goal of eradicating slavery.

Lincoln was more deeply steeped in religion than is usually acknowledged. Although he belonged to no church and did not accept any religion as a special revelation from God, he read the Bible often and got from it moral guidance and powerful imagery. He was moved by both the stern justice in the Old Testament and the charity and compassion in the New Testament. His immersion in religion contributed to his inspiring, visionary political rhetoric, from the House Divided speech to the Gettysburg Address ("one nation, under God") to the Second Inaugural Address, which, though only 750 words long, contained fourteen mentions of God, three of prayer, and four Biblical citations.

Lincoln met regularly with ministers of different faiths and helped to foster an ecumenical atmosphere of mutual tolerance. Also, Lincoln put "In God We Trust" on the nation's coins, approached his Cabinet about the possibility of amending the Constitution to include mention of God, and issued an extraordinary nine proclamations of prayer, fasting, or thanksgiving in order to fire the North with spiritual enthusiasm. He created the first national Thanksgiving in 1863. This promotion of religion helped generate strong support for him among the largely church-going public.

Lastly, Lincoln can be said to have waged his own kind of holy war. He directed a "hard war" in the name of two higher ideals: preserving the Union and, increasingly, ending slavery. In support of this war, he instituted the first federal income tax, a national currency and banking system, the military draft, and government investment in infrastructure. He also issued several strong presidential proclamations—most notably, of course, the Emancipation Proclamation.

Lincoln's version of the higher law is especially appealing. For one thing, it is based on firm principle and yet it's not philistine or doctrinaire. Unlike devotees of a narrower kind of higher law, Lincoln had sympathy and compassion for the other side. He had

been born in a slave state, and he was married to a woman who came from a slaveholding family and who had six close relatives who fought for the Confederacy. Lincoln was a practical, nut-and-bolts politician, but he also had an expansive philosophical vision. Most believers in a higher law are convinced that God is on their side only and everyone else is wrong. Lincoln's famous phrase "with malice toward none; with charity for all" reflects his much broader view. Yes,



John Brown (OC-0455)

he fervently opposed slavery, and yet he recognized that Southerners had their own interpretation of a higher law. Looking back at the Civil War in his second inaugural address, he said, "Both sides [meaning the North and the South] read the same Bible and pray to the same God, and each invokes His aid against the other.... The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes." He is saying, that, yes, we must pursue what we think is right, but we must have the wisdom of uncertainty and realize that God's purposes remain hidden from all of us.

Another reason that Lincoln's form

of the higher law is appealing is that it was channeled through American institutions such as the electoral process and presidential proclamations. To be sure, loose-cannon higher law actions like those of Brown or Booth can have a great impact. Both Brown and Booth, by turning to violence, succeeded in galvanizing change. Brown did become a martyr in the North and was a major inspiration to Union troops as they marched southward, singing their favorite song, "John Brown's Body." That's why many antislavery leaders attributed the fall of slavery largely to John Brown's heroic example.

John Wilkes Booth, likewise, had a great impact on history, but not the one he intended. The poet Walt Whitman considered the assassination of Lincoln the greatest boon to America, since it unified a nation whose deep divisions had created unimaginable bloodshed and suffering. Shared sorrow over the tragic death of America's "great Martyr Chief," Whitman wrote, provided "a cement to the whole people, subtler, more underlying, than anything in written constitution, or courts or armies;" it was the one thing needed only to "really, lastingly condense—a Nationality." Time has proven Whitman right. Since his death 150 years ago, Abraham Lincoln has been a unifying figure in the national consciousness, virtually the only constant (perhaps along with George Washington) amid shifting political winds and economic conditions—the most beloved of Americans among both conservatives and liberals.

But Lincoln is not just a unifying national icon. He is a lasting example of the most desirable form of the higher law: that is, the principled pursuit of justice through a popularly elected government. Although lone-wolf higher-law types like John Brown and John Wilkes Booth sometimes have positive results, history has shown that the higher law of individuals can also be a slippery slope that leads to unleashed violence. At Gettysburg, Lincoln announced "a new birth of freedom" for "this nation, under God"—a higher law declara-

tion. In the next breath he expressed a firm commitment to preserving "government of the people, by the people, for the people." Even the most apparently virtuous aims, Lincoln knew, can be dangerous if they are not channeled through a democratically chosen government. Although we know that the electoral process doesn't always yield good results, we can still accept Lincoln's declaration that democracy remains "the last, best hope on earth."

Through his visionary words, his principled actions, and his unmatched compassion, Abraham Lincoln can be said to have created a truly American higher law, one that stands in enduring opposition to the kind of narrow, hateful higher law embodied in his assassin, John Wilkes Booth. ♦

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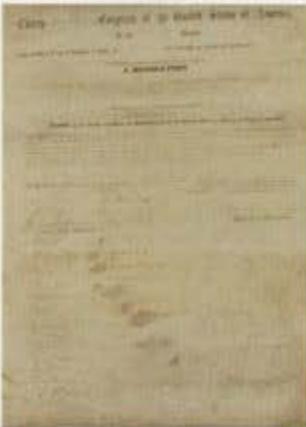
INDIANA STATE
MUSEUM
AND HISTORIC SITES



PREPARING FOR INDIANA'S BICENTENNIAL



*Emancipation Proclamation
(Leland-Boker copy)*



*13th Amendment
Signed Senate Resolution*

Thomas and Nancy Hanks Lincoln moved their family to Indiana in December 1816, just as Indiana became the 19th state to join the Union. It was in Indiana that Abraham Lincoln spent his formative years, living in Spencer County for fourteen years. As we prepare to celebrate the state's Bicentennial, the Indiana State Museum and Historic Sites is also working on several projects that celebrate Abraham Lincoln and highlight the family's connection to Indiana as well as his political achievements.

The museum's marquee Bicentennial exhibition, *Indiana in 200 Objects* (April 30, 2016 – January 29, 2017) will recognize both the Lincoln family and his presidency. The Emancipation Proclamation and the 13th Amendment from the Lincoln Financial Foundation Collection will be on view for brief periods during this time. In September, the museum will open the new 19th State history gallery with a focus on Abraham's boyhood and the Thomas Lincoln family as typical early Indiana settlers. Artifacts from the Lincoln Financial Foundation Collection can always be viewed in the museum's second floor Hoosier Way gallery. Objects are rotated regularly, presenting new stories about the 16th President.

In December 2016, the new interpretive center at the Levi Coffin State Historic Site in Fountain City, Indiana will open. The site was the home of Quaker abolitionists Levi and Catharine Coffin and is one of the best documented Underground Railroad sites in the country. The permanent exhibition, *Souls Seeking Safety*, looks at efforts to combat slavery. It will include a section on the Emancipation Proclamation and the Civil War constitutional amendments, using materials from the Lincoln Financial Foundation Collection. Updates on all of these projects can be found at www.indianamuseum.org and www.lincolncollection.org.



LINCOLN RELATED EDUCATIONAL PROGRAMS

Above: Katelyn Coyne as Mary Todd Lincoln at the Indiana State Museum | Below: Danny Russell as Abraham Lincoln at the Indiana State Museum

The Indiana State Museum offers a variety of programs and resources for students to learn more about Abraham Lincoln and his times. All Indiana K-12 students receive free general admission when visiting the museum as part of a pre-registered school group. Indiana educators receive free general admission every day when they show their school identification at the ticket counter.

Students can meet Abraham and Mary Todd Lincoln through theater programs at the museum or around Indiana. The Life and Times of Mary Todd Lincoln gives a glimpse into her life through her letters and other contemporary accounts. Abraham Lincoln and Sojourner Truth: Meeting of the Minds focuses on their thoughts about slavery and how it should be dealt with by the nation.

Educational trunks on Indiana in Lincoln's Time and Indiana and the Civil War can be checked out by schools, organizations, and home-schoolers for two-week periods and can be shipped anywhere in the state. Hands-on school workshops for grades 3-8 include Pioneer Indiana, Indiana and the Civil War, and Underground Railroad.

For more information about programs, please contact the Indiana State Museum's School Liaison at (317) 233-8958 or email srappjohnson@indianamuseum.org. A complete list of academic standards addressed in these and other programs can be found at www.indianamuseum.org/educators. Look for new educator resources on the Lincoln Financial Foundation Collection website, www.lincolncollection.org in the coming months.



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