
Lincoln LORE

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Lincoln Update



The Rolland Center for Lincoln Research Allen County Public Library, Fort Wayne, Indiana

The Lincoln Financial Foundation Collection has partnered with the Allen County Public Library to create the Rolland Center for Lincoln Research. The Center will highlight the thousands of unique and significant items in the Collection including original photographs of Abraham Lincoln, his family, Cabinet members, and generals; letters and documents to and from Lincoln; diaries of Civil War soldiers; and so much more. Primary sources combine with modern technology to create new opportunities to experience Lincoln and his time.

The Center will incorporate an expert-in-residence program. That position will be open to a wide range of individuals, including scholars and artists, who wish to work with the Collection's materials to further an understanding of Lincoln.

There are four points that serve as the North Star for the Rolland Center, guiding the project team members as they work through the planning and construction process:

- Connect people to the life and times of Abraham Lincoln.
- Display and bring to life this incomparable collection of Lincoln materials.
- Deliver a 21st century engaging experience.
- Make the Center a destination for people inside and outside of our community.

Learn more about the Rolland Center at www.friendsofthelincolncollection.org.

On The Cover: Grant and Lee (71.2009.081.0444) by Otto Boetticher. The watercolor sketch depicts General Robert E. Lee's meeting with General Ulysses S. Grant at Appomattox. To learn more about Lee, see Allen Guelzo's interview on page 11.

An Interview with Harold Holzer

regarding the CNN series

Lincoln: Divided We Stand

Lincoln Divided We Stand, Produced by CNN (2021)

Sara Gabbard

Sara Gabbard: How did the concept of the CNN television series develop?

Harold Holzer: Projects like this rarely originate from within the so-called Lincoln community itself. Nor do they come down from on high at the networks themselves. Today, it almost always takes an independent production company with passion, interest, and confidence to conceive such ambitious ventures—and then to move them forward toward financing, filming, and selling productions to TV. In this way, television differs from movies, where a Steven Spielberg, who is practically a film studio unto himself, buys a property (in this case Doris Kearns Goodwin's *Team of Rivals*) and then produces and distributes what turns out to be the best Lincoln movie of all time. In the case of *Lincoln: Divided We Stand*, it took a wonderfully creative independent film company called the Glass Entertainment Group to propose, pitch, develop, and produce it. Fortunately, the outfit had created previous, successful documentaries for CNN, so the network clearly had confidence in its Lincoln proposal. What amazes me is that CNN greenlit the project even as the network looked ahead to 2020 and 2021—which it knew would be dramatic and demanding years in terms of contemporary news, with a presidential election on the horizon,

as well as a potentially difficult transfer of power. In other words, CNN would surely need to be focused on 24-hour coverage of contemporary issues. Yet the network had faith that remembering our history could help get us through what they probably suspected would be a gut-wrenching, nail-biting news cycle. So (stovepipe) hats off to them—and, on the creative side, to Nancy Glass and Jon Hirsch. I spent months working with Jon, and he was just amazing: insightful and receptive, a real pro.

SG: How long was the time between initial concept and airing? Did the entire process take the amount of time you imagined?

HH: In the end, a good two years elapsed between the idea and the actual broadcast. I signed on in very early 2019. I'm always amazed by the hurry-up-and-wait pace of commercial television, but I got used to it when I worked for PBS in the late 1970s and early 1980s. On the CNN special, production proceeded apace (clearly thanks to much advance preparation), and the producers multi-tasked impressively, conducting on-camera interviews even as they cast about for re-enactors and began research on images and illustrations. But there would be later an unanticipated (at least by me) two-month broadcast delay when the network decided, in

its wisdom, that it would be better to air the series after, rather than during, the presidential campaign as originally planned. Ultimately, the CNN schedulers wisely chose to air *Lincoln: Divided We Stand* around the time of the 2021 inauguration, which turned out to be a brilliant decision since no transition, and no inaugural ceremony since Lincoln's own, had been as fraught and, frankly, dangerous to democracy as the end of the Donald Trump's presidency and the beginning of Joe Biden's. Therefore, the series invited—almost demanded—thoughtful and very timely comparisons to the past.

SG: How was the title chosen?

HH: For those of us on the ground from the beginning, it was always simply the "Lincoln project" until someone hit on the great subtitle of "Divided We Stand," which to my knowledge no book author had ever appropriated. Very clever, suggestive, and descriptive of the Civil War era—its awesome challenges and heartening consequences. No individual has stepped forward to claim credit for the title—and that's generally how TV works: it's a truly collaborative creative enterprise. All I know for sure is that I didn't think of the title, though I wish I had.

SG: How many individuals were involved in writing the script? Did

each commentator write his/her comments?

HH: Two separate and interesting issues here. The main script remained entirely in the hands of the producers and their writers, as did the words spoken by the narrator, Sterling K. Brown. Along with my friend and longtime colleague, Dr. Edna Greene Medford, I served as historical consultant, which meant we performed the role of advisors and fact checkers draft after draft, all along the way. We made suggestions, and some were accepted, while others weren't. That's par for the course, as I had learned when I advised the Spielberg company and screenwriter Tony Kushner. But I was very impressed by the depth of knowledge and sophistication that the Glass Group scriptwriters demonstrated, from concept to camera-ready final. And let's face it: scriptwriting, whether for drama or documentary, is a very specialized art, and it takes a special gift to get it right. Above all, scriptwriting requires compression of both thought and detail, and from time to time invites silence rather than verbiage. Now, I have never been known for writing five words when I could produce ten, so I looked on with respect, approaching awe, as the documentary was drafted, edited, refined, and finalized. It's really a fascinating and unique process to observe and, in whatever degree, participate in and contribute to.

As for the words spoken by on-screen commentators like me, they were entirely unrehearsed—at least that was so in my case. I knew in advance only what general topics would be covered during

each of my two days of shooting, but I did not have the specific questions before we filmed, and I wouldn't have wanted them. Unless you're a

professional actor, it's always best to be natural and spontaneous in these circumstances. Besides, on friendly sets, and this one was super-friendly, if you don't like the way you're expressing something, you just stop cold and ask for a do-over.

All that said, there were moments of flawless and emotionally charged eloquence by Edna Greene Medford, Louis Masur, Mary Frances Berry, and Allen Guelzo that one might say were more than worth the price of admission.

SG: How were the commentators chosen?

HH: Well, as a consultant, I did propose a number of historians whom I respect, and some, but not all, of them, were invited to appear on camera. I imagine, too, that the preliminary cast of commentators made "casting" suggestions of their own. The result was a rather unexpected mix, but certainly not "Harold's List," or anything approaching that. In the end, I was impressed with both the young and, shall we say, older Lincoln scholars. The producers also reached out to a number of historians of color whom I'd not met or, in some cases, never read, and I'm glad they did. Much of what they said was revelatory, both historically and emotionally. The producers tried to balance male and female "talking heads," too, and I am certain that no previous Lincoln or Civil War special featured as many women on air, a balance long overdue. I think the on-screen diversity contributed to the freshness the series achieved.

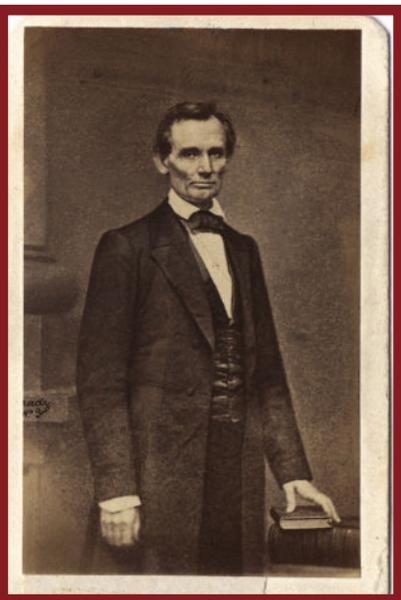
Do I think some additional voices might have been usefully added? Sure. And it's a shame that fine new Lincoln specialists (and their books) like Ted Widmer (*Lincoln on the Verge*) and David Reynolds (*Abe*) emerged after the series started shooting, while a few other history luminaries had projects of their own underway and could not participate. Uniquely, the filmmakers also turned to some of CNN's "own" for the series. My friend John Avlon, for example, came aboard, and he's not only a gifted on-air analyst on politics, he's also a talented historian who wrote a terrific book about Washington's Farewell Address, and will soon publish a book on Lincoln's "malice toward

none" plans for postwar reunion. CNN was also represented by Van Jones, whom I admire as a TV analyst, and who certainly commands a scene with his presence and charisma—although I must say I strongly disagree with several things he said about Lincoln and race on the series. Overall, I think the final mix joined the expected with the unexpected—with results that viewers tell me they appreciated and learned from. Parenthetically, a number of viewers have told me that they were astonished that on screen, one scholar's sentences were often completed by another scholar—as if it were scripted that way, or as if we were filmed together like a chorus. Not so: just great editing. And I'll always be grateful that one such edit juxtaposition made it seem as if I were providing the punchline for a story begun by Conan O'Brien.

SG: How were the images chosen?

HH: From the start, the documentarians planned to use archival material as well as modern footage of historic places—along with scenes featuring re-enactors, but with no spoken dialogue. It's a very demanding mix of genres to bring off successfully, but I believe *Lincoln: Divided We Stand* did so. To start, the researchers explored a vast array of period images, always looking for the best unretouched prints, and working hard to avoid repetition and to keep Lincoln's evolving image (and haircuts!) in chronological order. We searched for fresh, rarely seen graphics of the scenes, sites, and contemporaries associated with Lincoln, as well as the surviving buildings and interiors. The top repositories were tapped. As the author of sculptor Daniel Chester French's biography, I'm thrilled that the Lincoln Memorial was so dramatically and frequently portrayed. I think some of the best images came from the moving camera—like the scenes of the snowy wilderness winter into which Lincoln was born in 1809, the evocations of Mary Todd's Springfield parlor, the Lincoln-Douglas debate stage, and the private quarters of the White House—all in appropriately muted color. It's a very tough balancing act—you have to keep a grip on reality while acknowledging TV's need for movement—but these filmmakers demonstrated Blondin-like balance.

SG: Where were the commentators located? Did you choose your own location, or were you assigned to it?



HH: People seem to be fascinated with this. From everything I've heard, each of us simply got assigned to individual locations, all of which were carefully chosen to meld on screen into a kind of elegantly symmetrical background. I think Michael Burlingame drew the best venue: he works in Springfield, so he got to sit in the Old State Capitol, where Lincoln himself once orated and legislated. Otherwise, the filmmakers booked neutral locations whose interiors are old enough to look "of the period," as they say, and capacious enough to accommodate the absolutely mind-boggling array of lighting and sound equipment the tapings required. I ended up filming for two days at a Manhattan building called Astor House, which I must confess I did not even know existed, though it stands only steps away from my longtime professional home, the Metropolitan Museum of Art. As I subsequently learned, it was built in the 1920s by the millionaire who later married Brooke Astor, the legendary philanthropist who long served on the Met Museum board—and lived to be 105! I knew her personally.

Today this Upper East Side landmark is a wedding venue (sadly closed for the pandemic lockdown) and also headquarters for the charitable group the Junior League. And I was absolutely delighted by its name—after all, the original Astor House, a big hotel miles downtown near City Hall (built by the same family but long gone), was where Lincoln stayed when he visited New York to deliver his Cooper Union Address in 1860. It's also where the entire Lincoln family stayed the following year when they visited the city en route to the inauguration in Washington. I just loved being at the uptown Astor House. I just wish someone had told me to sit up straight while I was there.

SG: Even though the series ran for several hours, were there any subjects which you wish could have been given more time?

HH: I don't think there were any significant gaps, but if it were left to me I would of course have done additional segments on Lincoln as a subject for art and photography—how he always made himself available to painters and sculptors while joking about his homely appearance. Maybe I would have focused even more on Lincoln the writer and orator, because I continue to think it remarkable (as did Tolstoy,

Stowe, Whitman, and others) that a barely educated prairie boy could evolve into one of the greatest writers in American history. Had I enjoyed full control of the camera, maybe I would have added more on Lincoln and the press, too. But these subjects reflect my own interests, and demonstrate no sense at all of what the public might want to see. That's why I write books or, when I'm lucky, get work as a "talking head," and why I don't produce documentaries. I don't think the producers meant originally to focus on Lincoln and race; that became the unifying theme as the series got made. I know the filmmakers were surprised to learn about Lincoln's insensitive, ill-chosen white supremacist remarks at the Charleston debate in 1858, and at his meeting with Washington, D.C. freedmen in 1862. The producers were determined to report and confront them. Watching the early cuts of the shows, it was revelatory—often painful—to hear Black Americans on screen confide how hurtful those remarks remain. The series shows us, perhaps for the first time for some viewers, that Lincoln wasn't perfect, wasn't born a "great emancipator," but that he managed nonetheless to save the American Union and sign the most important freedom document in our history, the Emancipation Proclamation, and write the sublime words that still animate America's better angels.

SG: Do you know how big your television audience was?

HH: I'm told the series averaged some 1.6 million viewers per episode, and from the ratings charts (which are available online if you know how to find them—as a public television alumnus, I know how to get access) CNN beat both MSNBC and Fox every hour it was airing *Lincoln: Divided We Stand*. I hope its popular success encourages networks throughout the broadcast, cable, and internet spectrums to appreciate how hungry audiences are for good and provocative history.



Old State Capitol ZPC-253

SG: The series presented such a great picture of Abraham Lincoln. Are there plans to make it available to, for instance, schools?

HH: My understanding is that schools are depending less than before on DVDs—on hard copies of films and television series. Fortunately, the CNN series is already available on different streaming services like Hulu, SLING, YouTube, and cable/dish on demand. Even I subscribe to a few of those. So it's not at all difficult to access. Schools are more than welcome to them. I'm painfully reminded of the generous offer Steven Spielberg once made—to provide a free DVD to any school that wanted a copy of the *Lincoln* (2012) movie. Then a Connecticut congressman decided to take issue with the way the film depicted his state in the House vote on the Thirteenth Amendment, and demanded that the film be scrapped and re-edited or banned from his state! So much for good intentions!

SG: Do you see a future for such television programming?

HH: Absolutely. If there's one thing the CNN series proved, it's that people want to see and learn more about Abraham Lincoln—and this is true for print as well as video. I'm constantly amazed by the variety and volume of Lincoln literature that continues to pour forth from new and veteran historians alike. And I would not be at all surprised if more Lincoln television projects gain traction in the near future. In fact, I've already heard about more than one. As they say in show business, stay tuned!

Harold Holzer is the Jonathan F. Fanton Director of Roosevelt House Public Policy Institute at Hunter College.

Richard W. Etulain, *Abraham Lincoln: A Western Legacy*

Reviewed by:
Burrus M. Carnahan, U.S. Department of State

Richard Etulain is a former professor of history at the University of New Mexico and Idaho State University, and has written works on western history ranging from the life of Billy the Kid to the Basque experience in the Rocky Mountains. In this well-written monograph he recounts the interaction of Abraham Lincoln with the West, particularly as president. He also describes and assesses efforts to memorialize Lincoln after death, focusing on how the president's face came to be carved on Mount Rushmore by sculptor Gutzon Borglum. Borglum, the author concludes, "was the central figure in the Abraham Lincoln story on Mount Rushmore."

Beginning with Lincoln's support for the Wilmot Proviso, which would have banned slavery from western land acquired from Mexico, the author adopts the Great Reconstruction thesis, which posits that western history cannot be divorced from the history of the Civil War and its aftermath. In a sense, both histories ended in failure for Lincoln's policies: Reconstruction ended before it could secure equal rights for the freed slaves, and in the West the Homestead Act and the transcontinental railroads led to unforeseen consequences. Intended to provide family farms so "that every poor man may have a home," as Lincoln phrased it, the Homestead Act eventually led to settlement of arid regions not suited to small farming, and contained loopholes that permitted land speculation. Under the "Robber Barons," western railroads became poorly maintained monopolies that exploited small farmers instead of providing them reasonable access to markets.

As president, Lincoln had to deal with such a large number of western states and territories that the author concluded he can be considered a "political founding father" of the American West. The Lincoln

administration's most significant policy action was to ban the extension of slavery to the federal territories (where New Mexico had already enacted its own Slave Code). In this, as in the cases of the Homestead Act and the transcontinental railroad, the president stayed true to his old Whig principles and let the legislative branch take the initiative.

The author repeatedly describes federal territorial policy as "Deist," apparently a reference to 18th century Enlightenment philosophers who compared God to a "great watchmaker," who created the universe and set it in motion, but thereafter paid little attention to its operation. Similarly, 19th century Congresses organized territorial governments, presidents appointed territorial officers, and both tended to ignore the territories thereafter. The Lincoln administration was no different.

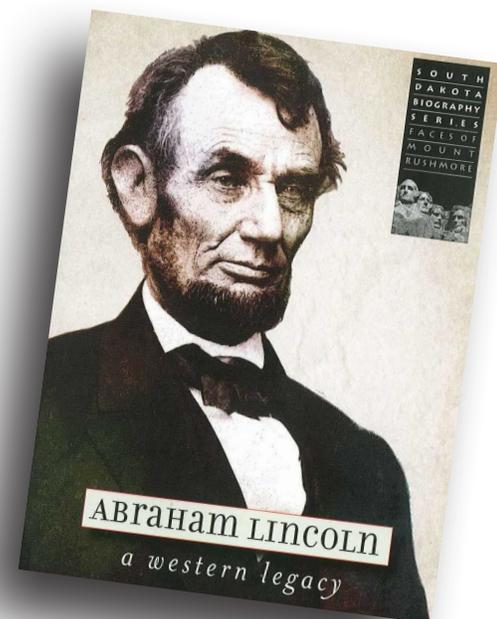
According to the author, Lincoln's territorial officials had a mixed record. Political patronage was the prime consideration in their appointment. The President considered himself the victim of unjust treatment in the appointments of Zachary Taylor's administration, so he was probably more concerned to do justice to his supporters than to the people they would govern. Predictable conflicts arose between Republican governors and territorial populations, some of which were strongly Democratic. The author particularly chastises Lincoln for abusive treatment of the Indians, which seems somewhat unfair since his sin was merely failing to reform the system he found in place from earlier presidents.

On race, Etulain rejects extreme criticisms of Lincoln from both the left and right. The author nevertheless faults Lincoln for "hesitation" on civ-

il rights and states he "never accepted African-Americans as fully equal." While he made racist remarks during his 1858 debates with Stephen Douglas, we really don't know what his final views were on civil rights and racial equality. As president, he ended his life arguing for African-American voting rights and treating them as social equals in the White House.

After the president's assassination, artists were divided on how he should be memorialized. The potential themes focused on Lincoln as heroic leader, on his humanity and mercy, or on his origins as a common man from the frontier. Gutzon Borglum, who had been fascinated by Lincoln for most of his life, was primarily interested in him as a hero who saved the Union and a product of the frontier. Lincoln's rise from poverty was, Borglum thought, similar to his own struggles with adversity. Borglum disliked the Lincoln Memorial in Washington because it divorced the President from his middle-western roots. Lincoln was "the first real product of our poor to gain the Presidency," he believed.

The author describes in detail the political, financial and administrative challenges that the Mount Rushmore project faced, and notes recent criticisms of it on ecological and anti-heroic grounds, but observes that Mount Rushmore has remained popular with the American people. While four presidents are memorialized on Mount Rushmore, to Borglum, Lincoln was the greatest. "For the opinionated sculptor," the author concludes, "Lincoln was the giant of American history. Washington was a founder, Jefferson an expander, and Theodore Roosevelt a durable, dependable leader, but Borglum's Lincoln was the nation's savior."





A Noble Dream: Abraham Lincoln *and the* Arab World

Jason Silverman

The story of Abraham Lincoln's self-education is a well-known one. A voracious reader from a very young age, Lincoln devoured whatever books he could get his hands on. And much has been written about this. Indeed, he once told his friend, Leonard Swett, that as a boy "he borrowed and read every book he could hear of for fifty miles."

We know that Lincoln read the Bible, classics, histories, poetry, drama, and patriotic works. But, little has been written about one work in particular that had great influence upon Lincoln's later life and diplomacy. Over eighty years ago, the eminent Lincoln scholar R. Gerald McMurtry wrote a short article about the influence that Captain James Riley's Narrative of the *Loss of the American Brig Commerce* (1817) had upon Abraham Lincoln. According to McMurtry, "the book is said to have a striking and permanent impression on the minds of early American youths who read it," and Lincoln certainly fell into that category. Besides being an exciting adventure of capture, release, and cultural immersion, Riley's story left "an indelible impression on Lincoln's mind in regard to race superiority and the moral wrongs of slavery," not to mention keen and critical observations of the Arab world. As McMurtry perceptively noted, the complete title of Riley's Narrative not only summarizes the contents of the book, but also indicates how Lincoln could have become enthralled with it and remembered it many years later as President of the United States:

An Authentic Narrative Of The Loss Of The American Brig Commerce Wrecked On The Western Coast Of Africa

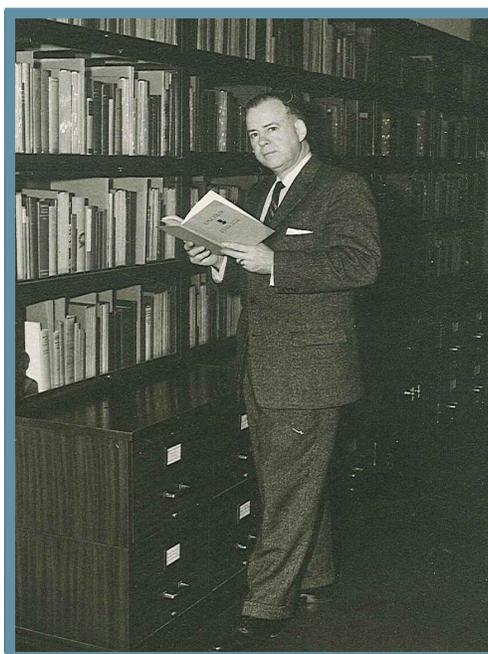
in the Month Of August 1815 With An Account Of The Sufferings Of Her Surviving Officers and Crew Who Were Enslaved By The Wandering Arabs, On The Great African Desert, Or Zahahrah; and Observations, Historical, Geographical, &c., Made During The Travels Of The Author, While A Slave To The Arabs, And In The Empire Of Morocco

This was Lincoln's first exposure to the Arab world and one that would have profound influence upon him. While it is doubtless that the anti-slavery sentiment of the book left a lasting impression upon the young Lincoln, so

too did the descriptions of the nomadic Moroccan Arabs, and their cruel and unusual customs, who sold Riley and his crew as slaves to Arab merchants. "After some time bartering about me," Riley wrote, "I was given to an old man whose features showed every sign of the deepest rooted malignity in his disposition. And this is my master? Thought I; Great God defend me from this cruelty." Later, as president, Lincoln would list Riley's *Narrative*, along with the Bible and *Pilgrim's Progress*, as one of the books that most shaped his life and thinking.

Though he had celebrated his inauguration in a banquet hall called the Muslim Palace of Aladdin, Abraham Lincoln was not given to Middle Eastern fantasies. Immediately upon assuming office, Lincoln's Secretary of State, William Seward, cautioned the new president that Middle Eastern rulers, "accustomed as they were to wait upon power with respect, and visit weakness with disdain," would exploit to their benefit the division in the United States. Indeed, James Buchanan's Minister to the Ottoman Empire, Alabaman James Williams, urged the government there to ignore the Union and recognize the Confederacy.

Lincoln quickly removed the Buchanan appointee to the Ottoman Empire and replaced him with Edward Joy Morris, a Pennsylvanian, who suggested that a naval force be stationed outside Constantinople to demonstrate American resolve in the region. Lincoln demurred on the stationing of a naval squadron and assured the Sultan of his desire to "continue to cultivate the friendly relations which have always so happily existed" between America and the Otto-



R. Gerald McMurtry Lincoln Museum Archival Photos

mans. Having long battled secessionist movements in his empire, Sultan Abdul Aziz needed little persuading and assured Lincoln of his “friendly sympathies” for the North and his hope that its differences with the South “may soon be settled in such a manner as will preserve the Union intact.” The Sultan also took the extraordinary step on February 25, 1862, of renewing the 1830 Treaty of Commerce and Navigation between the United States and the Ottoman Empire with an addendum forbidding Confederate privateers from operating in Ottoman waters. This was a very impressive feat for the Lincoln administration, consumed in its first year by war, and the President proudly announced it in his annual message to Congress that “the new commercial treaty between the United States and the Sultan of Turkey has been carried into execution.”

But, the perils of being perceived as weak in the region continued to plague Lincoln with each passing day. It soon came in the presence of Christian missionaries to the region; the number of whom grew significantly while the Civil War engulfed the United States. Of the 150 documented missionaries in the Ottoman Empire at the outbreak of war in the United States, Ambassador Morris observed that not one sympathized with the Confederacy. As such, Morris, Seward, and Lincoln regarded the missionaries as a de facto diplomatic corps for the State Department. Missionaries in the Middle East reported Morris, “enjoyed a liberty of conscience that is not accorded to dissenters from the established faith in some of the most enlightened kingdoms of Europe.” His boss, Secretary of State Seward, echoed that opinion. The missionaries, Seward said, enjoyed not only the support of the President, but also the support of a “very considerable and intelligent portion of the people of the United States.”

Ever since he read Riley’s *Narrative*, Lincoln had great respect for the work of the missionaries in the Muslim world. And because of that he soon found his administration embroiled in a controversy over one missionary in particular. In a very unusual response, to reach a wide audience abroad, Lincoln chose to publish the official correspondence concerning the controversy over this missionary. The publication appeared in the form of a white paper entitled *Religious Toleration in Egypt: Official Correspondence Relating to the Indemnity Obtained*



William Seward LN-1201

for the Maltreatment of Faris-El-Hakim, An Agent of the American Missionaries in Egypt which was intended to apply diplomatic pressure to the Egyptian government to exact punishment on those responsible for the abuse of Hakim. The published correspondence covered a period of twelve months and few Americans, consumed by the strife at home, realized, until they read it, that Lincoln had issued an ultimatum to Egypt and Turkey.

In the midst of his myriad of domestic woes, Lincoln had received a letter from his Egyptian ambassador, William S. Thayer, stating that a Syrian bookseller, a Christian employed by American missionaries, had been abused by a mob of Moslems on the Upper Nile. Thirteen wealthy and respected citizens of the area were guilty of the violence. Thayer said that an example must be made of them to preserve American prestige. A year’s imprisonment and a fine of \$5,000 for each of them was what Thayer recommended because “that would renew respect for America.”

To support the abused Syrian, Faris-el-Hakim, Lincoln published in his white paper Thayer’s letter along with an affidavit and the reply of the local Turkish officials. The depositions of the two principals agreed in all the essential facts, yet the two accounts contradicted one another significantly. Ever the lawyer, Lincoln had seen many similar incidents while riding the circuit back in Illinois. Faris claimed that the Moslems in Upper Egypt disliked him because he sold

Christian books cheaper than the native merchants could sell books in their own faith. In addition, he stated he had been persecuted because he acted as an attorney for a woman who wished to become a Christian. The Moslems condemned him as a dangerous infidel and urged the population to stone him.

The local Moslem officials, however, claimed that the trouble began over a woman, Fatima, whose attorney, Faris-el-Hakim, lured her away from her husband and four-year-old child. Ordered to appear in court, Fatima arrived with her Christian lawyer. Confronted by her husband who insisted she was married to him by Moslem law, Faris maintained that this did not bind Fatima because she had become a Coptic Christian. Violence ensued and Faris ended up in jail. Faris was charged with “reviling our religion which includes all courts and government and for his persistence in having the woman violate the law.”

Lincoln’s correspondence with Egyptian and Turkish officials resulted in the Moslem officials being reprimanded for not confining their jurisdiction to the ruling on the marital status of the woman and for incarcerating Faris. But, when that didn’t satisfy the Lincoln administration, Turkey shortly thereafter closed their ports to Confederate vessels. “I pray your Highness to be assured that these proceedings at once so prompt and so just,” Lincoln wrote to the Viceroy of Egypt, “will be regarded as a new and unmistakable proof of your Highness’ friendship for the United States, and of the firmness, integrity, and wisdom with which the government of Your Highness is conducted.”

But Lincoln’s problems with the Middle East did not end with the case of Faris. Several months later, in February 1862, Americans Henry Myers and Thomas Tunstall traveled to Morocco. Myers, a Georgian, was the paymaster of the Confederate cruiser, *Sumter*, which managed to seize eighteen federal ships before putting into port in Gibraltar. Seeking supplies, Myers and Tunstall, an Alabamian who had formerly served as a U.S. diplomat in Spain, boarded a French ship for Cadiz, but stopped en route for a sightseeing tour of Tangiers. The allure of the Middle East proved costly for the pair, however, when their presence in the city attracted the attention of the U.S. Consul there, James De Long, a former judge from Ohio and a fierce American nationalist. Flying over one of the build-

ings in Tangiers was an American flag and both Confederates paused to make loud, angry, disparaging remarks about it. "American citizens may talk and plot treason at home," De Long vowed, "but they shall not do so where I am, if I have the power to prevent it." Appealing to the local authorities, De Long had Myers and Tunstall arrested and placed in irons in the consulate's top floor. The Confederates vehemently pleaded their rights as belligerents on neutral soil. De Long, however, replied that they were traitors and, sensing that his action might place the Lincoln administration in a controversial position, requested a "Federal man of war in this bay."

The arrest of Myers and Tunstall was indeed controversial. French nationalists denounced what it considered a flouting of its neutrality, insisting that Myers and Tunstall sailed to Tangiers under the protection of the French flag. Surely this must have caused Lincoln to flashback to the *Trent* affair of several months prior which caused an international crisis when the British claimed the Union violated its neutrality by removing two Confederates from a ship flying under the British flag.

An angry anti-American mob formed in the Tangiers marketplace protesting the arrest and detainment of Myers and Tunstall. Enraged Frenchmen marched down to the American consulate, flourishing knives and threatening vengeance. To protect American interests in the Middle East, Lincoln dispatched the USS *Ino* to Tangiers. In short order thirty bayonet wielding Marines charged ashore, the first to land in that area since the Barbary Wars of the early nineteenth century, and managed to press through the mob. In response, the Moroccan Emperor, Muhammad IV, closed the port. With the Lincoln administration's support, De Long then issued an ultimatum: reopen the port and permit the captives to be evacuated or the United States would close its consulate. Given the choice between placating the French and angering the Americans, the Emperor sided with Washington. Less than an hour later, guarded by a detachment of Moroccan troops and watched by "at least three thousand spectators," De Long and the Marines marched Myers and Tunstall up the *Ino's* gangplank.

But whatever triumph De Long experienced was short lived. Fearing a very ill-timed break in diplomatic relations with

the French, Lincoln again relented as he had in the *Trent* episode, and released both Tunstall and Myers from prison in Boston. And like the captain of the American ship which intercepted the HMS *Trent*, Lincoln removed De Long from his position. The embittered former consul questioned whether Lincoln's leniency would backfire and cause Middle Eastern leaders to question America's strength and resolve.

And, to an extent, De Long's speculation was not misguided. Lincoln had not placated the French and soon they were again testing Lincoln. This time the French used Egypt as its pawn and created for Lincoln an international dilemma in Mexico where Napoleon III had hoped to create a puppet state under his ally Maximilian.

Egypt's interest in Mexico had, for the most part, been overlooked because the number of her troops in that country was small and because they tended to be absorbed in the French army. Nevertheless, having faced diplomatic problems in Turkey and Tangiers, Lincoln now faced a confrontation with Egypt at a time when the war at home was not going well for the Union.

In 1862, before France had engineered the creation of a Mexican monarchy, it had quietly negotiated a treaty with Egypt. The Egyptian government was to deliver 1,500 soldiers to France for service in Mexico. The understanding was kept strictly secret for fear that Turkey which had gained controversial control of Egypt, or Great Britain, the protector of Turkish integrity, would block this independent policy by the Cairo government.

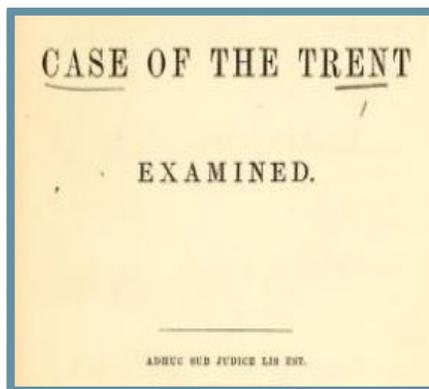
On January 6, 1863, the French frigate *La Seine*, anchored in the Egyptian port city of Alexandria, began some very provocative preparations to set

sail. First the local police seized fifty young black men, a few of whom had been born in America, and impressed them into service onboard the French ship. Then 450 regular Egyptian Army men arrived. The police were instructed to prevent anyone unauthorized from reaching the ship. The families of the irregular conscripts, desperate at the sudden loss of their family members, crowded the wharves seeking some assistance from, among others, the American diplomatic delegation.

One week after the Emancipation Proclamation took effect in America, the frigate made a hasty departure and William Thayer, the U.S. Consul-General in Alexandria, who had earlier and successfully intervened on the behalf of Syrian bookseller Faris-el-Hakim, immediately launched a formal protest. Thayer was falsely told that the ship contained 500 regular Egyptian soldiers destined to Morocco to suppress a revolt there. Incredulous, Thayer questioned why Egypt should have any interest in Morocco, or why a French warship should have been used when Egyptian ships were available. When his questions went unanswered, Thayer, a perceptive and knowledgeable diplomat, concluded that Mexico and a threat to the Monroe Doctrine were involved.

While the United States and Egypt enjoyed a healthy economic relationship, diplomatic relations became strained at this point. The French sought out Egyptian troops because they believed that Arab fighters would be better accustomed to the heat and resistant to yellow fever in Mexico. Because of the war at home, neither President Lincoln nor Secretary Seward had the diplomatic leverage to expel Napoleon III from Mexico. Much like the U.S. foreign affairs with the Barbary States, the Lincoln administration could not engage Egypt without being concerned about British and French interests as well.

After some relentless diplomatic pressure from Thayer the Egyptian Viceroy, Zulfikar Pasha, in a rare moment of candor, came clean and admitted that his troops had gone to Mexico. He minimized the significance of the expedition, however, by stating that only 500 troops had been sent, though Napoleon had requested 1,500. The Egyptian characterized the entire proceeding as merely "a friendly service to France." This was unacceptable to Thayer, who,



The Case of Trent Examined 71.2009.084.09650

under Lincoln's direction, explained to Zulfikar Pasha what would happen if Egypt insisted on violating the Monroe Doctrine. Also, Thayer was explicit in his assertion that the impressment of 50 black soldiers was inhumane and a complete repudiation of all that the Lincoln administration represented.

While Thayer wanted to pursue this matter further, Lincoln and Seward gave him little encouragement. Preoccupied with the domestic war, Lincoln did not want to become involved in any foreign venture. With a threat right on their doorstep, Seward and Lincoln took the view that it was best to avoid involvement in Mexico by adopting a seemingly neutral position. Their official opinion was that the United States had no objection to French troops in Mexico, but to their heavy-handed commandeering of the Mexican government. America would recognize Maximilian, they stated, if his regime received the popular support of the Mexican people which, of course, was highly unlikely.

On behalf of the President, Seward wrote U.S. Ambassador to France John Bigelow that Napoleon III's monarchical experiment in Mexico could not survive. Only the Mexican people, he added, could decide whether they wanted monarchical rule over a republican form of government. Upon Lincoln's directive, Seward informed Bigelow that the United States would not intervene in Mexico against France, but expected that the French would follow suit and stay out of the American Civil War. Complicating matters further, the death of Thayer deprived the United States of his diplomatic skills at a very crucial time.

In his last annual message to Congress in December 1864, Lincoln informed Congress: "Our very popular and estimable representative in Egypt [William Thayer] died in April last. An unpleasant altercation which arose between the temporary incumbent of the office and the Government of the Pasha resulted in a suspension of intercourse. The evil was promptly corrected on the arrival of the successor in the consulate, [Charles Hale] and our relations with Egypt, as well as our relations with the Barbary Powers, are entirely satisfactory."

The Egyptians made no further attempt to assist the French in Mexico until shortly after Lincoln's assassination. A new Egyptian Foreign Minister, Sherif Pasha,

believing that the death of Lincoln would weaken American foreign policy considerably, informed Charles Hale, the new U.S. Consul at Alexandria, that Egypt intended to send 900 new troops to Mexico. Lacking instructions and somewhat taken aback by the new development, Hale threatened the Egyptians with retaliation if they followed through on this plan. Hale warned Sherif Pasha that if Egypt once again sent involuntary black soldiers to Mexico at the behest of an ally, the United States at some point would consider sending a black army to invade Egypt at the request of a friendly power.

With Lincoln gone and Andrew Johnson a poor successor, this crisis fell squarely on Seward's shoulders. Seward issued a strong protest to Alexandria, Constantinople, and Paris while overlooking Hale's threatened invasion. Nevertheless, Seward did in his official dispatches make clear reference to the involuntary servitude of the black soldiers and that the President and Congress had watched with consternation the events unfolding in Mexico "which I need not say form a subject of serious apprehension with regard to the safety of free Republican institutions on this continent, an object of which we are accustomed to connect the desired ultimate consequence of the abolition of every form of compulsory civil or military servitude in this hemisphere."

For over a year, Seward faced diplomatic resistance from the French and the Egyptians. The diplomatic impasse came to an end when Sherif Pasha was replaced as Egyptian Foreign Minister with an Armenian Christian, Nubar Pasha. The new minister wasted no time in informing Ambassador Hale of his opposition to any further intervention in Mexico. He informed Hale that the United States could count upon Egypt to stay out of Mexico. And so Lincoln never lived to see the resolution of an incident that all too frequently consumed him as he sought to bring peace to his own homeland.

Ever since the youthful Lincoln read Riley's *Narrative*, his interest in the Middle East was genuine and sincere and had the Civil War not monopolized both his administration and his life, it is highly likely that Lincoln would have cultivated a deeper and more intense relationship with the re-

gion. In a meeting with Lincoln in 1863, the leading Canadian clergyman, Henry Wentworth Monk, protested the fact that Jews, unlike black Americans, had yet to be emancipated. "There can be no permanent peace in the world," the reverend prophetically maintained, "until the civilized nations . . . atone . . . for their two thousand years of persecution [of the Jews] by restoring them to their national home in Palestine." Lincoln readily agreed. "Restoring the Jews to their national home in Palestine . . . is a noble dream and one shared by many Americans," Lincoln replied, adding that once the war was won, Americans would again be able to "see visions and dreams" and lead the world in realizing them.

Like those Americans, Lincoln himself had "visions and dreams" about the Middle East. On that fateful day at Ford's Theatre, even as Lincoln enjoyed *Our American Cousin*, he couldn't keep his mind from straying to other thoughts. Likely, he found himself day dreaming about the future and his life after the presidency. Earlier that day he told Mary that he would very much like to visit "the Holy Land" and that "there was no city on earth he so much desired to see as Jerusalem." Such was never to be.

But Lincoln's relationship with the Middle East was like his relationship with everyone else, whether they were individuals or nations; honest, principled, governed by integrity, and buttressed by the Declaration of Independence. Gary Wills once wrote that Lincoln's interpretation of the Declaration of Independence as a universal document for all humankind was essential in understanding the president's wartime foreign policy. "The Declaration gave liberty not alone to the people of this country," Wills wrote, "but hope to all the world, for all future time. It was that which promised that in due time the weights would be lifted from the shoulders of all men and that all should have an equal chance as Mr. Lincoln said."

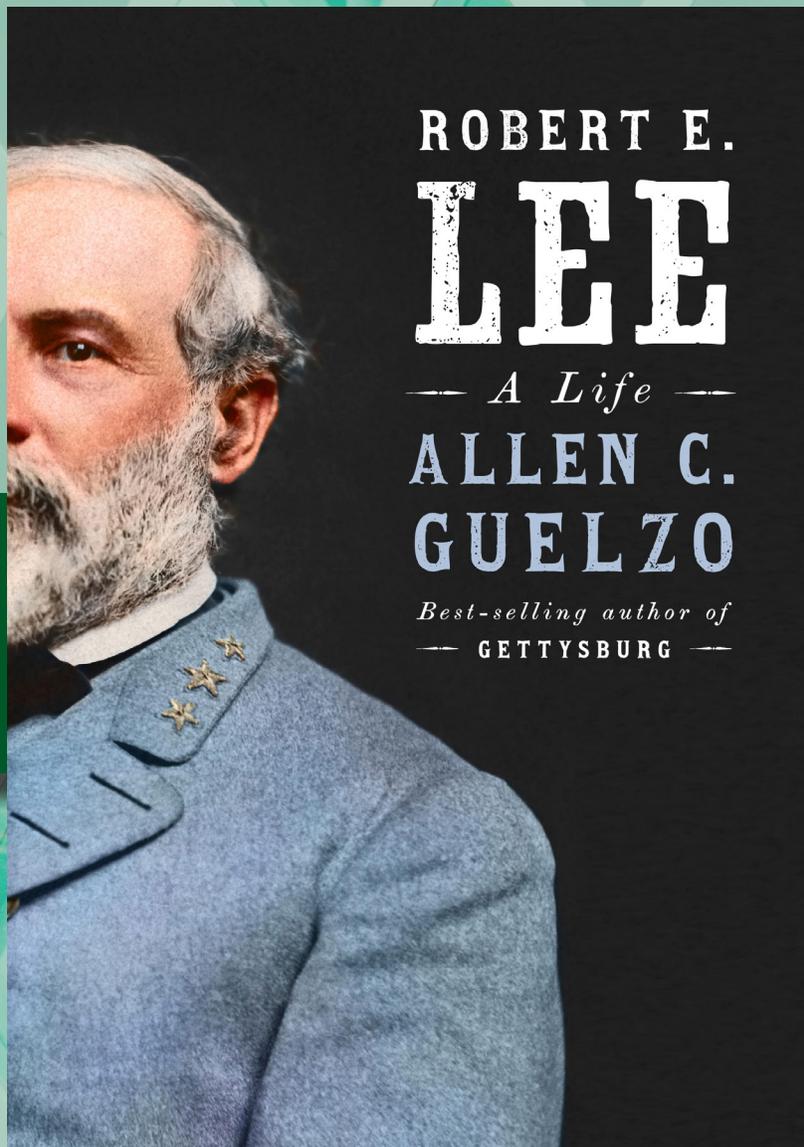
Lincoln's "new birth of freedom" still does not exist in many parts of the fractured and violent Middle East today. Nevertheless, there still stands in that region several monuments to the man who dreamed that someday he would be able to visit the Holy Land.

Jason Silverman is the Ellison Capers, Jr. Professor of History at Winthrop University.

An Interview with Allen C. Guelzo

regarding his new book:

Robert E. Lee: A Life



Sara Gabbard: What led you to write about Robert E. Lee?

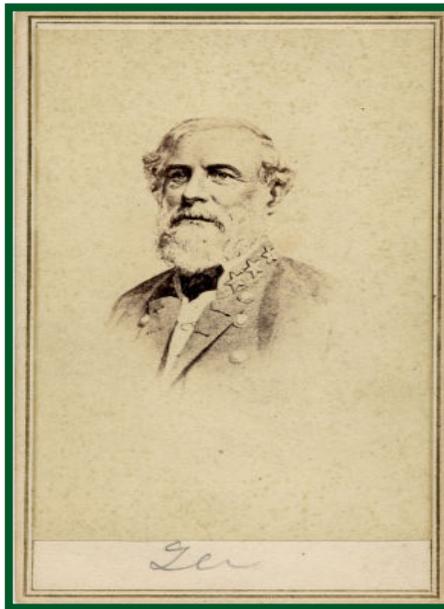
Allen Guelzo: Curiosity, mainly. In the first place, I had never written about a Confederate in any serious, free-standing way, apart from a piece I did years ago for Gabor Boritt and the Civil War Institute at Gettysburg College on “Stonewall” Jackson. So, there was a certain element of intrigue about looking at the Civil War through the other end of the historical telescope. But there was also a more compelling question: how do you write the biography of a man who committed treason – and especially treason on behalf of a cause that defended human slavery? Biography presents some peculiar challenges, one of which is a tendency to cozy-up to your subject, in something of the same way that defense attorneys have to convince themselves that all their clients are innocent. But that’s a trap. Attorneys have to work hard to make convincing cases for various offenders, even if they loathe the individuals, but they are trained to walk away from those individuals, emotionally and otherwise, once the verdict is reached. Biographers and historians are not under any such obligation, yet they often fall into the trap anyway. Still, you cannot leave the biographies of unpleasant characters unwritten, any more than Plutarch did. So, there was the challenge: how do you write the biography of a man who committed treason?

Finally, there was a question of proportion. I have written – no secret – a good deal about Lincoln. But once you look away from Lincoln, what other really large-scale figure towers-up on the Civil War era’s horizon? Grant, yes, and Sherman, yes, but they’ve been the subject of copious biographies over the last twenty-five years (Sherman’s has had *ten*). The only other figure of any stature similar to Lincoln on the Confederate side is Robert E. Lee. And Lee has been much less in the biographers’ eye. There have been five Lee biographies in the last three decades – by Emory Thomas, Michael Korda, Elizabeth Brown Pryor, Brian Holden Reid, and Roy Blount – plus two thematic studies, by Alan Nolan and Michael Fellman. But all of them stand in the shadows cast by Douglas Southall Freeman’s mammoth four-volume *R.E. Lee* (1934-35), a gigantic argument for the Lost Cause which

almost nominated Lee for sainthood, and by Thomas Connelly’s *The Marble Man* (1977), which demonized Lee for squandering all of the Confederacy’s strength on Virginia. The Korda biography is heavily dependent on Freeman; Nolan and Fellman take their starting point from Connelly; Blount and Reid are brief surveys. Pryor’s *Reading the Man: A Portrait of Robert E. Lee Through His Private Letters* (2007) was more impressive, but also more idiosyncratic. Thomas’s is the best single-volume Lee on offer, but it was written in 1995. So, it seemed to me that an opportunity to do something new was knocking.

SG: What was Lee’s relationship to the “Founding Generation?”

AG: Lee was the son of a famous Revolutionary cavalry officer, “Light Horse Harry” Lee, and a relation of the great Lee clan of Virginia that gave us two signers of the Declaration of Independence. And he married Mary Anna Randolph Custis, the daughter of George Washington Parke Custis, the step-grandson of George Washington. And for a large part of his life, his home was the Custis estate of Arlington, stuffed full of relics and remembrances of Washington. So, on the surface, Lee was a walking reminder to every one of the Founders, and until he came into his own



Robert E. Lee LN-0803

during the Civil War, people routinely identified him by noting that he

was the son of “Light Horse Harry.” Beneath that surface, Lee was a lot more ambivalent. “Light Horse Harry” may have been a remarkable talent as a commander of horse soldiers, but in civilian life, he was a catastrophe. He was a vehement Federalist in politics, which cost him dearly in Jefferson’s Virginia, and got him beaten nearly to death by a mob in Baltimore. Even more, he took his financial signals from George Washington and invested heavily in western land schemes, in which he lost nearly everything, including his home (and Robert E. Lee’s birthplace), Stratford Hall. He spent time in debtors’ prison, and finally fled his creditors (and his family) to the West Indies. He only returned in 1818, just in time to die, probably of cancer, on the Georgia coast.

The loss of a father before adolescence is an extremely traumatic affair, and in Lee’s case, it was exacerbated by his father’s fecklessness and the reputation for unreliability with which it saddled Robert. Everyone else might identify him as the son of the famed “Light Horse Harry,” but Lee never did, or at least not until the Civil War gave him an independent reputation. It was not until the Civil War years that he finally visited his father’s grave. And it was only in the last few years of his life that he agreed to write a memoir of his father for the re-publication of “Light Horse Harry” Lee’s wartime memoirs.

Lee was just as dicey about the Custises and Arlington. Old G.W.P. (this is how I frequently refer to George Washington Parke Custis in the book, just to keep him straight from his grandson, George Washington Custis Lee) was reputed to be one of the wealthiest men in Virginia. In truth, he was a financial simpleton and a well-intentioned putterer, and the Custises would have liked nothing so much as having Robert Lee live permanently at Arlington as the estate’s overseer. Lee wanted nothing of it. His great goals in life were independence (so that he could be taken for his own man), security (especially about money, so that he would, unlike his father, be beholden to no one) and perfection (in compensation for his father’s imperfections). So he balked at being tied to Arlington.

Yet, his wife loved Arlington almost as much as she loved Robert, and so did his seven children. This set up a

constant tension in Lee's life – always being drawn to Arlington, always finding reasons to be somewhere else. It took some serious persuading on his part to make Mary Custis Lee understand that she would have to leave Arlington at the outbreak of the Civil War. Significantly, it was after Arlington clearly had been lost to the Lees that Robert Lee began inquiring about the possibilities of purchasing Stratford Hall. Now there's a psychological conundrum for you.

SG: At what point did he decide upon a military career? Please describe his record at West Point and in the Mexican War.

AG: Robert Lee was the youngest of three brothers born to "Light Horse Harry" and Ann Carter, the older ones being Charles Carter Lee and Sidney Smith Lee. (He had two sisters, Anne and Mildred.) Carter Lee got the benefit of a Harvard education; his brothers had to fend for themselves, which Smith Lee did by joining the Navy and Robert Lee did by entering West Point. (Unlike his brothers, he never indulged the Southern habit of referring to himself by his middle name; he almost always signed himself, "R.E. Lee.")

This was not entirely a counsel of desperation. Lee had shown real talent in mathematics (an interesting parallel to Ulysses Grant, by the way), which stood him in good stead at West Point, since the curriculum established there by Sylvanus Thayer was almost entirely devoted to engineering. Lee graduated second in his class, with a demerit-less finish in conduct, both of which guaranteed a commission into the Corps of Engineers.

The Engineers were a minuscule branch of the Army (it had no enlisted personnel when Robert Lee was commissioned in 1829, and only two dozen officers) but they were a technocratic elite, and they were set to the tasks of constructing fortifications (Robert's first assignment was what became Fort Pulaski), securing commercial waterways (Robert's biggest solo assignment was protecting the river channel at St. Louis), and keeping the Army's other installations in good repair (which he undertook at Fort Hamilton in the 1840s). These humdrum tasks made for glacially slow promotion, which made his

yearning for independence chafe. But the Army also conferred complete job security (which appealed to his worries about money). So, for seventeen years, Robert Lee's military career was a safe but colorless succession of engineering jobs. And I have to say that one of the more daunting parts of writing about Lee was giving myself a little crash course in the niceties of coastal engineering. I'll just say that it's a nightmarishly complicated study.

The Mexican War offered him a chance to break out of those restraints. He was assigned as an engineer to the staffs of, first, John Wool, and then Winfield Scott, during Scott's daring invasion of Mexico and capture of Mexico City. Scott quickly spotted unusual talent in Lee, and made Lee into his chief aide. Lee conducted invaluable reconnaissance for Scott, and in the fighting around Mexico City, earned Scott's highest plaudits for crossing and re-crossing the deadly landscape of the *pedregal* (a bleak, fifteen-square-mile bed of ancient volcanic basalt). Scott afterwards said that most of his success in Mexico was due to Lee.

SG: What kind of life did he lead between the Mexican War and the outbreak of the Civil War?

AG: Once the war was over, the Army shrank back to its pre-war duties, and Lee once more went back to fortification-building, this time in Baltimore. He would probably have preferred to keep doing that, but from 1852 to 1855, he was burdened instead with a task he liked not-at-all – superintendent of West Point.

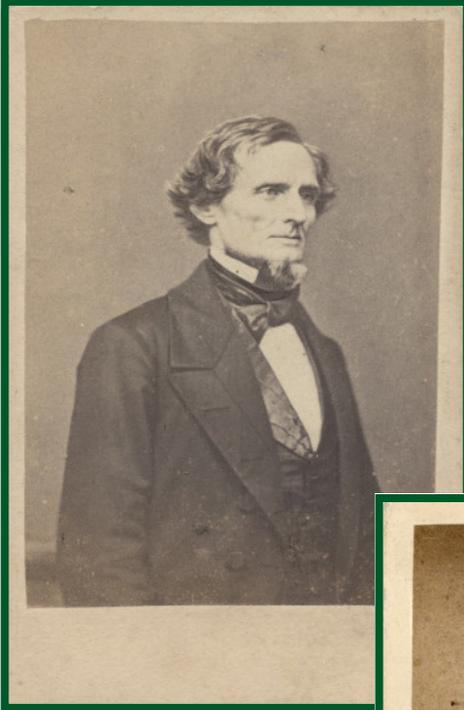
Lee never saw himself as an intellectual, a thinker, a teacher, and Lee's every decision as superintendent was micro-managed by the Chief Engineer in Washington, Joseph Totten. What was worse, although he had won three brevets in the Mexican War, he was still officially only a captain on the Army list, and without much prospect of improvement. Then, in 1855, General Scott and the new Secretary of War, Jefferson Davis, prevailed on Congress to authorize the recruitment of two regiments of light cavalry, the 1st and 2nd U.S. Cavalry. The only horse soldiers the Army had previously employed were two regiments of dragoons and a regiment of Mounted Rifles (to guard the Oregon Trail). The

light cavalry regiments were something entirely new, and Scott ensured that Lee would get a commission in them. It would force Lee to leave West Point and the Corps of Engineers, but he was happy to be rid of West Point, and his commission in the 2nd Cavalry would get him jumped-up to the real rank of lieutenant-colonel.

The downside was, of course, that he would have to serve with the 2nd Cavalry, and the regiment's first posting was to Texas. Lee left his family at Arlington – Mary Custis Lee was in the early throes of rheumatoid arthritis and had no choice but to stay behind – and spent six comparatively uneventful years chasing bands of Comanche and gangs of gunslingers, without ever firing a shot in anger. The one eruption in this bland scene came while he was on leave at Arlington in 1859, when John Brown led his hare-brained raid on the federal arsenal at Harpers Ferry. Lee was the easiest-available officer of rank in the Washington area, so the Secretary of War, John Floyd, gave him command of two companies of Marines scraped from the Washington navy yard, and sent him to suppress Brown's insurrection. This, Lee did with remarkable speed. Strangely, it was the first time in his Army career that he had actually commanded troops under fire. Brown was hanged, and Lee went back to Texas.

SG: Please describe the process which led to Lee's decision to join the Confederate forces.

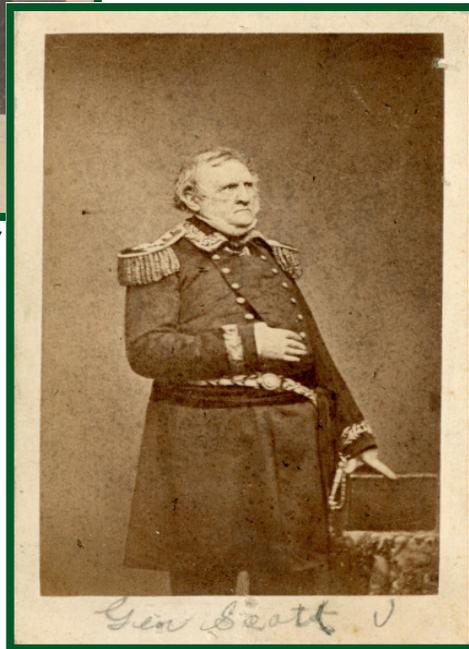
AG: When the secession crisis erupted after Lincoln's election in November 1860, Lee was apprehensive about the direction Texas might take, and what that would mean for his regiment there. When Texas moved toward secession in January 1861, Lee actually took steps to barricade the 2nd Cavalry's post at Fort Mason and fight it out with the secessionists – which gives the odd picture of the Civil War starting, not at Fort Sumter but at Fort Mason, and with Robert E. Lee defending the Union. Instead, Lee was recalled to Washington by General Scott, ostensibly to consult on revising the Army's regulations, but really to keep Lee at hand in case matters came to blows. If there were to be military operations, and especially if Virginia joined the secessionists, Scott wanted Lee to take command of whatever field armies were put in play by the Union.



Jefferson Davis LFA-0227

Well, Virginia did secede, and Lincoln and Scott arranged for the veteran Washington political operative, Francis P. Blair, to make the offer of command to Lee on April 18, 1861. But Lee refused. It was not clear at that moment that secession was really more than a Southern political gambit to extort concessions from Lincoln on slavery, so no one was sure there would really be war. Add into this mix the fact that Lee was a Virginian, and if Virginia joined the Confederacy, that would create a serious conflict of loyalties. Another factor was slavery. Lee was a slaveowner. On the other hand, he had deplored slavery as “a great evil.” And in truth, he hardly qualified as much of a slaveowner. He had inherited one slave family from his mother, and was responsible for superintending the Custis family slaves at Arlington. But old G.W.P. had died in 1857, leaving in his will the requirement that Lee arrange for the emancipation of all the Custis slaves by the end of 1862. As he told Blair, if the question was solely about slavery, he would liberate every slave in the South rather than jeopardize the Union. He would, in fact, com-

plete the emancipation of the Custis slaves in December, 1862, and liberate his own slave family as well.



Winfield Scott LN-0982

slavery was not the only question. Lee also had to worry about Arlington. In G.W.P.'s will, Arlington passed to Lee's son, George Washington Custis Lee. (Robert Lee himself, in a final humiliation at the hands of the Custises, was cut out of the will except for a town lot in the District.) If he accepted Lincoln's commission, and there was no war, Virginia might still secede and become part of another nation, and Arlington would be liable to seizure. If he sided with Virginia, and there was war, federal forces would seize Arlington. Rather than endanger his children's future at Arlington, Lee declined Blair's offer, and (after conferring with Scott) resigned from the Army. His best course at that moment would have been to sit out any conflict as a neutral. But representatives from Virginia

Governor John Letcher invited him to consult with Virginia's leaders in Richmond, and on April 22nd, Lee departed for the Virginia capital. He seems to have had some idea that he could act as a broker for peace. He was wrong. Richmond was wild for secession, and Lee was instead handed a commission as commander of all of Virginia's state forces. He clung to the hope that by acting defensively, outright conflict could be avoided, but he was wrong there, too. Step-by-step, he was sucked deeper into the arms of the rebellion, and until finally the Confederate president – his old boss as Secretary of War, Jefferson Davis – commissioned him as a general in the new Confederate forces. After that, there was no turning back for Lee. Even so, Lee never escaped a cloud of suspicion that his enthusiasm for the Confederacy was weak. The suspicion was not misplaced, too, because Lee never ceased complaining about the miserable quality of Southern politicians, and predicting that it would all end badly if they didn't do as he told them.

But

SG: What was his greatest military victory during the Civil War?

AG: That is difficult to say. The Seven Days Battles in 1862 were an act of pure Winfield Scott relentlessness, and probably saved the Confederacy from collapse in the early summer of 1862. Second Bull Run and Chancellorsville were masterpieces of bluff and daring. On the other hand, he had two excellent subordinates to execute his designs in “Stonewall” Jackson and James Longstreet, and two particularly spineless examples of Union commanders in opposition, George McClellan and Joe Hooker. When he lost Jackson at Chancellorsville, he lost a lieutenant who could almost read his mind. Something of the same happened when Longstreet was wounded a year later at the Wilderness. After that, the upper command echelons of the Confederate army were pretty poor material, and they served Lee poorly.

SG: Did he ever comment on the defeat at Gettysburg, or are any such stories apocryphal?

AG: Lee is famous for assuring the remnants of George Pickett's division, as they came trailing back after the failure of the famous charge at Gettys-

burg, that this was “all my fault.” Actually, Lee did not like to assume responsibility for failure. That was part of his drive for perfection. And it did not take long before Lee began to finger subordinates for failing him at Gettysburg, starting with Jeb Stuart. This was part of a larger pattern of blame-shifting. After Antietam, he wrote Jackson and Longstreet a scorching letter which must have made their eyes roll, blaming the failure of the Maryland campaign on his army’s poor discipline and miserable officers. The same thing happened even after Appomattox. Although Charles Marshall (one of his two chief staffers) drafted a famous order – General Orders No. 9 – which explained the surrender as a gallant bowing to overwhelming Yankee numbers and Yankee supplies, the report Lee himself wrote to Jefferson Davis (who was by that moment a fugitive) complained bitterly about the disintegration of the army’s discipline and will to fight. Lee would eventually embrace Marshall’s pose, as the myth of the Lost Cause gained popularity in the postwar years, but not in 1865.

Lee was not easy to get along with (and most perfectionists aren’t). When it came to personnel, Pierre Beauregard snorted that “General Lee never had any difficulty in getting rid of any officer who did not suit him.” Wal-

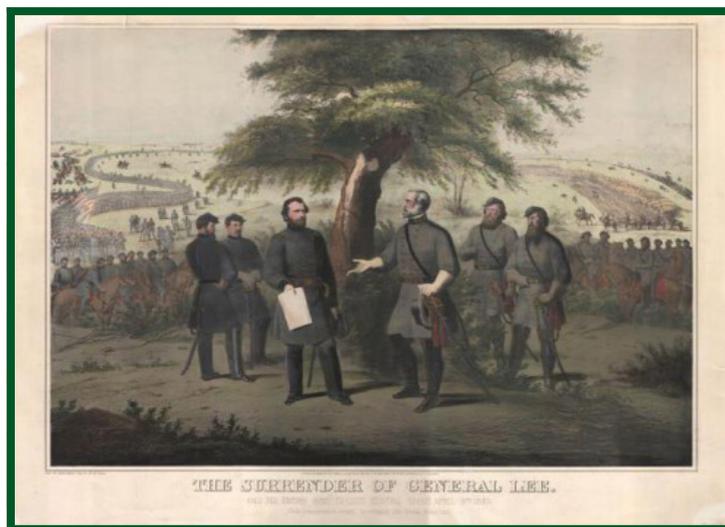


Pierre G.T. Beauregard, LN-0802

ter Taylor, his other principal staffer, complained that Lee was “unreasonable and provoking. I never worked so hard to please anyone, and with so little effect as General Lee.” Ironically, there were senior Confederate officers who really did fail Lee in fairly sizeable ways – Ambrose Powell Hill, for one, William Nelson Pendleton for another -- but these were Lee’s pets, and in his eyes they could do no wrong, or at least not enough wrong to warrant their dismissal.

SG: What was Lee’s relationship with Jefferson Davis?

AG: Lee learned early in his career that politics and soldiering do not mix. Look what happened to his father! He saw the same thing happen to his first boss in the Corps of Engineers, Charles Gratiot, and very nearly the same thing happened to Winfield Scott at the hands of President Polk. The lesson Lee took from this was never to cross the politicians. They had too many ways of getting back at you. And that governed his relationship to Davis. His relations with Davis were always polite, but distant. He could usually talk Davis around to his point of view – especially about the need to carry an offensive war northwards, across the Potomac – but he really had no particularly high opinion of Davis, and remarked at the end of the war that Davis was “of course, one of the extremist politicians.” Nevertheless, he would never publicly cross Davis, even when by 1865 it was clear that Davis was delusional about the survival of the Confederacy. Virginia senator R.M.T. Hunter begged Lee to take charge of matters himself



Capitulation & Surrender of Robert E. Lee & His Army
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and negotiate a peace with Lincoln, but Lee refused. He explained to John Gordon that “he scarcely felt authorized to suggest to the civil authorities the advisability of making terms.”

SG: How and by whom was the Confederate decision to surrender made?

AG: This was Lee’s decision, but it was only a military decision and did not involve the Confederacy as a whole. As soon as Lee’s army bolted westward after the fall of Richmond, Ulysses Grant began sending him notes under flags of truce to suggest surrender. Lee declined. Grant had a reputation, remember, for demanding “unconditional surrender,” and in Lee’s mind *unconditional* meant that he and his men would be treated as traitors, perhaps even executed. It was not until Grant suggested terms, that Lee was willing to listen. Not all of his officers agreed. Porter Alexander was probably speaking for a fairly sizeable proportion of Lee’s army when he urged Lee to reject any idea of surrender, and order the Confederates to take to the mountains and turn the conflict into a guerilla war. If Lee had listened, the results would have been catastrophic for the United States. We had a difficult time as it was in Reconstruction with paramilitary groups like the Ku Klux Klan or the White Leagues. Imagine if twenty-six thousand armed Confederate soldiers had been turned loose into the Appalachians to carry on resistance. It could have prolonged the war for another thirty years. It took the Russian empire from 1834 to 1859 to suppress the Imam Shamil’s guerilla

war in the Caucasus. It's not pleasant to think what might have happened if Robert E. Lee had done likewise.

But Lee revolted at that prospect, partly because he dreaded the disorder such a decision would trigger, but also because, as he told William Mahone, he had never really believed from the first that the Confederacy would be successful. So, he surrendered his army, lock and key, at Appomattox Court House on April 9, 1865 – and in so doing, probably did the United States a greater service than he had ever done the Confederacy.

SG: Would the Confederacy have been better off without Lee? Without his military prowess, would the Civil War have lasted so long...and would the devastation to the South have been so great?

AG: Without Lee, the war would have been over by the end of the summer of 1862. Joe Johnston was ready to evacuate Richmond when he was wounded at Seven Pines, and was replaced by Lee. Without Richmond, the Confederacy's chances dimmed exponentially. In the West, the Confederacy was reeling from the fall of Forts Henry and Donelson, the capture of New Orleans, and the failure at Shiloh to stop Union invasion along the Tennessee River. Without Lee's rescue of Richmond in the Seven Days, there was no future for the Confederacy. That would have meant far fewer wartime deaths and far less devastation. But that might have also meant no Emancipation Proclamation, and no solution to the slavery question for decades.

SG: Sorry, but the question must be asked: Was Robert E. Lee a traitor to the United States? If so, should he have been given appropriate punishment? If not, did he set a dangerous precedent?

AG: Oh, there's nothing to apologize for in asking the question. As I say, I started out with that as the central premise of the book. And I do believe he committed treason. If there is anyone who conforms to the Constitution's definition of treason -- *Treason against the United States, shall consist only in levying War against them, or in*

adhering to their Enemies, giving them Aid and Comfort – it's Robert E. Lee. And he was, in fact, indicted by a federal grand jury for treason after Appomattox. But he never came to trial, partly because Ulysses Grant threatened to resign if President Andrew Johnson went ahead with a trial. Grant had paroled Lee's entire army as part of the terms he had used to entice Lee's capitulation, and he regarded the parole as a grant of exemption from legal consequences so long as the paroles were observed. Johnson couldn't afford a political embarrassment like a Grant resignation, and he instead began a legal pursuit of Jefferson Davis, who didn't have the benefit of Grant's paroles. (That failed, too, but for different reasons.) It also has to be said that Lee himself had a ready-to-hand defense on the basis of the citizenship clauses in the Constitution. Remember that there was, as yet, no Fourteenth Amendment, establishing U.S. citizenship as a matter of birthright and superseding state citizenship. Lee could plead, with at least some show of constitutional force, that the Constitution left unclear whether state citizenship or U.S. citizenship had first call on his loyalties, and that he was merely following Virginia in the best constitutional light then available. Of course, it might have been argued that his oath as a U.S. officer superseded even the

vinced a jury? Maybe not. But any jury that judged Lee in a treason trial would, by the Constitution's own terms, have to take place in the venue where the offense took place -- which would be Richmond, Virginia. Try getting a jury of twelve Richmonders in 1865 to find Robert E. Lee guilty of treason. You probably wouldn't be able to get that now, either.

The failure to try Lee for treason did not exactly set a precedent. The Constitution's definition of treason is actually a very narrow one, and we had already encountered difficulties in applying it as early as the notorious case of Aaron Burr. John Brown was tried for treason, but treason against the Commonwealth of Virginia, and largely because it was feared that Brown might actually be able to evade conviction in a federal court. During the Civil War, Congress passed stricter treason-related statutes, but Lincoln undid their impact through his amnesty policies. In the 20th century, making the Constitution's definition of treason work had become so unpredictable that almost all the cases we would think of as treason cases were tried instead under the 1917 Espionage Act.

SG: Please describe Lee's "new career" after the War.

AG: The threat of the treason indictment still worried Lee, and hung like a cloud in his mind until Andrew Johnson issued his comprehensive Christmas 1868 amnesty. Until then, Lee was anxious to assume as uncontroversial a profile as possible, which is why in the late summer of 1865 he agreed to an invitation from the trustees of Washington College in Lexington, Virginia, to become president of the school. This was, on the face of

it, a strange decision. Remember that Lee did not see himself as academic material (in fact, he made it a condition of his accepting the presidency that he not have to teach classes, as



John Brown's Fort, Harper's Ferry, West Virginia
LN-2666

question of citizenship. But remember that he had resigned his commission before heading for Richmond, so he could argue that he was no longer operating under the terms of that oath. Would that have con-



Robert E. Lee and his horse, *Traveller LN-0802*

most American college presidents did in the 19th century). And he certainly did not need the money. Apart from the loss of Arlington and some other Custis properties, his bankers had discreetly concealed his investments from federal confiscation. Above all, Lexington was in the Shenandoah Valley, a land of rock-ribbed Presbyterians like “Stonewall” Jackson, who were a different class entirely from Lee’s genteel Northern Neck Episcopalianism. But Lexington and Washington College got him as far away from prying Radical Republican eyes in Washington as he could get and still conform to his Appomattox parole restrictions. So, to Lexington he went.

Surprisingly, Lee was a tremendous success as a college president – more successful, I think, than in any other job in his life. Washington College was nearly pulseless and bankrupt at the end of the Civil War. But Lee displayed an unsuspected gift for fund-raising, and he was almost obscenely successful in shaking cash out of the pockets of Northerners eager to advertise themselves as supporting truth and reconciliation with the South. Students who had been too young to serve in Lee’s army now flocked to Lexington to study in Lee’s college. And when they arrived, Lee interviewed each of them, and told them that there were no rules, only the expectation that they would behave like gentlemen. (This at first sounded unbelievably generous, until people realized that this made Robert E. Lee the sole judge and jury of what constituted a gen-

tleman, and a perfect judge at that.) Lee also had ideas about the curriculum. To the back of the room went the traditional studies in Greek and Latin, while vocational courses in languages, engineering, and even journalism stepped forward. The trustees, who thought that they were hiring a figurehead, awoke to find that *they* were the figureheads.

In Lexington, Lee finally got the things he wanted most: independence, security, perfection. When he died, of progressive heart disease, in October of 1870, he had probably enjoyed five of the happiest and most productive years of his life. Reflecting on it, he shocked one Washingtonian by saying that his great mistake in life had been to “take a military education.”

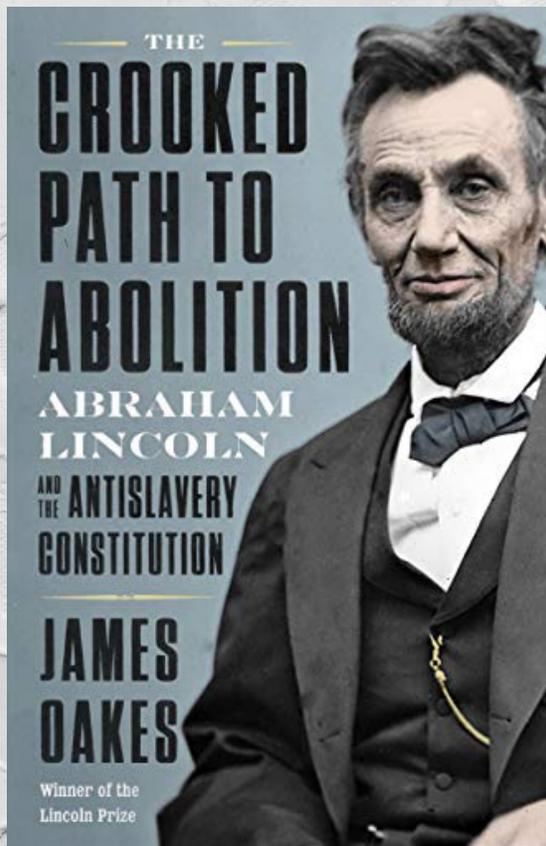
SG: How should history judge Robert E. Lee?

AG: As we would judge anyone else. The great literary critic John Gardner once said that there can be no compassion without will, and no will without compassion. I think we should have the will to say that Lee committed some terrible crimes – not just mistakes, *crimes*. He knew slavery was wrong, but he convinced himself that he wasn’t responsible for it, or for ending it. He ran Washington College as a school for white males, and though he punished any of those students who harassed the freedmen, he also never moved an inch toward black civil rights, much less a racially-integrated student body. He directed a war he

didn’t fully believe in, and in doing so raised his hand against the Constitution he had once sworn to defend. I take those charges seriously. My father swore that oath; so has my son; so have I. If we were living in 1861, Lee would be my enemy. So, I cannot love Robert E. Lee as I have loved Abraham Lincoln, not by any measure.

But I am also remembering Gardner’s injunction about pairing will with compassion. Lee was not cheap and he was not cruel. He allowed himself to be drawn into a war he opposed, almost as though he were sleepwalking rather than thinking, pondering, judging. Once drawn, though, he showed himself to be a perceptive strategic thinker, even a great commander. If he could have done better (and he could), he might also have done infinitely worse, and done harms from which the country might not have recovered. Lee’s indictment ended in a *nolle prosequi* – do not prosecute. I think we can make the same judgment now – not more, but not less.

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James Oakes, *The Crooked Path to Abolition: Abraham Lincoln and the Antislavery Constitution*

Reviewed by:
E. Phelps Gay

Admirers of Steven Spielberg's 2012 movie, *Lincoln*, enjoyed the rich characterizations and compelling drama leading up to the House of Representatives' passage of the Thirteenth Amendment by a two-thirds majority on January 31, 1865. To achieve their goal, Lincoln and Secretary of State William Seward were not above political arm-twisting and back-scratching, not to mention the promise of federal jobs and a bit of misdirection as to whether Confederate peace negotiators were "in Washington" at the time. When the glorious moment of victory arrives, Spielberg hones in on the visitors' gallery where Mary Lincoln and Elizabeth Keckley, among others, tearfully celebrate. One leaves the movie with the impression that Congressional passage of the Thirteenth Amendment was, as Lincoln put it, "a King's cure for all the evils."

But, as James Oakes reminds us, that was only Part One of a two-

part process, the other requiring ratification by three-fourths of the states. What had Lincoln done to ensure Part Two would be successful, as it was on December 6, 1865, nearly eight months after his death?

In this relatively short and surprisingly bold book, Oakes details how Lincoln spent a substantial amount of his presidency trying to persuade Union Border States, as well as southern states engaged in "wartime reconstruction," to abolish slavery voluntarily. In November of 1861, Lincoln drafted two proposals for gradual, compensated abolition in Delaware, hoping they would serve as models for other Border States. He cautioned those states that the longer the war dragged on, "the institution in your states will be extinguished by mere friction and abrasion—by the incidents of war." In his Annual Message to Congress on December 1, 1862, Lincoln recommended that

states adopt a program of gradual abolition of slavery. This proposal was "repackaged," Oakes writes, in the form of a constitutional amendment that would allow Congress to compensate the states and subsidize colonization (an idea he had not yet abandoned). Many observers perceived a conflict between this proposal and the military emancipation set to occur on January 1, 1863.

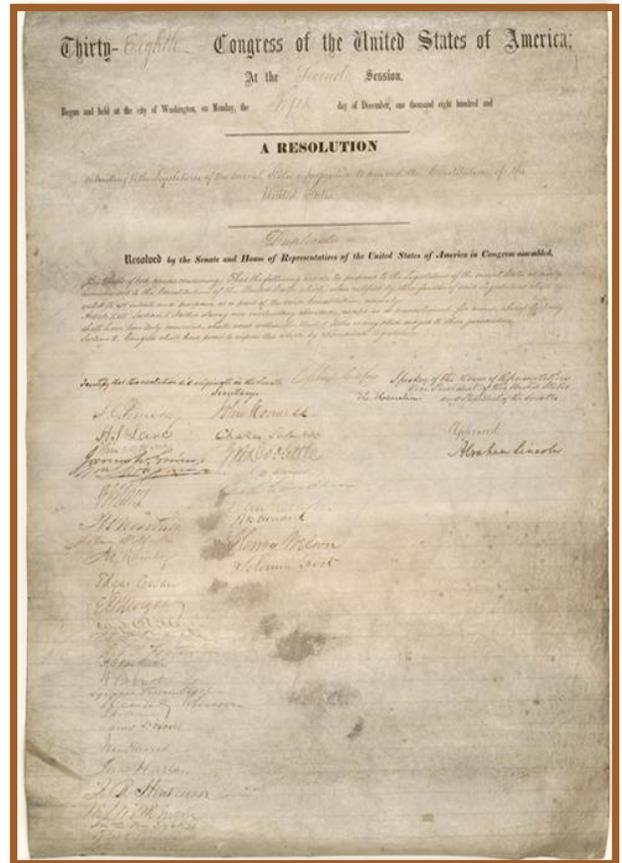
Not necessarily, Oakes maintains. Perhaps Lincoln viewed military emancipation as "a powerful new inducement to state abolition." Oakes walks us through Lincoln's letters to civil and military officials in Missouri, Maryland, Arkansas, Tennessee, and Louisiana, urging them to rejoin the Union by abolishing slavery on their own. According to Oakes, this "sustained effort" remains "one of the least understood features" of Lincoln's presidency.

Adhering to the “federal consensus” that neither the president nor Congress had the power to abolish slavery in a state, Lincoln suggested that as a pre-condition of rejoining the Union southern states “faithfully support all proclamations of the President made during the existing rebellion having reference to slaves.” When Republicans in Congress “came up with a better idea”—namely, the Thirteenth Amendment—they knew that, even if passed by Congress, ratification by the states would be no small task. According to Oakes, the proposed amendment “worked to inspire” states which Lincoln had been urging to abolish slavery on their own. One of those states, Arkansas, at Lincoln’s prodding, had ratified a new constitution in March of 1864, becoming the first slave state to abolish slavery in sixty years. Within a year five more states—Virginia, Maryland, Missouri, Louisiana, and Tennessee—fell in line, all abolishing slavery during the last year of the war. After Congress passed the Thirteenth Amendment, those six states ratified it within four months. Ratification by three-quarters of the states

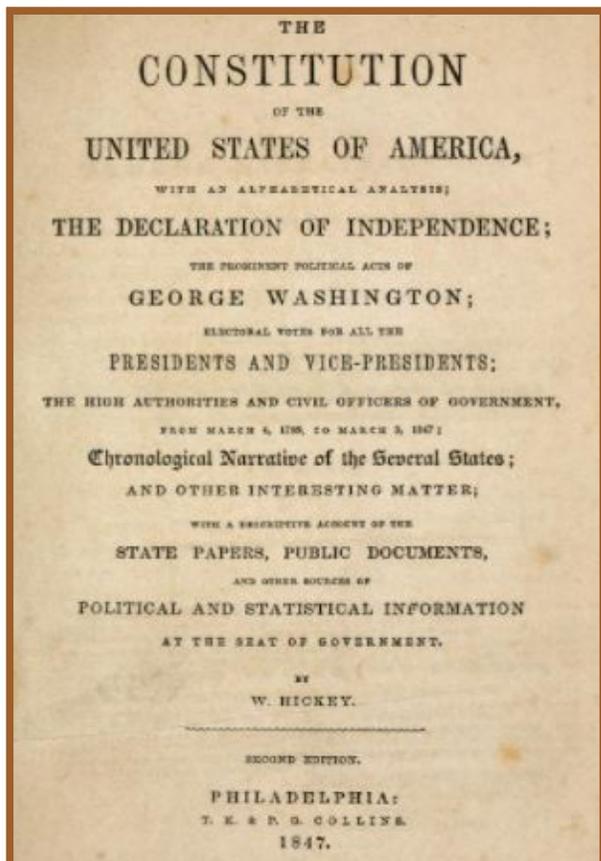
suddenly seemed a not-so-distant prospect. “To the end,” Oakes contends, “the states were the key.”

Oakes acknowledges the obvious: the war itself shifted the balance of power in many of these states, and some of the recently reconstructed states “were barely even states.” In addition, by 1865 the “math” in favor of ratification had improved with the admission of three more free states: West Virginia, Kansas, and Nevada. Still, Oakes believes Lincoln’s persistent efforts to cajole states to abolish slavery on their own played a significant role in the ultimate ratification of the Thirteenth Amendment.

As anyone who has read books by Professor Oakes knows, he is a talented writer—clear, crisp, logical, organized, fair-minded.



Thirteenth Amendment 71.2009.083.0002



The Constitution of the United States 71.2009.084.00635

This book is relatively short (204 pages) and easy to hold and read. It is not, and does not purport to be, a dramatic, suspenseful, work of historical storytelling. Instead, it is a careful examination of the “antislavery Constitution” as abolitionists (and, increasingly, Lincoln) interpreted what the Founders cobbled together in Philadelphia during the summer of 1787. Oakes’s premise is that we need a thorough knowledge of how antislavery constitutionalism developed in order to understand how and why the Thirteenth Amendment was passed and ratified. Along the way, Oakes necessarily engages with the “pro-slavery Constitution,” as viewed by John C. Calhoun, William Lloyd Garrison, and, most significantly (if mistakenly), by Chief Justice Roger Taney.

Although not a lawyer, Oakes exhibits all the qualities of a good legal analyst—a thorough knowledge of the Constitution’s text and the history surrounding its adoption and interpretation. He concludes that the document some characterized as a “covenant with Satan” was, despite certain pro-slavery provisions, rooted in the Founders’ belief that all men are created equal, and that slavery should be, in Lincoln’s words, “in the course of ultimate extinction.”

Here are some of the constitutional issues Professor Oakes addresses:

Did the infamous “three-fifths” clause—Article 1, Section 2, providing that the House of Representatives would be apportioned by counting all free persons and “three fifths of all other persons”—signify that the Founders approved of slavery or simply felt obligated to recognize and tolerate its existence?

Did the Fugitive Slave Clause—Article IV, Section 2, providing that persons “held to service” should be “delivered up on the claim of the party to whom such service may be due”—also put

the Founders' stamp of approval on the institution of slavery—and even, as some claimed, imply that “due process” (habeas corpus; jury trial) was not required when a slaveowner sought to recapture a fugitive slave?

Did the abolition-of-slave-trade provision—Article 1, Section 9, providing that “Congress shall not prohibit the migration or importation” of “such persons” prior to 1808—reflect the Founders’ belief that over a fairly short period of time slavery would (and should) die a natural death?

Did the Constitution’s Preamble—providing that “We, the people” ordain and establish this Constitution in order to “secure the blessings of liberty to ourselves and our posterity”—reflect the Founders’ opposition to slavery as a matter of principle?

Did the Fifth Amendment—providing that no “person” shall be deprived of life, liberty, or property without due process of law, guarantee fugitive slaves the right to habeas corpus and jury trials; or was it instead (as Calhoun asserted) an endorsement of the idea that slaves were a form of property, of which a slaveowner could not be deprived without due process?

Did the “privileges and Immunities” clause—Article IV, Section 2, providing that the citizens of each state shall be entitled to “all the privileges and immunities of citizens in the several states”—apply to Black persons as “citizens;” and, if so, what exactly were those privileges and immunities?

Did Article IV, Section 3 (providing that Congress shall have the power to “make all needful rules and regulations respecting the territory belonging to the United States”) mean that Congress was empowered to ban slavery in the territories—or, going further, did it mean Congress had *no right to allow* slavery to exist in the territories?

Did Article I, Section 8, granting Congress the power to “exercise exclusive legislation” over “such District,” mean Congress could abolish slavery in Washington, D.C.?

Underlying these questions was a core issue: did the Founders regard slaves as “persons” or “property”? As Oakes, scholarly but also plain-spoken, points out: “Some did, and some didn’t.” One thing is certain: the Founders scrupulously avoided use of the words “slave” or “slav-

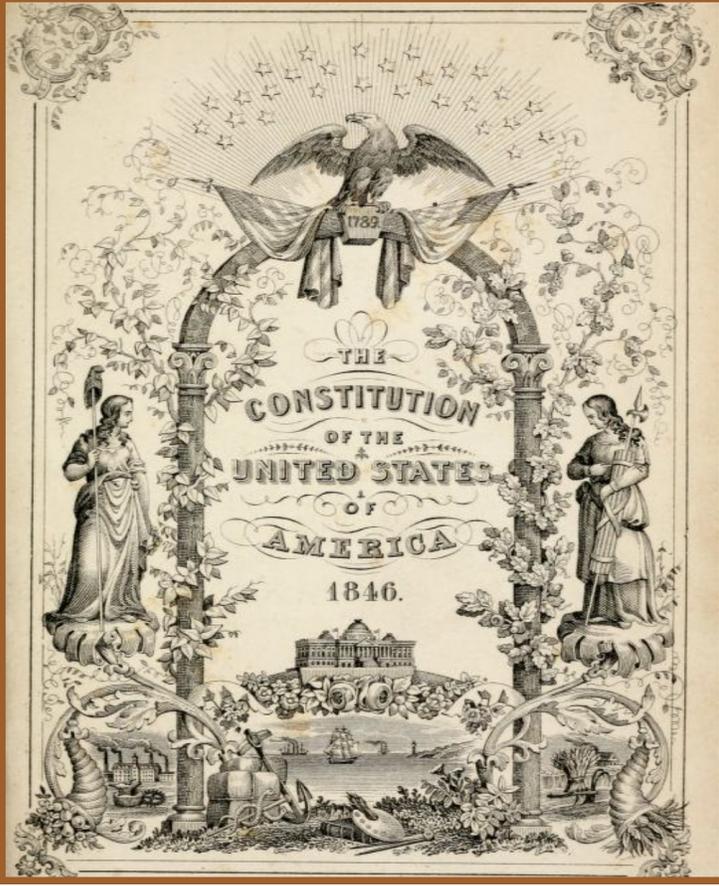
ery,” even though everyone knew what was meant by “persons held to service.” In 2018, historian Sean Wilentz explored the importance of this critical choice of words in his excellent book, *No Property in Man*.

Also underpinning these questions was the “federal consensus,” not explicitly set forth in the document but accepted by slaveowners and abolitionists alike, that slavery was a creature of state law, and Congress had no power to abolish it in the states. According to Oakes, Lincoln was committed to this consensus, believing that if slavery were to be abolished it would have to be done voluntarily by the states. Lincoln worked tirelessly to nudge them in that direction.

Another much-debated foundational issue was whether the Declaration of Independence and the U.S. Constitution should be read together. As we know, one document declared it “self-evident” that all men are created equal; the other explicitly referred to “delivering up” “a person held to service or labor.” Lincoln’s answer to this question was a resounding yes. He once characterized the Constitution as the “picture of silver” framed around



A New Map of Part of the United States of America
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*The Constitution of the United States, William Hickey
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the Declaration's "apple of gold."

Concisely and skillfully, Oakes traces the rise of antislavery constitutionalism. When the Constitution was written, for example, no one much cared about the Fugitive Slave Clause, a holdover from the Northwest Ordinance of 1787. He reminds us that in 1776 there were no free states. Eleven years later, several northern states had either abolished or were in process of abolishing slavery—a development, Oakes writes, which marked a dramatic departure from much of human history. This posed an obvious problem for the Founders, but as practical politicians they knew that no federal constitution could be adopted without some degree of compromise on the slavery issue.

Over time, according to Oakes, anti-slavery advocates "colonized" the Constitution. If a slave is a "person," then he is entitled to all the rights, privileges, and immunities extended to any other "person" under the Constitution. Oakes covers a lot of well-trod historical ground—the Missouri

Benjamin Curtis and John McLean.

At the same time, Oakes brings news of contributions made by figures not so well-known. These include Benjamin Lundy, whose essays on the "Abolition of Slavery" in the 1820s "amounted to the first comprehensive version of the Antislavery Project;" and New York abolitionist William Jay who in 1839 wrote an influential essay on the forfeiture-of-rights doctrine, under which southern secession would "relieve the northern states of any obligation" to enforce the fugitive slave clause. Overall, the thrust of antislavery constitutionalism was that freedom was the Constitution's theme, slavery its exception.

Another gem unearthed by Oakes is an 1862 opinion issued by Attorney General Edward Bates on whether Black persons operating vessels in coastal trade were citizens. The Constitution, Bates wrote, "says not one word, and furnishes not one hint, in relation to the color or to the ancestral race" of a citizen. Moreover, the privileges and immunities granted to

Compromise; creation of the Anti-Slavery Society; the Wilmot Proviso; the Compromise of 1850 (including the Fugitive Slave Act); the Kansas-Nebraska Act; Lincoln's Peoria Speech; the House Divided Speech; the Lincoln-Douglas Debates; the *Dred Scott* case, etc.—and does so with quicksilver clarity in reliable summary form. His takedown, if you will, of Roger Taney's opinion in *Dred Scott* is short and masterful, as is his praise for the dissenting opinions lodged by

citizens of the United States "cannot be destroyed or abridged by the laws of any particular state." According to Oakes, Bates "flick[ed] the *Dred Scott* decision away like a piece of lint."

While Lincoln's increasing support for antislavery interpretation of the Constitution is well-documented, and, of course, memorably expressed in his Cooper Union speech, Oakes does not hesitate to criticize the great man where appropriate. After noting the different explanations and excuses for Lincoln's offensive language during the Charleston debate on September 18, 1858—one of which is Lincoln's deference to federalism—Oakes observes that "at the very least" Lincoln "paid cowardly deference to the racial prejudices of his listeners."

As we know, Lincoln's "line in the sand" was his opposition to allowing slavery to expand into the western territories. He believed this would "cordon off" the so-called peculiar institution. It would accomplish two objectives: (1) prevent any new slave states from entering the Union; and (2) promote emancipation in the older slave states, leading them (Lincoln hoped) to adopt measures gradually abolishing slavery on their own.

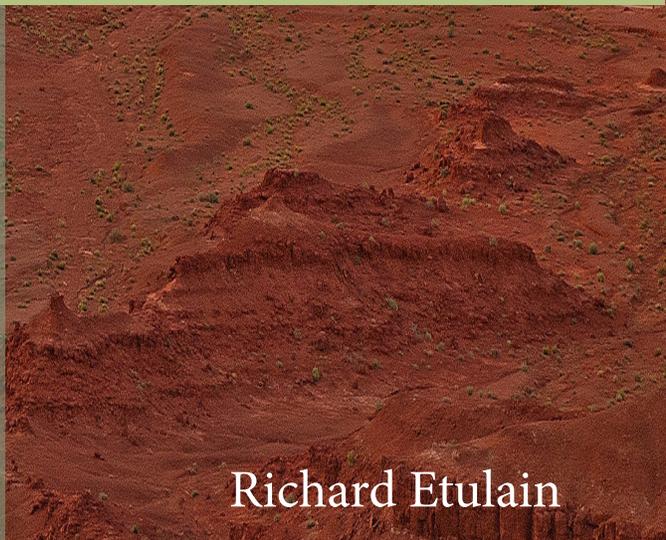
Oakes reminds us that the Republican Party platform of 1860 proclaimed "the normal condition of all the territory of the United States is that of freedom." As an astute, art-of-the-possible politician, Lincoln correctly perceived this as the cornerstone upon which to build a winning political coalition.

On the whole, Professor Oakes has written a thought-provoking book which invites readers to take a second look at whether Lincoln was simply tilting at windmills in his attempt to persuade Border States to abolish slavery on their own. He may not have succeeded immediately, but Oakes suggests there was method to the madness, a method which ultimately paid dividends.

Reviewed by E. Phelps Gay, who practices law in New Orleans, LA



Abraham Lincoln
and
The American West

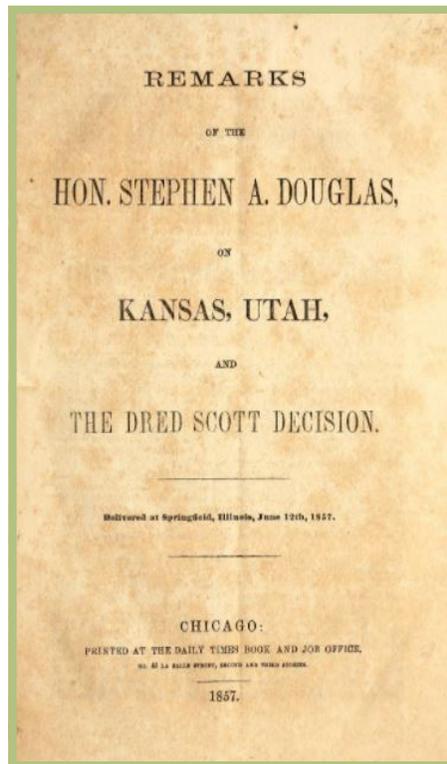


Richard Etulain

When Abraham Lincoln entered the White House in March 1861 after winning the election of 1860, he had already moved through two stages of his important connections with the American West. First, he was born and raised in what was then considered parts of the West: Kentucky, Indiana, and Illinois. A second stage included his evolving experiences in Illinois for nearly thirty years, especially his rise in the state's political arenas. Now, he would begin a third stage where, as a new president, he not only had to lead a country riven with horrendous conflict but also must deal with an arising West in need of attention. The three stages of Lincoln's links to the American West, although receiving scant attention from historians and biographers, provide illuminating glimpses about our greatest president that clearly merit additional attention.

Abraham Lincoln was born (12 February 1809) and reared on the frontier West. Even though scholars since 1900 have not viewed his early home states as the American West, they were so considered in Lincoln's time. In his frontier years in Kentucky and Indiana, he learned a great deal about farmers and farming (especially from his father with whom he had a touchy relationship) and other rural western activities, but he received only a total of one year of formal schooling. After moving to Illinois in his early twenties, Lincoln experienced small town life in New Salem on the Sangamon River. Elected to the Illinois legislature in 1834 and reelected three times, Lincoln dealt with notable state issues such as internal improvements, railroads, and land policies particularly important in subsequent years. And in 1837, he and another legislative colleague protested against legislation attacking abolitionists. The joint protest denounced slavery as based "on both injustice and bad policy," but they also agreed that abolitionism often tended "to increase [more] than to abate the evils" of slavery. Meanwhile, having become a lawyer, Lincoln handled numerous cases revolving around a variety of issues. Particularly important for his later years was his serving as the legal representative of the Illinois Central Railroad.

While still in his first stage of connections with the American West, Lincoln was elected as a Whig to the United States House of Representatives in 1846 and served there from 1847 to 1849. As a congressman, he had to address several important issues concerning the trans-Mississippi West. The most dramatic of these was the Mexican War, which had broken out the year before Lincoln arrived in Washington. Although a newcomer in Congress, Lincoln lost no time in his denouncements in December 1847 of President James K. Polk's handling of the Mexican War. A few days later in his "Spot Resolutions" speech, Lincoln greatly expanded on his pres-



Remarks of the Hon. Stephen A. Douglas
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idential criticism and obliquely suggested that any new territory gained from Mexico should not allow slavery.

Lincoln was much slower in devoting attention to other western issues before the Mexican War broke out. As a loyal Whig, he enthusiastically supported internal improvements in Illinois, such as the building of canals, other river stream navigations, the expansion of banks, and the building of railroads and other transportation networks. But other national

issues arising in the West, like the controversies surrounding the Texas annexation in the 1830s and the march into the Oregon Country in the 1840s, did not grab much of Lincoln's attention. In Congress, he did vote, however, for the organization of Oregon as a new territory—if the territorial constitution forbade slavery. Ironically, Lincoln could have become an Oregonian in 1849 when he was offered the territorial secretaryship and later its governor's chair. But he rejected both offers. So unclear had Lincoln's stances on Oregon become that the Springfield Register called on Lincoln to make clear his position. "No shuffling, Mr. Lincoln? Come out square!" At this point, Lincoln was not ready to move his ideas and positions distinctly into the West.

But Lincoln's long-time Illinois competitor, Stephen A. Douglas, was. Like many of his fellow Democrats, and unlike most Whigs, Douglas looked west—to expand the country and his party farther onto the beckoning frontier. Douglas's support of Manifest Destiny's push into the West erupted in the early 1850s. Convinced that residents, not the national government, should decide on slavery—what he termed "Popular Sovereignty"—Douglas helped ram through Congress the controversial Kansas-Nebraska Act. This legislation effectively repealed the Missouri Compromise by allowing residents of territories West of the Mississippi, not the federal government, to decide on slavery issues.

The overnight explosions on the Kansas-Nebraska controversy, dubbed "Bleeding Kansas," brought Lincoln marching on the scene. Earlier in Congress he had voted for the so-called Wilmot Proviso keeping slavery out of possible lands gained in the war with Mexico. That measure had failed to pass, but Douglas's Kansas-Nebraska legislation threatened to spread slavery across the West. Lincoln quickly rose to leadership among the ranks opposing Douglas's bill. He became a widely recognized spokesman within the anti-Nebraska ranks. These sudden actions launched the second stage of Lincoln's ties to the West, a period that stretched on until his presidency in 1861.

Lincoln undoubtedly exaggerated when he asserted that in Congress he had "voted for the Wilmot Proviso as good as forty times," but that proposal clearly reflected his position that was becoming increasingly evident from 1854 onward. In one of his most powerful speeches at Peoria, Illinois, on 16 October 1854, he declared that Douglas and other supporters of the Kansas-Nebraska bill were presenting "lullaby" arguments when they asserted that, by nature, slavery would not expand west into Kansas and Nebraska. Slavery was, for Lincoln, "a great moral wrong" and must be kept out of the new states and territories west of the Mississippi.

The nationwide controversies over slavery and the escalating conflicts surrounding "Bleeding Kansas" undermined and destroyed Lincoln's Whig Party. Northern Conscience Whigs supported measures opposing slavery, and southern Cotton Whigs backed the institution central to their regional livelihood. When the Whigs imploded over slavery, the Republican Party moved into the vacuum by the mid-1850s. Lincoln, at first reluctant to join the new party, became a member by the election of 1856 and stood for the party's platform keeping slavery out of the territories, building a railroad to the Pacific Coast, and bringing in Kansas as a free state. Lincoln even received 110 votes for the party's vice-president.

Lincoln's positions on the West were expanded and clarified in his notable debates with Stephen Douglas in 1858. Challenging Douglas in 1858 in his reelection run for the U. S. Senate, Lincoln attacked his opponent's support of slavery, his Popular Sovereignty stance, and his push to expand slavery into the West. In the second debate, Lincoln raised the provocative question of how could territorial residents keep out slavery after the Supreme Court *Dred Scott* decision (1857) opened the door of the West to the institution. A bit cornered, Douglas lamely replied that slavery could not be maintained in a territory if it was not "supported by local police regulations." Douglas's weak response alienated southern slaveholders and strengthened Lin-

coln's antislavery expansion stances. Lincoln eventually lost the senatorial election in the Illinois legislature, but his national reputation boomed as a

legal existence to slavery." The party also called for an internal improvements agenda embracing a transcontinental railroad to the West Coast



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result of his top-notch performance in the seven debates against probably the nation's best-known Democrat.

Encouraged to run on the Republican ticket for the presidency in 1860, Lincoln allowed his name to come up at the Republican Party nominating convention, and at the raucous gathering his identification as a westerner came more into focus. His cousin John Hanks and a colleague trotted into the convention with a banner on which were emblazoned the words "ABRAHAM LINCOLN: The Rail Candidate for President in 1860." The motto "Rail Splitter" caught on and became a selling point for Lincoln as a western candidate throughout the successful presidential campaign of 1860. Lincoln, after some hesitation because he thought "railsplitter" might connote a backwoodsman, accepted the motto and even spoke of himself as a Man of the West.

Lincoln also wholeheartedly supported the Republican platform of 1860, which included several planks impacting the American West. The Republicans asserted that neither the Constitution or territories could "give

and a homestead program for settlers moving west. These planks became important parts of Lincoln's later presidential stances on the West.

Like most candidates of his time, Lincoln did not travel or speak widely to expand his campaign for the Republican nomination or for the presidency in November 1860. He was encouraged to mollify southerners after they commenced seceding from the Union following his election to the White House. Lincoln refused to do so and made no public announcements about the institution of slavery itself. In private correspondence to friends, political advisors, fellow Republicans, and even to the new vice president of the Confederacy, Alexander H. Stephens, a former Whig confidant of Lincoln's, however, he wrote there will be "no compromise on the question of extending slavery." He would let slavery alone where it already existed, but he would not allow its expansion into the West.

At the end of Lincoln's second stage of connections with the West and the opening of the third stage, his views on the trans-Mississippi area were

understandable. He supported a transcontinental railroad to California or Oregon; he favored homestead legislation to help new settlers moving to the western frontier; but he would close the door to slavery, not allowing it into new territories. These positions would be significant parts of Lincoln's relationship with the West during his presidency.

In the first year of his presidency, Lincoln was so overloaded with decisions about a civil war that had broken out and convulsed the entire country that he had little time to think or do much about the West. Yet his scattered statements during the first months of his administration reveal that he was not deaf to the West. During the nine months from his inaugural address to his first annual message to Congress at the end of 1861, he referred to several western measures. He noted the negative impact of the insurrections on Indians, the rising importance of agriculture, and the significance of new territories recently established or needing to be organized. And, of course, he repeated several times his opposition to any expansion of slavery into the West. In none of these areas did Lincoln provide strong, explicit answers to the challenges he faced, but they revealed his ongoing thoughts about the West as he tried to lead a country deeply involved in a civil war.

More than a few presidential historians speak of Lincoln as a Whig in the White House. Through those words, they attempt to distinguish between the assertive leadership of Andrew Jackson and the rise of the opposition Whig Party that favored congressional enactment of legislation and presidential administration of those congressional actions. Lincoln had supported such Whiggish ideas, but the Civil War forced him to be a stronger administrator than Whig leaders had been in the party's roughly twenty-year existence from the 1830s to the mid-1850s. Lincoln's expanding roles as a president impacted his stances on western issues.

1862 was a banner year for Abraham Lincoln's major, direct involvements with the American West. The legislative and presidential decisions activated in that year proved to be most significant of his legislative links to the West. In none of the congressional actions did Lincoln arm twist congressmen. He had already

in that year, he urged his large audience to think about advances in agricultural technology, education for farmers, and better uses of farm lands. These and other suggestions reappeared in three notable agricultural enactments in his second presidential year.

In May 1862, Congress followed Lin-



Trestle in Clipper Ravine LC-DIG-Stereo-1s00462

coln's call for a subcommittee Department of Agriculture. The bureau was to collect statistics and issue an annual report on American agriculture. President Lincoln signed the act on 15 May and named his friend Isaac Newton to head up the department. Newton proved a sterling leader, resourceful and ambitious, and Lincoln quickly saluted his useful work.

Even more important in the long run was the Homestead Act, which Congress passed and Lincoln also signed in May. Pennsylvania Congressman Galusha Grow had advocated homesteads for new settlers in the 1850s. When Lincoln became president, Grow showed him a homestead bill, which Lincoln swiftly endorsed.

Considered by some to be the most important agricultural legislation ever enacted by Congress, the Homestead Act of 1862 achieved several large goals. Bona fide settlers who paid a small registration fee and "proved [it] up" (residing for five years on the land) could now claim 160 acres of farm land. Lincoln was eminent-

made explicit his backing for these measures. In addition, once southern states began seceding, support of Lincoln's ideas greatly expanded. On a few occasions, he repeated his dreams for the West, but for the most part, he relied on the strengths and influences of his previous statements for Congress to carry out his wishes.

The first of these congressional decisions that Lincoln wholeheartedly supported addressed one of his most-desired measures. In May 1862 he signed a congressional bill outlawing slavery in the western territories. For nearly fifteen years, from his own service in Congress to the present, he had pushed for the Wilmot Proviso and opposed Douglas's Popular Sovereignty. Now he enthusiastically endorsed what Congress had decided.

Before Lincoln's presidency, he had also pushed for organizational, land, and educational legislation to help farmers, many of whom were newcomers to lands beyond the Mississippi. In 1859 in a speech before the Wisconsin State Agricultural So-

ly pleased with the act because it supported westward-moving farm families and veterans, expanded the West, and helped gain voters for the president's Republicans. It was a multi-faceted win for the president.

A third agricultural measure, the Morrill Land-Grant Act, dealt with education for agriculturalists. Even though the act gained much less attention than the Homestead bill, it furnished important funding for training farmers by providing thirty thousand acres for each of a state's senators and congressmen to endow agricultural colleges in loyal states. Lincoln had called for such support to provide

provided sixty-four hundred acres of public land for every mile of track laid. When those in charge of financing the construction of the railroad complained about inadequate funding in 1864, Lincoln pushed Congress to double the land grants and to expand other funding for the track-layers. The Central Pacific would build east from California, the Union Pacific west from a location near the Mississippi. They would later meet in spring 1869 north of Salt Lake City in Utah.

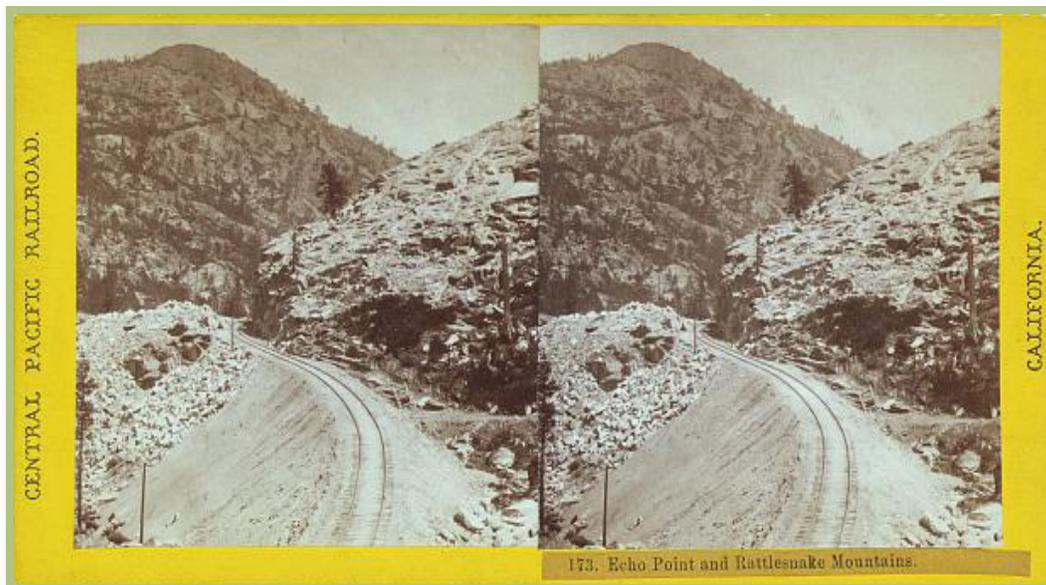
Lincoln was an eager advocate for the transcontinental railroad for several reasons. First of all, the railroad would link California and the West Coast to

leaders when new areas transitioned into territories. Over time, the naming of these territorial appointees had fallen into the hands of presidents. Eventually, presidents appointed hundreds of governors, secretaries, judges, and other territorial officials.

When Lincoln assumed the presidency, the territorial system was ill-organized, often overlooked, and too complex to be easily handled. During his four years in office, eight western areas retained their territorial status, and Arizona, Idaho, and Montana became new territories. Between 1861 and 1865, the sixteenth president appointed more than one hundred men to territorial leadership. He usually named his friends or those of cabinet members, or congressmen, and nearly all were Republicans. These appointees, and their ties to Lincoln and his party, greatly augmented Republican power in the West. So influential were Lincoln's actions in the territories and in such new far-western states as California and Oregon that he can be considered a founding father of the Republicans in the American West.

In another area, Lincoln's announcements of the preliminary and final versions of the Emancipation Proclamation in September 1862 and January 1863 obviously impacted the West, even though few observers of the time, and more recently, have recognized those influences. If trans-Mississippi states such as Texas, Missouri, and Arkansas are viewed as *western* rather than *southern* states, the molding power of emancipation in the West becomes more evident. The Proclamation influenced these states, as well as others like California and Oregon and several territories where slavery existed illegally.

These legislative, territorial, and antislavery announcements were evidence of Lincoln's successes in the American West during his presidency. His largest failure was his lack of success in dealing with Indians. Lincoln did not know much about Indians, even though Indians had killed his grandfather Abraham, and the president-to-be had served briefly in the Black Hawk War of 1832. As settlers moved west and the explosive



Echo Pointe and Rattlesnake Mountains LC-DIG-Stereo1s00530

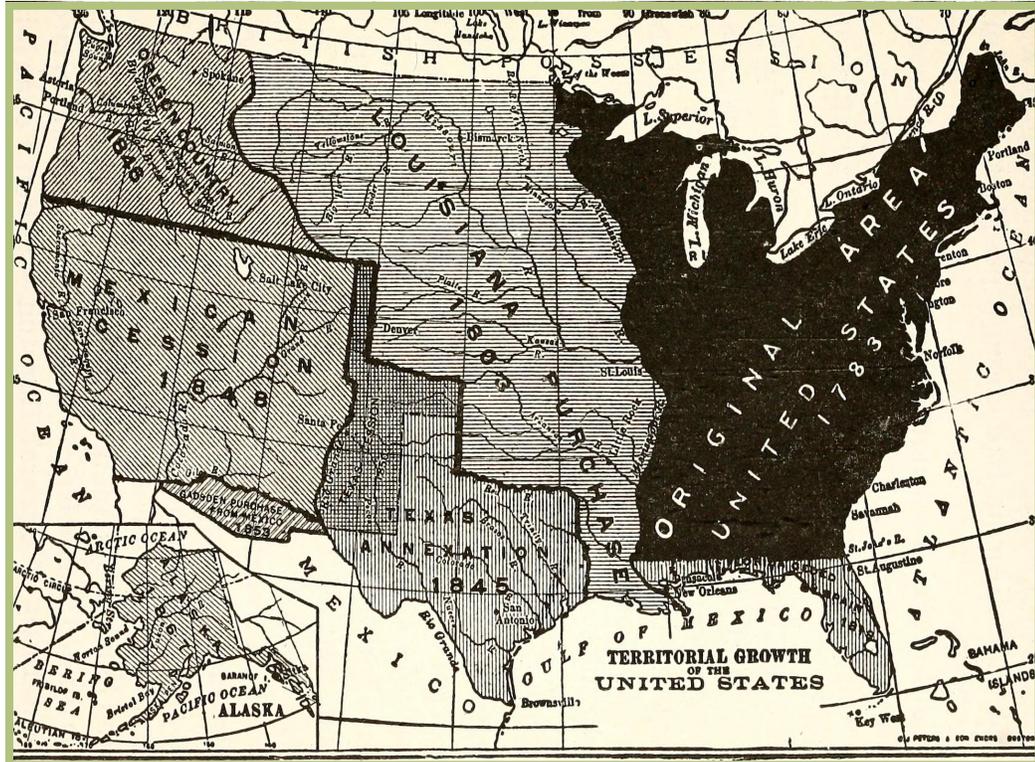
new instruction about agricultural technology and more environmentally sound uses of farm lands. The Morrill Act proved invaluable in supporting agriculture and higher education.

Lincoln may have been even more enthusiastic in his support for railroad expansion into the West than for farmers and agriculture. For more than twenty-five years since his legislative years and legal work in Illinois, he had been a strong railroad man. He continued that promotion in the 1850s, calling for a transcontinental railroad and seeing chugging iron horses as a major key to the development of the West.

In 1862, Lincoln explicitly backed the Pacific Railroad Act that launched funding for a transcontinental railroad stretching from the Midwest to the Bay Area of California. The bill

the rest of the U. S. Second, it would strengthen the Union, so centrally important in 1862 through 1864. Third, it would open the plains and mountain areas to incoming farmers and miners and their developments. So strong was his support for the railroad that one commentator concluded "Abraham's faith moved mountains." Tragically, Lincoln's assassination in 1865 kept him from enjoying the successful building and completion of the railroad across the West.

Much more time-consuming for Lincoln than these legislative enactments were his involvements with organizing and administrating the territories in the West. The U.S. Constitution directed that Congress or the president would take charge of appointing the first and subsequent



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changes of the Civil War added to these upheavals, relations with Indians became a larger problem. One series of events in 1862 especially illustrates the dilemmas Lincoln faced, a so-called "Sioux Uprising" erupted in Minnesota in late summer. Promised support and supplies in earlier treaties, the Sioux rebelled when those failed promises and the incoming floods of new white settlers threatened their existence. Lincoln quickly sent Gen. John Pope to quell the uprising, which he did with superior manpower and weapons. Military and Minnesota political leaders speedily tried the Sioux leaders and condemned 303 prisoners to death. Lincoln stopped the execution and gained scholarly help to examine the charges. He overthrew the accusations against 265 Sioux but allowed 38 to be hanged for capital crimes of murder and rape. The 38 were executed in December in the largest mass hanging in the history of the United States. Negative, rather than positive, reactions have increasingly emerged about these difficult, horrendous events.

Lincoln also promised Cherokee chief John Ross that he would address oth-

er problems that Indians faced. Indians, especially those in the West, had been caught between the Confederate and Union sides, and many, under pressure, fought alongside southern forces. Lincoln promised Ross that he would rectify those problems and address inadequacies in policies dealing with Indians. These promises were not fulfilled. Lincoln was neither hostile to nor disinterested in Indians, but under the nonstop pressures of the escalating Civil War, he did little to help Native Americans.

What is one to say in summing up Abraham Lincoln's connections with the American West? First of all, one wishes historians and biographers paid more attention to this significant cross-continental subject. Of the 16,000-17,000 books about Lincoln, less than a dozen focus centrally on Lincoln-West links. Second, we need most of all a thorough study overviewing Lincoln and the West. Third, other studies can concentrate on Lincoln and Congress and the West; Lincoln and the western territories and states; and Lincoln and slavery and emancipation in the West. All are worthy subjects.

Historian Elliott West provides a useful framework that historians can follow in discussing Lincoln and the West. In his intriguing thesis entitled "The Great Reconstruction," West urges authors to combine, not separate, the two subjects he sees as central to an understanding of mid-nineteenth-century America: (1) controversies leading up to, through, and after the Civil War; and (2) the several stages of westward expansion. Seeing the important connections between these two major subjects, West contends, will help us provide more complex and complete stories of the nineteenth century. The much-needed additional stories on Abraham Lincoln and the American West are intriguing examples of the usefulness of West's Greater Reconstruction thesis.

Richard W. Etulain is professor emeritus of history at the University of New Mexico and author or editor of 60 books. Among these books are (editor), Lincoln Looks West, and (author), Lincoln and Oregon Country Politics in the Civil War Era, and Abraham Lincoln: A Western Legacy.

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