

ABRAHAM LINCOLN: UNFINISHED LEGACY



Abraham Lincoln: Unfinished Legacy

National History Day and The History Channel Teacher Resource Book 2008

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TABLE OF CONTENTS

Page	Article	Author
6	Introduction	James M. McPherson Professor Emeritus Princeton University
8	Lincoln on the Founding Documents, But Secretly	Harold Holzer Senior Vice President Metropolitan Museum of Art
14	Lincoln as Lawyer	James H. Landman Associate Director ABA Division for Public Education
20	Lincoln and the Writ of Habeas Corpus	
24	The Ever-Unfinished Work: American History as a Continual “Birth of Freedom”	Steven L. Danver Senior Editor ABC-CLIO
30	Understanding the Emancipation Proclamation through Art	John Riley Historian White House Historical Association
38	Unfinished Business: Lincoln’s Oratory and the Event at Ford’s Theatre	Sarah Jenck Director of Education Ford Theatre
44	Many Looks at Lincoln: Exploring his Life and Legacy Through Documentary	Kimberly Gilmore Historian Director, Corporate Outreach The History Channel/A&E Television Networks
54	A Teacher’s Bookshelf	Ann Claunch Director of Curriculum National History Day



“...The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced...”

—Abraham Lincoln, Gettysburg Address

Standing solemnly on November 19, 1863, at the Soldier’s National Cemetery, Abraham Lincoln delivered one of his most important speeches, *The Gettysburg Address*. Reflecting on the past and looking toward the future, Abraham Lincoln spoke of the “unfinished business” yet to be done: the reunification of the states and the vision of equality. This became Abraham Lincoln’s legacy and a crucial thread in the American History tapestry that should be included in our nation’s classrooms.

To support teachers in examining the idea of Abraham Lincoln’s “unfinished work,” National History Day, in collaboration with The History Channel, assembled a team of historians and teacher educators to create a resource book. Through this compilation of scholarly articles and lists of resources, educators have a launch pad for students to begin National History Day research projects linked with the Abraham Lincoln Bicentennial.

Beginning with the introduction of *Abraham Lincoln: Unfinished Work*, noted Civil War historian James McPherson situates Abraham Lincoln’s presidency in history. McPherson contends that our 16th president resolved two lingering questions posed by the founding fathers: will this democratic government survive? How will the “peculiar institution” of slavery be resolved and counterbalanced against the Founding Documents? The subsequent article by Harold Holzer, *Lincoln on the Founding Documents, But Secretly* provides the reader insight into Lincoln’s vision for the nation in the time of crisis and the use of a political strategy of private and confidential letters to clarify his stance and to create alliances before his inauguration. Building upon Harold Holzer’s article, James Landman, in *Lincoln as Lawyer*, explores the profound connection with The Declaration of Independence and The Constitution on shaping Lincoln’s views of the rights and the responsibilities as a lawyer and a statesman. The second part of his article discusses the interpretation of *The Constitution* in Abraham Lincoln’s most difficult decision, suspending the *Writ of Habeas Corpus*. Steven Danver, in *The Ever-Unfinished Work: American History as a Continual “Birth of Freedom,”* completes this section with the “new birth of the nation” after the Civil War and the “growing pains” as we struggled for equality throughout the twentieth century.

Our focus shifts to the classroom in the second section of the book. John Riley from the White House Historical Society supports teachers in building a historical context around a work of art in *Understanding the Emancipation Proclamation through Art*, Francis Bicknell Carpenter's *First Reading of the Emancipation Proclamation before Lincoln's Cabinet*. Sarah Jenck provides historical background and classroom lessons on using Lincoln's speeches as a strategy to build historical understanding in *Unfinished Work: Lincoln's Oratory and the Event at Ford's Theatre*. Kimberly Gilmore distills the Lincoln resources from The History Channel's collection of documentaries by providing an annotated bibliography of available resources on Abraham Lincoln, interspersed with teaching tips, *Many Looks at Lincoln: Exploring his Life and Legacy Through Documentary*. The final article by NHD curriculum director Ann Claunch is a list of essential resources, sequentially presented, for teachers beginning a unit of study of Abraham Lincoln in preparation for National History Day projects, *Abraham Lincoln: Top Resources for a National History Day Research Projects*.

Cathy Gorn, Executive Director
National History Day

National History Day Connection

National History Day encourages middle school and high school students to engage in scholarly historical research with an emphasis on constructing an interpretation of the past supported by extensive research of secondary and primary sources.

This year's theme, *The Individual in History: Actions and Legacies*, invites students to do research projects on people who have transformed history. Abraham Lincoln was a decisive person in our nation's history and may be studied from a variety of perspectives. One research project is his conceptual understanding of The Constitution in his suspension of the Writ of Habeas Corpse. When students complete their NHD research, they must present their research in a variety of formats: a historical documentary, website, paper, performance or an exhibit. For example, upon completion of the research on Abraham Lincoln and The Constitution, students might create a historical exhibit. Another research option for students might be to explore the relationship between Abraham Lincoln and the abolitionists, presenting their research in a historical documentary or a website. Representing research through writing historical papers about



Lincoln: the Power of Words or Lincoln: The Statesman Shaping a Young Republic, are also viable entries into the National History Day program. For more information on NHD please log on to our website at www.nhd.org. Below are some examples of other possible research projects:

- Abolitionist Movement v. The American Colonization Society
- Abraham Lincoln: Perfect Egalitarian or Perfect Emancipator?
- Abraham Lincoln and the United States Colored Troops: Views and Resolutions
- Lincoln and Frederick Douglas: Friends or Foes?
- Civil Rights Act of 1865
- Emancipation Proclamation
- Lincoln and the Emancipation of Slaves: Gradual, Compensation and “Voice of the People”
- Lincoln and the Colonization Program to the Caribbean
- Lincoln Douglas Debates
- Lincoln’s Legacy: Reconstruction Era
- Lincoln and the Suspension of Habeas Corpus
- The Constitutional Convention: Setting the Stage for the Civil War
- 1860-1861, The Winter of Secession: Pulling the Pins from Lincoln’s Containment Policy

ABRAHAM LINCOLN BICENTENNIAL COMMISSION



“I view it as the most important subject which we as a people can be engaged in.”

—Abraham Lincoln on education

Abraham Lincoln is everywhere: from the penny in our pockets to the majestic memorial that bears his name in Washington, DC. But how well do we really know him? What do students today know of him?

Explore Lincoln’s rise from a humble Kentucky log cabin to the Presidency during his bicentennial in 2009. Please visit www.abrahamlincoln200.org to learn more about the nation’s celebration of his life and legacy. There you will find specific resources for educators, such as:

- Lesson plans
- Reading Lists
- Interactive games
- Timelines
- Copies of Lincoln speeches
- Teacher Workshop opportunities

About the Abraham Lincoln Bicentennial Commission

The Abraham Lincoln Bicentennial Commission (ALBC) was created by Congress to plan the national celebrations of Lincoln’s 200th birthday in 2009. The fifteen members of the ALBC were appointed by the President, the Senate and the House of Representatives. The Commissioners are focused on informing the public about the impact Abraham Lincoln had on the development of our nation and finding the best possible ways to honor his accomplishments.

The Commission is proud to partner with educational organizations such as National History Day to help students and teachers “live the legacy.”

www.abrahamlincoln200.org



INTRODUCTION

From the rear platform of the railroad passenger car that would carry him to Washington in February 1861 to become President of the United States, Abraham Lincoln said goodbye to his friends and neighbors in Springfield, Illinois. “I now leave, not knowing when, or whether ever, I may return, with a task before me greater than that which rested upon Washington.”

As matters sadly turned out, Lincoln did not return alive to Springfield. We are painfully aware of the tragic events of his assassination on April 14, 1865. But what did he mean on February 11, 1861, when he spoke of the task before him being greater than that faced by George Washington? When Washington became President in 1789, the United States was a new nation with a new Constitution. Washington’s great achievement was to place that nation and Constitution on a firm foundation during his two terms as President. By the time Lincoln was inaugurated as the sixteenth President, the nation was falling apart. Fearing that the incoming Lincoln administration elected by the antislavery Republican party would undermine their “peculiar institution” of human bondage, seven slave states had seceded from the United States and formed a new entity they called the Confederate States of America. Several other slave states teetered on the brink of secession. The United States was no longer united. Lincoln feared, with good reason, that if the slave states succeeded in establishing their new nation, this fatal precedent would lead to future secessions that would fragment America into several squabbling, fractious republics. Secession was “the essence of anarchy,” said Lincoln in 1861, for if one state may secede so may any other until there was no longer a United States. “We must settle this question now, whether in a free government the minority have the right to break up the government whenever they choose.”

Preventing that outcome was the task before Lincoln, greater than that faced by George Washington. When Confederate artillery opened fire on the American flag and American soldiers at Fort Sumter on April 12, 1861, it became clear that the United States could be preserved only by winning the Civil War that began at Fort Sumter. Saving the Union did indeed turn out to be a more challenging task than launching it in 1789 had been. As commander in chief of the armies that finally won the war in 1865, Lincoln resolved one of the two great questions left unresolved by the generation of the Founding Fathers: whether this brave new experiment in democratic government would “perish from the earth,” as Lincoln put it at Gettysburg in 1863, or would “long endure.” It has endured a century and a half since the Civil War, and promises to continue to exist as one nation, indivisible, for a long time to come.

The second question left unresolved by the Founders was slavery. A nation founded on the proposition that all men are created equal with an inalienable right of liberty had become by 1860 the largest slaveholding country in the world. This colossal “hypocrisy” and “monstrous injustice,” as Lincoln had termed it in 1854, also came to an

end in the Civil War. When Lincoln signed the Emancipation Proclamation on January 1, 1863, he said: “I never in my life felt more certain that I was doing right than I do in signing this paper. If my name ever goes into history it will be for this act, and my whole soul is in it.”

Lincoln’s name did go into history for the great achievements that we signify in the Pledge of Allegiance: one nation, indivisible, with liberty for all. The Lincolnian promise of “justice for all” is still a work in progress, but we are a great deal closer to fulfilling it than if Lincoln had never lived.

James M. McPherson
Professor Emeritus
Princeton University

For further reading, the following is a small sampling of the books and articles related to Abraham Lincoln by our guest historian, James McPherson:

McPherson, James. *Lincoln and the Strategy of Unconditional Surrender*. Gettysburg, Pa: Gettysburg College, 1984.

McPherson, James. *How Lincoln Won the War with metaphors*. Fort Wayne, Ind.: Louis A. Warren Lincoln Library and Museum, 1985.

McPherson, James. *Abraham Lincoln and the Second American Revolution*. New York: Oxford University Press, 1990.



LINCOLN ON THE FOUNDING DOCUMENTS, BUT SECRETLY



By Harold Holzer

Harold Holzer is the co-chairman of the U. S. Lincoln Bicentennial Commission.

“I have never had a feeling politically,” declared Abraham Lincoln in 1861, “that did not spring from the sentiments embodied in the Declaration of Independence.”¹ But just a few weeks before making this public pronouncement, on the eve of his inauguration as the Sixteenth President of the United States, Lincoln entertained feelings of a quite different kind. Acknowledging his belief in the “sentiments” holding that all men are created equal—but in the wake of secession, giving equal thought to the Constitution he would soon be sworn to protect—Lincoln began weighing the challenge of reconciling both of America’s cherished founding documents.

During the so-called “Great Secession Winter of 1860-1861”—the long and dangerous interregnum between Abraham Lincoln’s election and his swearing-in—the beleaguered President-elect carefully avoided speaking out publicly. His goal was to damp down the growing secession crisis by remaining officially silent while quietly maneuvering the nation’s Republican leaders to resist conciliation on anti-slavery principles. His principled efforts have seldom been fully appreciated.

Lincoln’s activities usually took the form of secret letters to Senators and Congressmen marked “private” and “strictly confidential.” In most such messages, the President-elect made clear that he opposed compromises that would violate the 1860 Republican party platform opposing the extension of slavery, even if it meant saving the Union. The letters were uniformly practical, and emphasized cold political reality, not deeply held personal philosophy.

“I am rather inclined to silence, and whether that be wise or not, it is at least more unusual nowadays to find a man who can hold his tongue than to find one who cannot.”

—*Collected Works of Abraham Lincoln*
edited by Roy P. Basler, Volume IV,
February 15, 1861 Speech at
Cleveland Ohio

But even more secretively, Lincoln took up his pen around this same time to write a deeply felt manifesto of principle that he shared with absolutely no one—not even his closest friends and political advisors. The document more than deserves our attention today.

Secret or not, it confirmed Lincoln’s steadfast determination to preserve—and ultimately, extend—not only the permanence of the Union, but also the promise of liberty. And it made clear that in the best of all worlds, he hoped both goals could be achieved simultaneously. Lincoln had apparently given much thought to this challenge since his election, pondering concepts that went well beyond the planks of the Republican

“I have never had a feeling, politically, that did not spring from the Declaration of Independence... that all should have equal chance... This is the sentiment embodied in the Declaration of Independence... I would rather be assassinated on this spot than surrender to it.”

—*Collected Works of Abraham Lincoln*
edited by Roy P. Basler. Volume IV.
p. 420.



*Here in the bosom of human
opinion among the powers of the earth, the separate and equal stations to which
should decide the course which impel them to the separation.*

platform he so often cited. The secret manifesto he produced around January 1, 1861, was an appeal not just to reason but also to emotion. Even though it never saw the light of day in its own time, it deserves to be read today as a heartfelt justification for resisting any compromise that reneged on the original promise of American freedom. Apparently concluding that its publication would do little good, Lincoln proclaimed none of its sentiments publicly until he neared Washington a month later, and even then, did so in muted terms.

“My paramount object in this struggle is to save the Union....”

—*Collected Works of Abraham Lincoln*
edited by Roy P. Basler. Volume V.
“Letter to Horace Greeley”
(August 22, 1862) p. 388.

As one Southern state followed another out of the Union, one can imagine him struggling to apply his reverence for the founding fathers to the crisis that had percolated, in part, because of the seeming conflict between their two most sacred documents. Over the past five years, the Declaration of Independence had held the pre-eminent place in Abraham Lincoln’s rhetoric. Now, with the Union in jeopardy, the Constitution, flawed as it was on the subject of slavery, assumed vital new importance.

“If all do not join to save the good ship of the Union this voyage nobody will have a chance to pilot her on another voyage.”

—*Collected Works of Abraham Lincoln* edited by Roy P. Basler. Volume IV.
“Speech at Cleveland Ohio”
(February 15, 1861) p.216.

PRIMARY SOURCE: Private Manifesto

“Without the Constitution and the Union, we could not have attained the result; but even these, are not the primary cause of our great prosperity. There is something back of these, entwining itself more closely about the human heart. That something, is the principle of ‘Liberty to all’—the principle that clears the path for all—gives hope to all—and, by consequence, enterprize, and industry to all.

The expression of that principle, in our Declaration of Independence, was most happy, and fortunate. Without this, as well as with it, we could have declared our independence of Great Britain; but without it, we could not, I think, have secured our free government, and consequent prosperity. No oppressed people will fight, and endure, as our fathers did, without the promise of something better, than a mere change of masters.

*The assertion of that principle, at that time, was the word, ‘fitly spoken’ which has proved an ‘apple of gold’ to us. The Union, and the Constitution, are the picture of silver, subsequently framed around it. The picture was made, not to conceal, or destroy the apple; but to adorn, and preserve it. The picture was made for the apple—not the apple for the picture. So let us act, that neither picture, or apple shall ever be blurred, or bruised or broken. That we may so act, we must study, and understand the points of danger.”*²²

As the document on page 12 shows, Lincoln's persistent underlining for emphasis indicates that he intended this impassioned fragment as the draft of a speech—perhaps a jotting for the inaugural address he was scheduled to deliver in March. In the end, however, it remained a speech never given.³ It is not hard to understand why Lincoln shelved it. Its imperfectly expressed but startling propositions—liberty to all, and path-clearing “enterprize” for all—by no means omitted African Americans; in fact, the very repetition of the word “all” strongly implied their inclusion. No American leader, particularly one facing a secession crisis over slavery, dared risk reminding his white constituents of his commitment to so advanced an ideal as equal opportunity. Even Americans opposed to slavery were anxious about what might happen to the slaves—and to themselves—if the institution died. Full integration into free society, and with it, competition with white workers for low-paying menial jobs, was not yet a political option in the Republican mainstream.

Then there was an additional irony. Lincoln had once called himself “a poor hand to quote Scripture.”⁴ But the idea for the principal metaphor in his manifesto was not only Biblical, it had originated a few days earlier with Senator Alexander H. Stephens of rebellious Georgia. Stephens had used exactly the same biblical metaphor in a December 30 letter to Lincoln urging him to conciliate the South on the slavery question. Like other Southern moderates, he had urged the President-elect to offer a soothing message to the secessionists. “A word fitly spoken by you now,” he had written, “would be like ‘apples of gold in pictures of silver.’” Lincoln rejected the idea—but apparently loved the way Stephens expressed it. Within days, he would appropriate the quote from Proverbs for himself.

If Lincoln now dared to appropriate this language, Stephens might embarrassingly reveal himself as the source of the adaptation from Proverbs. In truth, Lincoln's ruminations went far beyond Stephens's unembellished scriptural reference. Every bit as brilliant an editor as he was a writer, he not only vastly improved its expression, but boldly re-imagined its meaning.

**“A word fitly spoken
is like apples of gold in
pictures of silver.”**

—Proverbs 25:10 King James Bible

No matter that a Southerner had brought it to his attention, the reanimated biblical image of an apple of gold preserved within the frame of silver comforted the beleaguered President-elect that it was not only legally possible, but morally imperative, to fulfill the promise of the Declaration, that all men were created equal, within the framework of a Constitution that may have enshrined slavery, yet held the union of states perpetually sacred.

Therein lay the spirit of one of the greatest speeches Lincoln never gave.



Lesson One: Example of the Confidential Letters sent during the Winter Of Secession

From Abraham Lincoln to George D. Prentice,⁷ October 29, 1860

Private & confidential

Springfield, Ills. Oct. 29. 1860

My dear Sir:

Yours of the 26th is just received – Your suggestion that I, in a certain event, shall write a letter, setting forth my conservative views and intentions is certainly a very worthy one – But would it do any good? If I were to labor a month, I could not express my conservative views and intentions more clearly and strongly, than they are expressed in our plat-form, and in my many speeches already in print, and before the public. And yet even you, who do occasionally speak of me in terms of personal kindness, give no prominence to these oft-repeated expressions of conservative views and intentions; but busy yourself with appeals to all conservative men, to vote for Douglas – to vote any way which can possibly defeat me – thus giving impressing your readers to believe that you think, I am the very worst man living – If what I have already said has failed to convince you, no repetition of it would convince you – The writing of your letter, now before me, gives assurance that you would publish such a letter from me as you suggest; but, till now, what reason had I to suppose the Louisville Journal, ever, would publish a repetition of that which is already at it's command and which it does not publish? press upon the public attention?

And now my friend – for such I esteem you personally – do not misunderstand me – I have not decided that I will not do substantially what you suggest; – I will not ~~abstain from~~ forbear doing so merely on punctilio, or and pluck – If I do finally abstain, it will be because of apprehension that it would do harm – For the good men of the South – and I esteem a regard the majority of them as such – I have no objection to repeat seventy and seven times – But I have bad men also to deal with, both North and South – men who are eager for something new upon which to base new misrepresentations – men who would like to frighten me, and; or, at least, to fix upon me the character of timidity and cowardice – They would seize upon almost any letter I could write, as being an “awful coming down” – I intend to keeping my eye upon these gentlemen, and to not unnecessarily put any weapons in their hands –

Yours very truly

A. Lincoln

[Endorsed by Lincoln:]

Confidential

The within letter was written on the day of it's date, and, on reflection, withheld till now – It expresses the view I still entertain –

A. Lincoln

Abraham Lincoln Papers at the Library of Congress. Transcribed and Annotated by the Lincoln Studies Center, Knox College. Galesburg, Illinois.

National History Day Connection

Harold Holzer's article asks us to think about Lincoln's decisions and how his belief system, revealed in his secret manifesto, shaped his actions and policies. Possible student research topics are:

- The Power of Persuasion: The Lincoln Letters
- Abraham Lincoln and The Founding Documents: Beacons in Times of Darkness
- The Civil War, The Emancipation Proclamation, Thirteenth Amendment: Guarantee of the Union?
- Abraham Lincoln's Dilemma: Defense of the Constitution and Upholding the Legality of Slavery
- The Civil War: A Battle between The Declaration of Independence and The Constitution

For further reading, the following is a small sampling of the books and articles related to Abraham Lincoln by our guest historian, Harold Holzer:

Holzer, Harold. *Abraham Lincoln: The Writer*. (New York: Boyds Mills Press, 2000).

Holzer, Harold. *The Emancipation Proclamation: Three Views*. (New Orleans: Louisiana State University Press, 2006).

Holzer, Harold. *Lincoln and Freedom*. (New York: Fordham University Press, 2007).

Holzer, Harold. *Lincoln President-Elect: Abraham Lincoln and the Great Secession Winter 1860-1861*. (New York: Simon and Schuster, 2008).

Possible Student Research Questions

1. How did the Civil War test the viability of the Constitution?
2. How did the Civil War—the Emancipation Proclamation—and the Thirteenth Amendment—reconcile Lincoln's resolve to guarantee Union and expand liberty?
3. How did anti-slavery Republicans like Lincoln explain and defend the Constitution's implied acknowledgement of the legality of slavery?
4. What did the phrase "all men are created equal" mean to different people in Lincoln's time?

1 Roy P. Basler, ed., *The Collected Works of Abraham Lincoln* (hereinafter cited as *Collected Works of Lincoln*), 8 vols. (New Brunswick, N.J.: Rutgers University Press, 1953-55), 4:420.

2 *Collected Works of Lincoln*, 4:168-169. The fragment is undated, and some scholars have assigned it to December 31, 1860. More likely, Lincoln crafted it a few weeks later, as he began seriously pondering the composition of his inaugural address.

3 See Allen C. Guelzo, *Abraham Lincoln: Redeemer President* (Chicago: William B. Eerdmans, 1990), esp. Ch. 5, "Moral Principle is all that Unites Us."

4 *Collected Works of Lincoln*, 2:501. Lincoln made his remark during his speech at Chicago on July 10, 1858.

5 Alexander H. Stephens to Lincoln, December 30, 1860, copy in Myrta L. Avery, ed., *Recollections of Alexander H. Stephens* (New Orleans: Louisiana State University, 1910), 60.

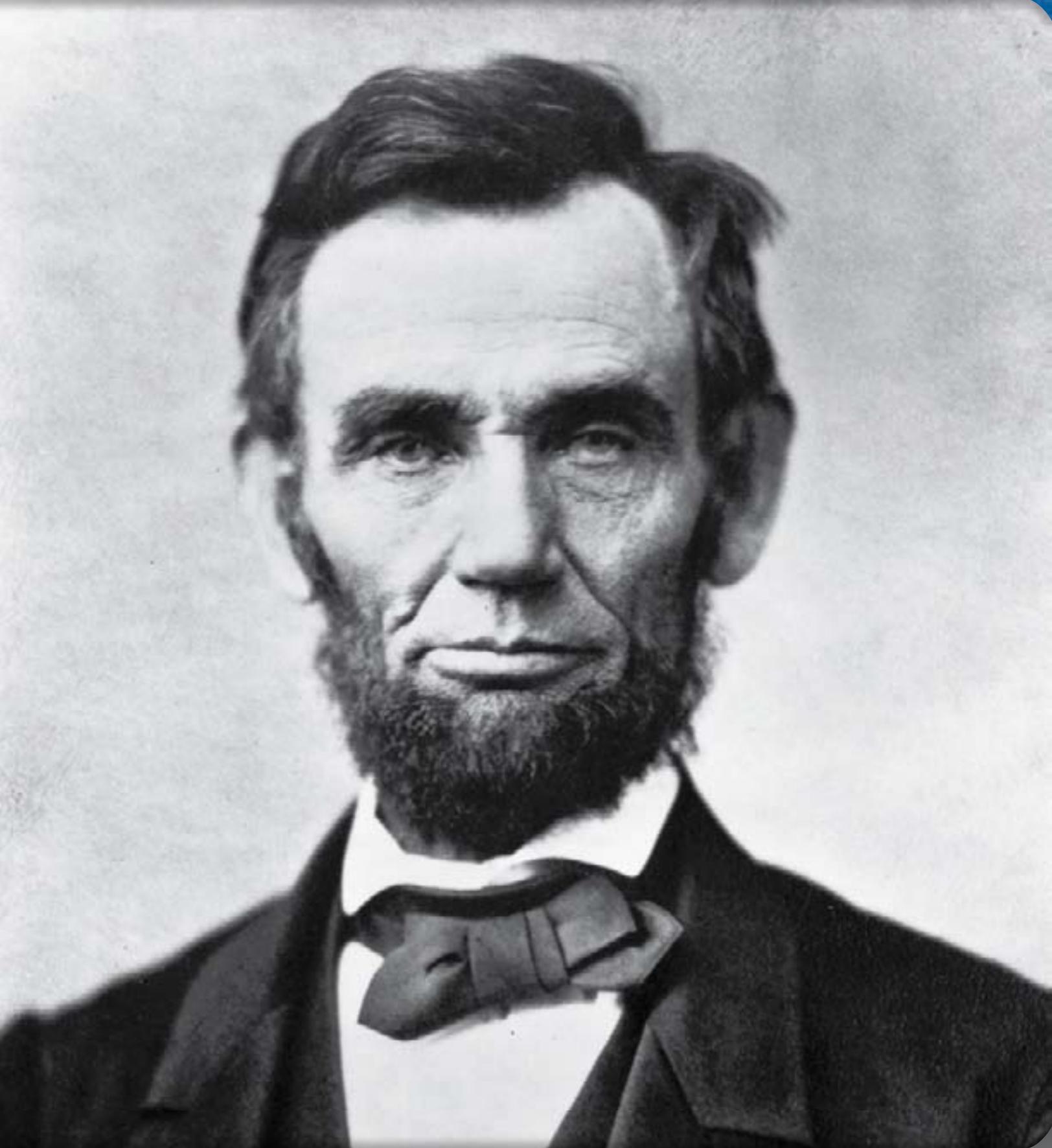
6 Earlier, Lincoln had admitted the Constitution's imperfections, conceding at one point, "we could not get our constitution unless we permitted...slavery." See his speech at Chicago, July 10, 1858, *Collected Works of Lincoln*, 2:501. Historian Mark E. Neely has maintained, "In truth, the Constitution stood as an embarrassment to the antislavery cause." See Neely, *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York: Oxford University Press, 1991), 216.

7 Lincoln's response here is to Prentice to Lincoln, October 26, 1860 (q. v.). In that letter Prentice assured Lincoln of his confidence in his (Lincoln's) integrity, and that he expected Lincoln to be elected. Prentice, however, opposed Lincoln's election out of fear of the secessionism that it might unleash. He thus suggested that Lincoln should publish a letter in which he would propound his conservative sentiments. Considering Lincoln's endorsement at the end of this letter, whether he ever actually sent it seems questionable.



LINCOLN AS LAWYER

IN GOD WE TRUST



By James H. Landman

James Landman is associate director of the American Bar Association Division for Public Education in Chicago, Illinois.

The following article is adapted from Paul Finkelman, “Abraham Lincoln: Prairie Lawyer,” in America’s Lawyer-Presidents: From Law Office to Oval Office, ed. Norman Gross (Evanston: Northwestern University Press, 2004), pages 129-137.

Abraham Lincoln was not only one of our nation’s greatest Presidents, he also was one of the most accomplished lawyers of his time, rising to the top of the legal profession in his home state of Illinois. Lincoln spent 25 years of his adult life practicing law—from his admission to the bar in 1836 until the beginning of his Presidency in 1861—and his experiences and reputation as a lawyer offer numerous insights into his Presidency.

“If you are resolutely determined to make a lawyer of yourself, the thing is more than half done already.”

—November 5, 1855 Letter to Isham Reavis

Lincoln encountered the law early in his life, and these early experiences probably convinced him of the need to have knowledge of the law. When Lincoln was a boy, his father lost part of a farm in Kentucky due to defects in the title to the property and was enmeshed in litigation regarding other farm properties. When Lincoln was eighteen, he too encountered a legal challenge regarding his operation of a ferryboat. He successfully defended himself, prompting encouragement from a justice of the peace who recommended that Lincoln “read up a bit on the law.” Lincoln followed his advice.

Following his admission to the bar in 1836, Lincoln practiced first with lawyer John Todd Stuart, who became a member of the U.S. Congress in 1839, and then with Stephen T. Logan, who served as an important mentor to Lincoln. In 1844, Lincoln left his partnership with Logan. He soon took on William H. Herndon as his new partner. Lincoln and Herndon remained partners until Lincoln left Illinois for the Presidency.

Lincoln’s early legal career was dominated by small cases involving contract, debt, and property disputes. By the 1850s, however, he was representing major business interests, including seven railroads, and earning substantial fees. He also became a skilled appellate lawyer, with one of the largest caseloads before the Illinois Supreme Court. While serving in Washington as a U.S. Congressman, he even appeared before the U.S. Supreme Court.

“...The leading rule for the lawyer, as for the man of every other calling, is diligence. Leave nothing for tomorrow, which can be done today. Never let your correspondence fall behind. Whatever piece of business you have in hand, before stopping, do all the labor pertaining to it, which can then be done. . . .”



“Extemporaneous speaking should be practiced and cultivated. It is the lawyer’s avenue to the public. However able and faithful he may be in other respects, people are slow to bring him business, if he cannot make a speech. And yet there is not a more fatal error to young lawyers, than relying too much on speech-making. If anyone, upon his rare powers of speaking, shall claim an exemption from the drudgery of the law, his case is a failure in advance.”

—On Being a Lawyer

Stories about Lincoln as lawyer suggest that he was an effective courtroom lawyer, with an engaging personality, a knack for down-home explanations, and an intuitive sense of how to persuade a jury. There is some evidence, however, that the force of his advocacy depended on his opinion of the case. A fellow attorney wrote, “He was strong if convinced he was in the right, but if he suspected he might be wrong he was the weakest lawyer I ever saw.” Judge David David, whom Lincoln appointed to the U.S. Supreme Court, agreed: “The framework of his mental and moral being was honesty, and a wrong case was poorly defended by him.”

A small but important part of Lincoln’s legal career involved cases regarding slavery. In his early years of practice, from 1838 to 1847 (when he left for Washington to serve a term

in Congress), Lincoln represented slave owners, opponents of slavery, and free blacks. He was, in other words, simply acting as an attorney accepting clients. After he returned to Illinois in 1849, Lincoln’s slavery caseload changed. He no longer defended the interests of masters in fugitive slave cases. Instead, his firm took a more active role in defending fugitive slaves and free blacks. During this period, he also had one steady black client, William Florville, a barber who acquired much real estate and was well known as “Billy the Barber.” This relationship was significant because Lincoln here represented a hardworking, upwardly mobile midwesterner, not unlike himself, except in being black.

By the time Lincoln ran for Senate in 1858, his attitudes on race were clearly evolving. His opposition to the spread of slavery and his wholesale rejection of Chief Justice Roger Taney’s opinion in *Dred Scott v. Sandford* made him a leader of the Republican Party and helped him gain the nomination as the Republican presidential candidate in 1860.

So how might Lincoln’s legal career have shaped his Presidency? There are several answers. While running for President, he depended upon his skills as an advocate. He argued the facts over and over again—the North had done nothing to threaten slavery, and he had never threatened slavery where it existed. He reminded southerners that, as President, he would have no legal or constitutional power to interfere with slavery in existing slave states. He also promised to obey the existing law with respect to fugitive slaves.

“Whenever I hear anyone arguing for slavery I feel a strong impulse to see it tried on him personally.”

—*Collected Works of Abraham Lincoln*
edited by Roy P. Basler. Volume III.
“Speech to One Hundred Fortieth Indiana Regiment” (February 17, 1865) p316.

As President, Lincoln argued that the nation’s highest law—the U.S. Constitution—did not permit secession. Once secession of the Confederate states occurred, however, the Constitution provided Lincoln with the powers he needed to launch his attack on slavery. In the Emancipation Proclamation, issued on January 1, 1863, Lincoln cited “the power in me vested as Commander-in-Chief, of the Army and Navy of the United States in time of actual armed rebellion against the authority and government of the United States,” as the basis for his order declaring free all persons held as slaves in states in rebellion against the United States. Lincoln fully expected that the proclamation would be challenged in court, and made it as precise and legalistic as possible. Karl Marx, reporting on the proclamation in a London newspaper, observed that the “most formidable decrees which [Lincoln] hurls at the enemy and which will never lose their historic significance, resemble—as the author intends them to—ordinary summons, sent by one lawyer to another.”

“I freely acknowledge myself the servant of the people, according to the bond of service...the United States Constitution; and that, as such, I am responsible to them.”

—August 26, 1863 Letter to James Conkling

Lawyers serve as advocates in times of conflict, but they also serve as negotiators and peacemakers. In his Second Inaugural Address in 1865, Lincoln reflected the lawyer-mediator seeking settlement of a dispute. Summing up his case, Lincoln noted how “all knew” that slavery “was somehow the cause of the war,” which had come to an end with the conflict. He noted its huge cost, as emancipation might mean that “all the wealth piled by the bondsman’s

“Neither party expected for the war, the magnitude, or the duration, which it has already attained. Neither anticipated that the cause of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding...”

—Lincoln’s Second Inaugural Address, March 4, 1865

two hundred and fifty years of unrequited toil shall be sunk” and that “every drop of blood drawn with the lash shall be paid by another drawn by the sword.”

With emancipation accomplished, Lincoln ended his inaugural, and, as it turned out, his life, with the promise of conciliation and, most important of all, justice. “With malice toward none, with charity for all,” Lincoln urged, “. . .let us strive on to finish the work we are in, to bind up the nation’s wounds, to care for him who shall have borne the battle and for his widow and his orphan, to . . .achieve. . .a just and lasting peace among ourselves. . . .” Thus, the lifelong lawyer from Illinois ended his Presidency with a vision of “justice.” This is a concept often lost in the practice of law and surely often forgotten in the day-to-day scramble of politics. Fittingly, it was the goal of the lawyer who became a president and the Great Emancipator.



Possible Student Research Topics

- How the legal profession influenced Abraham Lincoln's presidential decisions.
- Analysis of Abraham Lincoln's Senate Race of 1858 and how it defined his beliefs about slavery.
- The importance of Stephen T. Logan as Abraham Lincoln's mentor.

Suggested Teaching Activity

Included in Lincoln's papers upon his death were his notes for a law lecture. The origin and purpose of these notes are unknown, but they offer unique insight in Lincoln's philosophy of the practice of law. These notes, excerpted below, are printed in full in *America's Lawyer-Presidents: From Law Office to Oval Office*, ed. Norman Gross (Evanston: Northwestern Univ. Press, 2004), pages 146-47. Original spelling and punctuation conventions are retained.

. . . The leading rule for the lawyer, as for the man of every other calling, is diligence. Leave nothing for to-morrow, which can be done to-day. Never let your correspondence fall behind. Whatever piece of business you have in hand, before stopping, do all the labor pertaining to it, which can then be done. . . .

Extemporaneous speaking should be practiced and cultivated. It is the lawyer's avenue to the public. However able and faithful he may be in other respects, people are slow to bring him business, if he can not make a speech. And yet there is not a more fatal error to young lawyers, than relying too much on speech-making. If any one, upon his rare powers of speaking, shall claim an exemption from the drudgery of the law, his case is a failure in advance.

Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser, in fees, expenses, and waste of time. As a peace-maker, the lawyer has a superior opportunity of being a good man. There will still be business enough.

Never stir up litigation. A worse man can scarcely be found than one who does this. Who can be more nearly a fiend than he who habitually overhauls the Register of deeds, in search of defects in titles, whereon to stir up strife, and put money in his pocket? A moral tone ought to be infused into the profession, which should drive such men out of it.

The matter of fees is important far beyond the question of bread and butter involved. Properly attended to fuller justice is done to both lawyer and client. An exorbitant fee should never be claimed. As a general rule, never take your whole fee in advance, nor any more than a small retainer. When fully paid before hand, you are more than a common mortal if you can feel the same interest in the case, as if something was still in prospect for you, as well as for your client. And when you lack interest in the case, the job will very likely lack skill and diligence in the performance.

Settle the amount of fee, and take a note in advance. Then you will feel that you are working for something, and you are sure to do your work faithfully, and well. . . .

There is a vague popular belief that lawyers are necessarily dishonest. I say vague, because when we consider to what extent confidence, and honors are reposed in, and conferred upon lawyers by the people, it appears improbable that their impression of dishonesty, is very distinct and vivid. Yet the expression, is common—almost universal. Let no young man, choosing the law for a calling, for a moment yield to this popular belief. Resolve to be honest at all events; and if, in your own judgment, you can not be an honest-lawyer, resolve to be honest without being a lawyer. Choose some other occupation, rather than one in the choosing of which you do, in advance, consent to be a knave.

Questions for Discussion

1. Read Lincoln’s “Notes for a Law Lecture.” List three “leading rules” he gives to aspiring lawyers.
2. How do you think Lincoln may have applied the principles from his “Notes for a Law Lecture” during his Presidency? How else do you think Lincoln’s legal career helped shape his Presidency?
3. The article suggests that Lincoln’s experiences as a lawyer shaped, in different ways, two of his most memorable acts as President: the Emancipation Proclamation and the Second Inaugural Address. Review these two documents. How are they similar? How are they different? To what extent do you see the imprint of “Lincoln as lawyer” in these two documents?

The ABA Division for Public Education’s programs, publications, and resources are designed to educate and inform youth, college and university students, and adults about law and the justice system so that they are better equipped to meet the challenge of productive engagement in our democracy. For additional information, visit www.abanet.org/publiced.

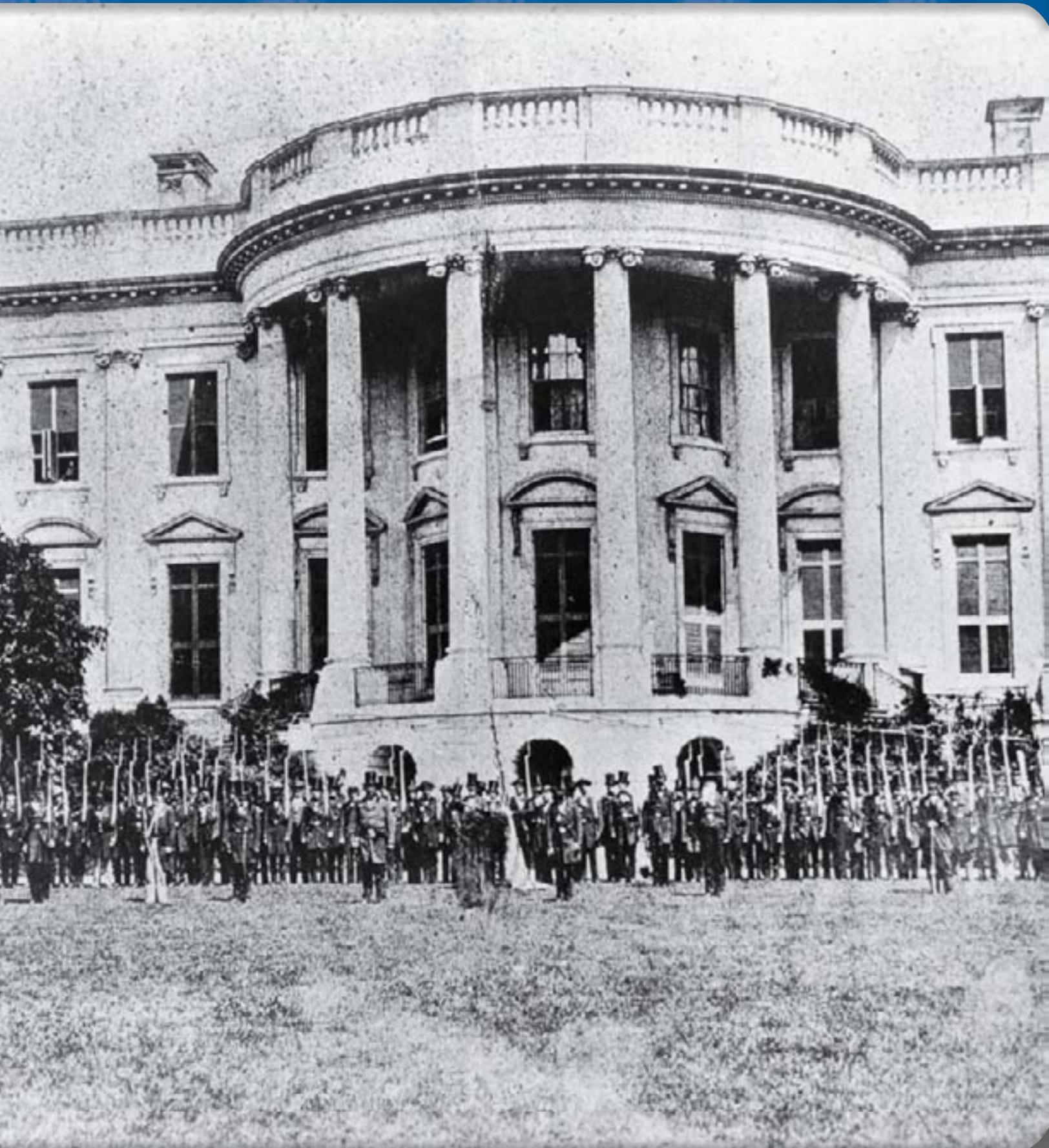
National History Day Connection

National History Day requires a historical theme for the students to frame their research each year. This year’s theme is *The Individual in History: Actions and Legacies*. By highlighting the National History Day theme each year, students are given a focus to raise compelling questions and examine history. Below are a few more examples for a research project about Abraham Lincoln.

- Lincoln as Lawyer and Statesman: Impact on Policy
- Lincoln’s Mentors: John Todd Stuart, Stephen T. Logan and William H. Herndon
- Defining Lincoln’s Stance on Slavery: Senate Race of 1858



LINCOLN AND THE WRIT OF HABEAS CORPUS



The writ of habeas corpus is an order of a court directing a person (usually a jailer or other government official) who “should have the body” (in Latin, *habeas corpus*) of someone who has been imprisoned or detained to appear in court with the reason for the detention. The purpose of the writ is to give the detained person a chance to challenge the legality of his or her detention before a judge. Article I, Section 9 of the Constitution provides that “the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.”

Following the start of the Civil War in April 1861, the District of Columbia faced the possibility of being stranded between the declared Confederate state of Virginia and the state of Maryland, which was leaning toward secession. Retaining Maryland, and the vital transportation lines that ran through it, was essential to the Union. President Lincoln ordered Winfield Scott, his commanding general, to take drastic measures—including suspension of the writ of habeas corpus—against Maryland citizens acting against the federal government.

On May 25, 1861, federal authorities entered the home of John Merryman, a Maryland planter, and arrested him on suspicion that he was involved in a plot against the federal government. He was detained at Fort McHenry, outside Baltimore. Lawyers for Merryman soon petitioned Supreme Court Chief Justice Roger Taney (who also sat as a judge on the U.S. Circuit Court of Maryland) for a writ of habeas corpus.

“To state the question more directly, are all the laws but one, to go unexecuted, and the Government itself go to pieces, lest that one be violated? ”

—Abraham Lincoln’s message to Congress in Special Session, July 4, 1861

Lincoln’s suspension of the writ of habeas corpus spoke to a central question that is unanswered in the Constitution: namely, who has the power to suspend the writ? Lincoln suspended the writ during what was clearly a time “of rebellion or invasion,” but did he have the power as President to do so?

In his war address to Congress on July 4, 1861, Lincoln defended his decision:

The whole of the laws which were required to be faithfully executed were being resisted and failing of execution in nearly one-third of the States. Must they be allowed to finally fail of execution, even had it been perfectly clear that by the use of the means necessary to their execution some single law, made in such extreme tenderness of the citizen’s liberty that practically it relieves more of the guilty than of the innocent, should to a very limited extent be violated? To state the question more directly, are all the laws but one to go unexecuted and the Government itself go to pieces lest that one be violated?



In *Ex parte Merryman*, Chief Justice Taney disagreed with President Lincoln. Taney argued that Lincoln had violated the language of the Suspension Clause. “I had supposed it to be one of those points of constitutional law upon which there was no difference of opinion,” Taney asserted, “and that it was admitted on all hands that the privilege of the writ could not be suspended, except by act of Congress.” But Taney also acknowledged the limitations of the judicial branch in enforcing the writ against executive power. “I have exercised all the power which the Constitution and laws confer upon me, but that power has been resisted by a force too strong for me to overcome,” Taney wrote. Having directed that a copy of his opinion be transmitted under seal to President Lincoln, Taney concluded that “[i]t will then remain for that high officer, in fulfillment of his constitutional obligation to ‘take care that the laws be faithfully executed,’ to determine what measures he will take to cause the civil process of the United States to be respected, and enforced.”

The legitimacy of Lincoln’s actions in suspending the writ was implicitly supported by Congress, which later in 1861 passed a statute declaring that all military-related acts that had been taken by the President were legal. In 1863, Congress passed sweeping legislation authorizing the President to suspend the writ for the duration of the war whenever he judged that it was required for the public safety.

For more information on Lincoln’s suspension of the Writ and the Merryman decision, see Bruce Ragsdale, *Ex parte Merryman and Debates on Civil Liberties During the Civil War* (Washington, DC: Federal Judicial Center, 2007), available online at www.fjc.gov.

Suggested Teaching Activity

To achieve a deeper understanding of the Proclamation ask students to read a copy of the Proclamation silently (page 23), and then again aloud with a partner. Reconvene as a class and discuss the intent of the Proclamation and the precedent that it set.

On Sept. 24, 1862, President Lincoln issued the following proclamation suspending the right to Writ of Habeas Corpus nationwide.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION

Whereas, it has become necessary to call into service not only volunteers but also portions of the militia of the States by draft in order to suppress the insurrection existing in the United States, and disloyal persons are not adequately restrained by the ordinary processes of law from hindering this measure and from giving aid and comfort in various ways to the insurrection;

Now, therefore, be it ordered, first, that during the existing insurrection and as a necessary measure for suppressing the same, all Rebels and Insurgents, their aiders and abettors within the United States, and all persons discouraging volunteer enlistments, resisting militia drafts, or guilty of any disloyal practice, affording aid and comfort to Rebels against the authority of United States, shall be subject to martial law and liable to trial and punishment by Court Martial or Military Commission:

Second. That the Writ of Habeas Corpus is suspended in respect to all persons arrested, or who are now, or hereafter during the rebellion shall be, imprisoned in any fort, camp, arsenal, military prison, or other place of confinement by any military authority or by the sentence of any Court Martial or Military Commission.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty fourth day of September, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the 87th.

ABRAHAM LINCOLN

By the President:

WILLIAM H. SEWARD, Secretary of State



**THE EVER-UNFINISHED WORK:
AMERICAN HISTORY AS A CONTINUAL "BIRTH OF FREEDOM"**

By the President of the United States of America:

A Proclamation.

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military, and naval

When Abraham Lincoln penned the words “a new birth of freedom” in anticipation of the opening of the Soldiers’ National Cemetery in Gettysburg, Pennsylvania in 1863, he knew exactly what he was calling for. The nation had been at war with itself literally for two-and-a-half years, figuratively for much longer. The original “birth of freedom,” enshrined in the Declaration of Independence and the Constitution, had been found wanting when the issue of the abolition of slavery increasingly divided the nation. In theory, according to Alexander Hamilton and the other Federalists who framed the Constitution, membership in the American body politic was to be based on ability and not birth.⁸ Race should not have been the determining factor in the opportunities one had in life, much less the more basic question of freedom. Only a new “birth” was going to overcome the divisiveness of both slavery and the Civil War, and create a nation that would ultimately fulfill its own expectations.

“I believe this Government cannot endure, permanently half slave and half free.”

—Abraham Lincoln
Source: June 16, 1858 - House Divided Speech in Springfield, Illinois

To say that the Civil War was divisive from the start is obvious. Lincoln was well known for his long-held anti-slavery views, which in many ways led South Carolina to become the first state to secede upon his election. However, the anticipation of Civil War revealed that Lincoln was willing to put off the new birth in the interest of keeping the Union together. As history would have it, though, the “house divided against itself” did not stand, and once the floodgates of war had been opened, they would not be closed again until the nation came to terms with the issue of race. With issuance of the Emancipation Proclamation at the beginning of the year, the abolition of slavery in many ways superseded the restoration of the Union as the primary reason for the continued war. In the most limited sense, this is what Lincoln was referring to at Gettysburg. But even that limited sense of rebirth would take over 100 years to achieve, but the precedent it set would completely redefine the American ideal and what it means to be an American.

“A house divided against itself cannot stand...I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other.”

—Abraham Lincoln
Source: June 16, 1858 - House Divided Speech in Springfield, Illinois

The “new birth of freedom” would not be a one time event, defined by the 13th, 14th, and 15th amendments to the Constitution, but rather, it would be a continual process where the criteria necessary for inclusion in the American body politic would be defined over and over again, ever expanding the scope of the phrase “we the people.” Beginning after the Union’s victory of the Civil War, America grappled with the issue of race during the twenty-year period known as Reconstruction, during which those three amendments, which defined American citizenship, were passed. These amendments began the first rebirth, the definition of the rights of African Americans and their role in American politics and society. That part of the rebirth would prove painful and long, as the country



would turn its back on African Americans once the initial crisis was past for nearly another century. The passing of the so-called Jim Crow laws, which relegated African Americans to second-class status throughout the nation, demonstrated that the Civil War would not be the bellwether event in American race relations many assumed it would be.

African American scholar and activist W.E.B. DuBois stated that the issue of race would be the most important issue of the 20th century. The “new birth of freedom” that Lincoln envisioned would not only occupy the nation during the last half of his own century, but for the entirety of the next. The beginning of the 20th century and the completion of the Industrial Revolution saw the hardening of identities into lower, working classes consisting of Blacks, American Indians, and other minorities, along with rural whites, and immigrants and their descendents; a fairly small but increasingly vocal middle class made up of mostly white, urban and suburban native-born Americans; and a still smaller upper class once again made up of white, mostly native-born people. The lower classes had no control of the political machinery of the nation, the means of economic production, or the marketplace where their services were sold. Often they had little or no control over the terms of their employment. Jim Crow laws kept non-white Americans in a subservient position, and it would take the continual rise of a number of social movements to move closer to Lincoln’s ideal. However, by the beginning of the 20th century, the definition of the “underclass” in America had grown beyond questions of black and white.

At the end of World War I it was clear that America had entered a new era of both prosperity and racial unrest, as middle-class white, American society moved against the Eastern and Southern European urban lower classes; religiously comprised of Jews, Catholics, and worse still, atheists; who were thought to be fomenting a Communist revolution. The middle class tried to maintain its grip on American society through legislation passed throughout the decade that severely restricted immigration to the United States.⁹ The decade also saw the resurgence of the Ku Klux Klan, this time feeling threatened not only by Blacks but also by other minorities. This new Klan promoted what they called “100 per cent Americanism” which was, in reality, a thinly disguised racist ideology.¹⁰ Virtues such as Protestantism, charity, motherhood, morality, temperance, and education were enshrined. But, as the Klan saw it, these virtues had enemies within America: immigrant Catholics, Jews, and Blacks. The Klan and its allies in the middle class would successfully put off a real “new birth” for decades.

Times of great upheaval seem to either create cohesion between races, or act as a wedge to drive them further apart. The Great Depression was a time when many members of the lower class, especially Blacks, were fired first due

“...that we here highly resolved that these dead shall not have died in vain; that this nation shall have a new birth of freedom; and that this government of the people, by the people, for the people, shall not perish from the earth.”

—Lincoln’s Gettysburg Address,
November 19, 1863.

both to discrimination and the fact that many worked in hard-hit service industries. African American unemployment was 50% higher than the white rate. If the vast number still sharecropping in the South were not counted as being employed, the rate would be even higher. The election of Franklin D. Roosevelt in 1932, however, was seen by many as a possible moment of “rebirth.” Roosevelt appeared to genuinely care about racial issues, but the lower classes benefited only unevenly from New Deal programs. Roosevelt’s refusal to alienate Southern Democrats by desegregating New Deal labor camps and signing an anti-lynching law clouds his legacy to African-Americans.¹¹ The Dust Bowl even acted to create an entirely new lower class in the “Okies” that migrated to California to take the lowest of lower class migrant farm labor jobs.¹² Even the important reform of America’s policies toward American Indians did little to address the debilitating poverty they endured. In the final analysis, the end result of the New Deal was not the empowerment of the lower class as Roosevelt would have liked people to believe possible in 1932.¹³

With the end of World War II, however, many in the United States felt that the nation was finally ready for the rebirth Lincoln had envisioned. The war had repaired the economy, brought a measure of prosperity to all classes, and created a sense of solidarity that appeared to promise a bright future. According to Richard Polenberg, the war had increased wages for the working class as well as the upper classes.¹⁴ The war had temporarily given minorities and women access to jobs in factories that had not been open to them in the past. African Americans left the South in ever increasing numbers, relocating to Northern industrial cities or joining the hordes moving to the West. Mexican laborers encouraged to come to the United States during the war often left their temporary jobs and took up permanent residence in the Southwest, forming a new agricultural underclass. Changes that would have taken more than a generation were accomplished in four years due to the role of the federal government brought on by the necessities of war. However, there were new problems to deal with. The rise of the suburbs pointed out persistence of racial divisions in American society, as middle class whites sought to distance themselves from minorities. During the 1950’s, as white, middle-class Americans moved from cities to the suburbs, working-class blacks, largely from the South, took their places. The previously middle-class sectors of America’s cities suddenly became working class slums.

However, according to historians such as Harvard Sitkoff and C. Vann Woodward, one of the most important ramifications of both the war and the postwar prosperity it brought about was the expansion of the Black middle class.¹⁵ This new elite, or to use DuBois’s term, a “talented tenth,” would form much of the leadership of the nascent Civil Rights Movement. Although the Black middle class made dramatic strides forward, for the Black working classes, poverty

“The institution of slavery is only mentioned in the Constitution of the United States two or three times, and in neither of these cases does the word ‘slavery’ or ‘Negro race’ occur...”

–Seventh Debate with
Stephen A. Douglas,
Alton, Illinois October 15, 1858.





continued to be the defining characteristic of daily life. The system of segregation known as Jim Crow was still in full force. Under the leadership of Martin Luther King, Jr., the early Civil Rights Movement challenged the segregation of Southern society, the disenfranchisement of Black citizens, and discrimination on a nationwide scale.

This new “rebirth” led to important victories, such as the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, but did little to deal with the poverty that still largely defined minority life in America. Only five days after Lyndon Johnson signed the Voting Rights Act, possibly the high point of the early Civil Rights Movement, the Los Angeles Watts riots break out, a series of “long, hot summers” filled with racial unrest. The National Advisory Commission on Civil Disorders blamed the violence on class issues such as poverty and deprivation, suggesting solutions like the creation of jobs, new public housing, and income supplementation. Young “Black Power” militants criticized the Vietnam War and capitalism, and saw white-led liberalism as the problem rather than the answer. King responded by creating a “Poor People’s Campaign” that would force the nation to confront the poverty of the minority classes and would pressure the government by creating an interracial coalition of poor people living in shanties in the capital and engaging in disruptive demonstrations. However, before King’s more moderate class-based movement could get off the ground, King was assassinated in April 1968. In retrospect, it appears that no leader other than King could keep hope alive, galvanize the struggle, and inspire dreams of fundamental change without violence or hatred.

Without King, the Poor People’s Campaign was broken up with no public outcry, and the heyday of Civil Rights Movement progress came to an end. The “rebirth” would take on a more gradual form in nearly three decades since. Although attempts were made to ease poverty throughout the 1960’s, President Lyndon B. Johnson’s “War on Poverty” did not turn out to be much of a battle. The necessities of the Vietnam War precluded the program from reaching its full potential. Even had Vietnam not intervened, the impression on the part of the white middle class that such programs only provided an unfair advantage to certain groups at public expense was growing by the late 1960’s and early 1970’s. Disagreement over the extent to which the federal government can and should legislate equality and opportunity remains today. There can be no doubt that significant progress was made during the 20th century on racial issues. However, the “rebirth of freedom” called for by Lincoln over 140 years ago remains unfinished. Perhaps it is human nature that there will always be some degree of inequality, but the ideals of American democracy, enshrined both in the Constitution and in Lincoln’s writings, ensure that the struggle for that “rebirth” will continue.

“I want every man to have a chance... in which he can better his condition, where he may look forward and hope to be a hired laborer this year and the next, work for himself afterward, and finally to hire men to work for him.”

—Speech at New Haven, Connecticut
March 6, 1860

Additional Resources

Two of ABC-CLIO's most recently published resources about Abraham Lincoln;

- “Prelude to the Civil War, 1840-1861” and “The Civil War Begins, 1861-1865”
 - These two sections of ABC-CLIO's *American History* database focus on the period leading up to and spanning the Civil War and include Abraham Lincoln's actions during that time. They are part of a remarkable survey of American history from 1350 to the present, organized chronologically and thematically, linking reference, curriculum, and analysis of current events.
- Primary Sources
 - ABC-CLIO's American History database contains more than 100 primary sources related to Abraham Lincoln, including images, speeches, and personal letters. Examples include Lincoln at Antietam in 1862, his inaugural addresses in 1861 and 1865, the Gettysburg Address, the Emancipation Proclamation, and his letter to Mrs. Lydia Bixby in 1864.

8 Hamilton, Alexander. “The Federalist No. 60,” in *The Federalist Papers: A Collection of Essays Written in Support of the Constitution of the United States*. Second Edition, Roy P. Fairfield, ed. (Baltimore: Johns Hopkins University Press, 1981), 172-78.

9 Leuchtenburg, William E. *The Perils of Prosperity, 1914-32*, 2nd ed. (Chicago: University of Chicago Press, 1993), 205.

10 Goldberg, Robert A. *Grassroots Resistance: Social Movements in 20th Century America*. (Long Grove, IL: Waveland Press, 1996), 68.

11 Conkin, Paul Keith. *The New Deal*. (Wheeling, IL: Harlan Davidson Inc., 1992), 72.

12 Leuchtenburg, William E. *Franklin D. Roosevelt and the New Deal*, 138.

13 Conkin, Paul Keith. *The New Deal*. (Wheeling, IL: Harlan Davidson Inc., 1992), 80.

14 Polenberg, Richard. *One Nation Divisible: Class, Race, and Ethnicity in the United States Since 1938*, revised ed. (New York: Penguin, 1991).

15 Sitkoff, Harvard. *The Struggle for Black Equality, 1954-1992*, revised ed. (New York: Hill and Wang, 1993);
C. Vann Woodward. *The Strange Career of Jim Crow* (New York: Oxford University Press, 1955).



UNDERSTANDING THE EMANCIPATION PROCLAMATION THROUGH ART



By John Riley

John Riley is the Educational Director for the White House Historical Association.

When studying events that occurred before the widespread use of photography, historians have used artwork to supplement resources such as documents, diaries, and artifacts. While an artist's view of an event is less accurate than first-hand written accounts, many paintings and engravings can tell us what events were found important enough to document in this way. Artists, after all, were in the business of selling their works, and would often offer popular images that were attractive to buyers. Using symbols, an artist can tell a story beyond the actual event that a photographer cannot. The engraving used in this lesson, "First Reading of the Emancipation Proclamation before Lincoln's Cabinet," is derived from one of the best-known historical paintings in American history, along with John Trumbull's paintings of the Battle of Bunker Hill and the signing of the Declaration of Independence.

Objectives

1. To analyze artwork as historical artifact. By observing the composition of the artwork, students will develop questions about the historical event depicted, the use of symbols, and the artist's role in documenting events.
2. To recognize that the Emancipation Proclamation was a major turning point in the Civil War, that it turned the war into a fight for freedom, and weakened the Confederate cause by providing freed slaves the opportunity to fight in the Union forces against their former owners. They will also understand that the Proclamation was not universally supported in the north, or even within Lincoln's own cabinet.

Introduction

At the beginning of the Civil War, the U.S. Congress had passed a resolution stating that it had no interest in destroying slavery, simply in preserving the Union. The more radical members of the Republican Party, however, saw the war in moral terms and insisted that slaves should be emancipated. As the number of casualties rose and it became clear that

“That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.”

—Emancipation Proclamation



victory would not come easily, more and more Northerners began to favor freeing the slaves, some for moral reasons, but others wanted to punish Southern slaveholders or simply thought freeing the slaves would be a good way of disrupting the Southern war effort.

President Abraham Lincoln drafted a proclamation freeing the slaves, which he first read to his Cabinet on July 22, 1862, an event captured on canvas by Francis Carpenter. Secretary of State William Seward suggested that the proclamation should not be issued until after a

Union victory, so that it would not seem to be a desperate measure. In September 1862, after Union troops won the battle of Antietam, President Lincoln issued the preliminary Emancipation Proclamation, announcing that he would officially sign the Emancipation Proclamation on January 1, 1863, unless the Southern states ended the war. On the first day of 1863, the Emancipation Proclamation went into effect. It expanded the aim of the war: to the preservation of the union was added a battle for freedom. Lincoln stated that “all persons held as slaves” within the rebellious states “shall be then, thenceforward, and forever free.” Those slaves held in any Union state were not affected, nor were those slaves in the South who lived in territory that had already come under Union control. The Proclamation also invited people of color to join the U.S. Army and Navy.

Some northerners felt Lincoln did not go far enough, that he did not speak in strong moral terms and should not have allowed slavery to remain in such places as the Union border states. Other northerners opposed emancipation:

“As I would not be a slave, so I would not be a master. This expresses my idea of democracy. Whatever differs from this, to the extent of the difference, is no democracy.”

– *The Collected Works of Abraham Lincoln*
edited by Roy P. Basler, Volume II,
(August 1, 1858?), p. 532.

“Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it.”

–*The Collected Works of Abraham Lincoln*
edited by Roy P. Basler, Volume III,
“Letter To Henry L. Pierce and Others”
(April 6, 1859), p. 376.

some owned slaves and feared that eventually their own slaves would be liberated by the order, and some northerners thought that they might lose their jobs when freed slaves flooded to their cities and towns looking for work. Lincoln himself believed the Emancipation Proclamation was “the central act of my administration, and the great event of the nineteenth century.”

Activity

Artists in the 19th century often painted or engraved historical scenes, and they can be used to better understand dramatic events of the American past. When evaluating artwork as a historical document one should consider the artist's knowledge of the event he or she is depicting. Did the artist know the subjects? Did he have access to those who were present at the event so he could faithfully record it? The artist's point of view, or his attempt to symbolize larger ideas in a painting, must be considered when studying the historical artwork. Did the artist want to make a statement?

From February through July 1864, artist Francis Bicknell Carpenter (1830-1900) worked at the White House creating a painting entitled, "First Reading of the Emancipation

Proclamation before Lincoln's Cabinet." Carpenter was a strong opponent of slavery and had already gained some fame for his portraits of political leaders. This painting shows President Lincoln in his White House office reading a draft of the proclamation, an event that occurred on July 22, 1862. While Carpenter was not present for the actual event, he spoke extensively with the President and others about the occasion and wrote about his experiences in *The Inner Life of Abraham Lincoln: Six Months at the White House* (Lincoln: University of Nebraska Press, 1995).

“In giving freedom to the slave, we assure freedom to the free—honorable alike in what we give, and what we preserve. We shall nobly save, or meanly lose, the last best hope of earth. Other means may succeed; this could not fail. The way is plain, peaceful, generous, just a way which, if followed, the world will forever applaud, and God must forever bless.”

—Lincoln's Second Annual Message to Congress, December 1, 1862.

“With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all nations.”

—Lincoln's Second Inaugural Address, March 4, 1865.





In the painting, the President is testing his Cabinet's reactions to the idea of proclaiming freedom for slaves. From left to right, the men in the portrait are:

Secretary of War Edward Stanton (seated), Secretary of the Treasury Salmon P. Chase, President Lincoln, Secretary of the Navy Gideon Welles, Secretary of the Interior Caleb B. Smith, Postmaster General Montgomery Blair, Attorney General Edward Bates, Secretary of State William Seward (seated in front of the table)

A parchment copy of the U.S. Constitution lies on the cabinet table, and a portrait of Andrew Jackson can be seen through the chandelier. Jackson, who served as President thirty years before Lincoln, was known for his strong union stance.

IN THE HEARTS OF THE UNION
FROM HIM HE SAVED THE UNION
ABRAHAM LINCOLN

Have students examine the picture and answer these questions using information they already know, added to knowledge they gain from studying the picture.

1. Carpenter was very careful about where he placed the various people in the painting; his purpose, he said, “was to give that prominence to the different individuals which belonged to them respectively in the Administration.” Based on that intention, who were the most prominent people? Who were the least prominent? Based on where people were in relation to Lincoln (nearer, farther), who were the people likeliest to support his program?
2. Study each cabinet member. Look at their facial expressions and body language. How do you think each cabinet member reacted to the Proclamation based on your observations?
3. There are two documents in the picture, the Emancipation Proclamation and the U.S. Constitution. Where are they located and why are they in the picture?
4. The painting hanging on the wall behind the chandelier is a portrait of Andrew Jackson. Why is it in the picture?
5. Lighting can also be used symbolically. What parts of the painting are well lit? What parts are dark? What might Carpenter be trying to convey by this lighting?
6. What kind of overall impression does the painting give? How would you describe in words the event that Carpenter painted?

“You think slavery is right and should be extended; while we think slavery is wrong and ought to be restricted. That I suppose is the rub. It certainly is the only substantial difference between us.”

—*The Collected Works of Abraham Lincoln* edited by Roy P. Basler, Volume IV, “Letter to Alexander H. Stephens” (December 22, 1860), p. 160. (Stephens was the future Confederate vice-president.)



Afterword

According to Carpenter, Postmaster General Blair opposed the Emancipation Proclamation, because he believed it would prove costly to the Republican Party in the fall congressional elections that year. Secretary of the Interior Smith was similarly concerned about the voters' reaction, while Attorney General Bates doubted that the Proclamation was constitutional. Secretary of the Treasury Chase was a longtime opponent of slavery, as was Secretary of State Seward, and strongly supported the Emancipation Proclamation. Secretary of War Stanton had long advocated using African-American troops. Secretary of the Navy Welles also supported the Proclamation.

Enrichment and Extension

1. Have students find a photograph that captured a famous historical event (John F. Kennedy's funeral, Charles Lindbergh landing in Paris, etc.) and do some background research so they understand the figures and setting. Have them imagine that the photograph is their memory of being at the event, and then have students put the photograph away and draw or paint the scene. Compare the photo with their artwork. How accurate were they? Did certain figures become more or less prominent? How important did the subjects vs. the setting become in their artwork? Did some figures become "larger than life?" Did their artwork have a message?
2. The use of symbols in art to represent larger ideas is as old as art itself. Books on the table in a portrait represent an educated gentleman. The lion stands for courage in a coat of arms. An olive branch indicates a striving for peace. Today, symbols take many forms: a flag represents a nation, a logo represents a company or product, the elephant and donkey represent the Republican and Democratic political parties. From looking around the classroom, students should be able to locate symbols. Ask students to go further and search through magazines and newspapers and collect symbols. Cut and paste the symbols, display them to classmates and quiz them on the meaning of the symbols. Are some symbols more easily recognized than others? Is there room for disagreement on what a symbol represents, or should it be universally understood? Have each student research the origins of one symbol that they collected.

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UNFINISHED BUSINESS: LINCOLN'S ORATORY AND THE EVENT AT FORD'S THEATRE



Most students know the basic events of Abraham Lincoln's life and death, but we tend to leave his *thinking*, manifest in his *words*, to adults. Yet, this deeper, more complex investigation, and specifically the speaking of Lincoln's words aloud, can engage middle and high school students in the great questions and challenges Lincoln faced, connecting them to contemporary conflicts and controversy. By giving students an assignment to look closely at one of Lincoln's speeches and then to speak it to an audience, either as a group (in tandem) or in a single speech by a single student,

“Both parties deprecated war; but one of them would make war rather than let the nation survive; and the other would accept war rather than let it perish. And the war came.”

—Lincoln's Second Inaugural Address,
March 4, 1865.

we can strengthen their connection to what truly made Lincoln an admirable leader, and in addition strengthen their understanding of rhetoric, logic and argument.

21st century Americans find it hard to imagine how important rhetoric and theatre were in the mid-19th century. In the absence of video, radio, and iPods, rhetoric and theatre were central tools of communication and persuasion – and entertainment. The impact of the Lincoln-Douglas debates on the pre-Civil War United States requires great imagination for modern Americans. Lincoln's speeches,

like those of many of his contemporaries, were dramatic (even melodramatic), styled, and resonant with the Bible and Shakespeare; modern students must stretch to understand why he spoke as he did. Yet, at a different level, they do not need to stretch to understand the words of this most-quoted of American Presidents: his gift for pithy, powerful, eloquent phrase is extraordinary – it is the stuff of very fine theatre and leadership. The fact that Lincoln was at the theatre the night he was killed is not a mere fact but a crucial part of who and when he was.

Speaking his Words: Using Oratory to Understand Lincoln

Lincoln's words were often transcendent, expressing a moral imperative, as in his “right makes might” speech at Cooper Union before the war, or calling for reconciliation among long divided and embittered brothers, as in his Second Inaugural Address. Whichever speech you choose to investigate with your students (there is a link to a whole range of Lincoln's speeches at the end of this essay), you and they will find, in the struggle to deliver the speech with meaning, the rewards of the history, literature and drama classrooms. This work integrates learning standards in Social Studies and English/Language Arts.

Depending on your teaching goals, a variety of Lincoln's speeches can serve as powerful teaching tools. You will want to focus on difficulty of the text as well: the shortest speech is the Gettysburg Address, and in many ways it is the best starting point for investigating Lincoln's oratory. If you are working with high school students, you may



wish to try his Second Inaugural Address, which is a bit longer and more complex. “Performing” one or more speeches for an audience (one another or outside visitors) is one tool, and the learning takes place as much through the practice of speaking with words and finding how to say them as it does through the reading.

In preparation for the first class, spend some time with the speech yourself, and familiarize yourself with the language – which words may be difficult; what initial questions may arise. Before you hand the speech to students, check their previous knowledge of the speech, if any, and tell them where and when it was delivered. When students read the speech for the first time, they will read it silently, highlighting words they don’t know, adding squiggly lines under phrases that confuse them, and writing historical questions in the margins.

After the silent reading process, have students read the speech aloud. If possible, sit in a circle, with each reading one sentence or clause in turn. Give any student permission to stop the process between readers – not interrupting, of course – so that they can ask a question about a word, phrase meaning, or historical clarification. Lincoln uses lots of literary techniques, and he also recalls past historical events. Remember, you are all investigating this together, so if you, the teacher, don’t know something, write it on a list of mini-research projects for the next stage of work. It will take at least a full class to get through the speech, and at the end, you will have a list of questions for you and the students to pursue before your next class. Assign these projects, either for homework or in the next class.

The process of reading the speech together, talking about meaning, and deciding how it should be delivered orally can take a few days. It can be done in small groups or with the whole class, depending upon time and class temperament. The key is to emphasize the process of discovering meaning through the words, with the performance goal at the end of the experience. Point out to students the places where Lincoln compares “then” to “now,”

“The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country.”

–Second Annual Message to Congress,
December 1, 1862.

makes Biblical references, or explores the founding texts of the country. Go back to those texts if you can. After a few days’ preparation, find a setting in which they can perform the speech for other students, parents, or faculty. As an assessment tool, ask students to write about the process of preparing this speech. What were the most important things they learned? What was hardest for them? What surprised them about Lincoln or about the speech?

According to the students’ strengths and needs, a teacher might choose to assign different speeches to small groups of

students along with the project of researching that speech's context, or to ask each student to deliver a different speech or passage from a speech. Using the speech or speeches, you are teaching the students key processes of reading comprehension, ones that are used in monologue work by actors all the time. You are working with them to determine how Lincoln used rhetoric and logic to make his points, and how he called on religion, Shakespeare, and the Declaration of Independence to make his case.

What do students most remember about Abraham Lincoln? That he was shot? Certainly. That he issued the Emancipation Proclamation? One hopes so. That he was among the most eloquent, thoughtful, and strategic Presidents ever to occupy the White House? Hmm. The first few words of the Gettysburg Address are certainly going to come easily. "Four score and seven years ago..." The words have become iconic in American culture. But why do we remember them? What makes them so powerful? And what made them just the right words for that moment and that place in history? By speaking those words and living those moments, we can create deep learning opportunities for students to understand the genius of Abraham Lincoln.

Ford's Theatre as a Teaching and Learning Resource

In celebration of Abraham Lincoln's bicentenary in February 2009, Ford's Theatre National Historic Site in Washington, D.C., long known as the place where Abraham Lincoln was shot, will come alive after 15 months of renovation, restoration and expansion. When it does, it will not only entertain with live performances our 16th President loved, but will also share the contexts, conflicts, and the indelible words that shaped Lincoln's Presidency.

The project has two phases, the refurbished Theatre and the redesigned downstairs museum opening in time for the bicentenary, and a major museum and classroom expansion set to open in 2010. As the linchpin of the 2010

“I therefore consider that, in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part; and I shall perform it so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it WILL Constitutionally defend and maintain itself.”

—First Inaugural Address



“Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. LET US HAVE FAITH THAT RIGHT MAKES MIGHT, AND IN THAT FAITH, LET US, TO THE END, DARE TO DO OUR DUTY AS WE UNDERSTAND IT.”

—Cooper Union Address
February 27, 1860

phase, the Ford’s Theatre Center for Education and Leadership, in a ten-story building across the street, will join the Theatre and museum to create a Ford’s Theatre ‘campus’ for learning about Abraham Lincoln’s Presidency and life in Civil War Washington.

The heart of this rebirth is to produce in the theatre plays that explore the American experience and strengthen popular understanding of Lincoln’s Presidency and his life in Washington, D.C. The Center for Education and Leadership will contain three new floors of gallery space, telling the story of the assassination as well as exploring Lincoln’s legacy. The renovated basement museum along with the Center’s gallery space, the Theatre itself (rebuilt in 1968), and the Petersen House (the narrow boarding house where Lincoln died), will offer a world-class encounter with Lincoln’s Presidency and legacy. In addition, the Center will contain two floors of classroom space that will allow

for dramatically expanded school and family programs. Once the campus is complete, Ford’s Theatre will offer to school groups and family visitors a full day of learning and exploration about Abraham Lincoln and his leadership during the trying years of the Civil War.

At a time when Americans often feel more divided than ever, special importance comes to places and people, like Ford’s and Lincoln, that can remind us what held the country together in a time of division both deeper and more bitter than today’s. We have seen this recent reaching-out for Lincoln in the words of presidential candidates, foreign leaders, and popular literature. Throughout the museum, visitors will investigate and celebrate Lincoln’s thinking, his mercy, and the power of his carefully measured words, all of which served to keep alive the ideals of unity and freedom which he held sacred. In the classrooms of the Center for Education and Leadership and in their own classrooms with the help of Ford’s Theatre’s website, www.fords.org, students will be able to engage directly with Lincoln’s conflicts and his thought process. Through a variety of experiential learning strategies, including a virtual tour of the Theatre and a virtual “Assassination Walking Tour,” students will understand the man and his world.

For more information about the oratory programs or to plan a visit to the Theatre and the Center for Education and Leadership, please visit www.fords.org.

For the full text of Lincoln's best speeches, visit Abraham Lincoln Online, at <http://showcase.netins.net/web/creative/lincoln/speeches/speech.htm>. For an excellent longer essay on Lincoln's rhetorical influences, see Adam Gopnik's essay, "Angels and Ages: Lincoln's Language and its Legacy," in *The New Yorker*, May 28, 2007. http://www.newyorker.com/reporting/2007/05/28/070528fa_fact_gopnik.

“Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that ‘all men are created equal.’

“Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of it, as a final resting place for those who died here, that the nation might live. This we may, in all propriety do. But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow, this ground—The brave men, living and dead, who struggled here, have hallowed it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, while it can never forget what they did here.”

—Gettysburg Address



MANY LOOKS AT LINCOLN: EXPLORING HIS LIFE AND LEGACY THROUGH DOCUMENTARY



The History Channel

Abraham Lincoln's image is all around us—in our books, on our currency, and in our magazines and advertisements. As one of our most popular American Presidents “honest Abe” is a leader many of us feel a warm familiarity with. Yet the real Abraham Lincoln is a man who remains mysterious, shrouded behind the very omnipresence of his image. Luckily, Lincoln left behind a wealth of documents including letters, diaries, and official correspondence. Delving into these documents, and reading secondary sources which help us analyze them, continues to be one of the most effective ways of gaining insight into this charismatic and iconic leader. Documentary video offers a powerful companion to these writings, allowing young people to enter into the world of the past through compelling and thought-provoking visuals. Documentary can offer a window through which students can start to see Lincoln not as an untouchable hero but as a vulnerable flesh and blood person who rose to the historical challenges placed in his path.

This resource guide offers educators and students with information and tips for exploring Abraham Lincoln's life through documentary video. The suggested programs below offer a sampling among many documentaries produced by The History Channel about the life of Lincoln and critical events of his Presidential years. These documentaries offer a fresh and intimate view of the leader through both biographical and political explorations of his life, showing the ways his personal life connected with his public decision-making. By hearing the narrative commentary of historians and readings of Lincoln's own words, viewers learn how the interaction of Lincoln's political and emotional worlds made him a truly unique leader who continues to be regarded as one of the most influential in U.S. history.

Using documentary in the classroom is not only a visually powerful approach to learning, it helps students build critical-thinking and analytical skills. In today's image-saturated environment, bringing video into the classroom paired with carefully chosen sources and activities is an excellent way to teach students how to think critically about the images bombarding them every day. The tools and resources below help provide a diverse framework for using documentary to study Lincoln's life. Seeing Lincoln from multiple angles—as child, lawyer, rising politician, husband, grieving parent, President, candidate, mourning statesman, and contemplative visionary—allows students to grasp his life, legacy, and humanity in new ways.

“We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.”

—Lincoln's First Inaugural Address, March 4, 1861.



Recommended Documentaries from The History Channel

Title: Abraham Lincoln: Preserving the Union

This classic one-hour biography of Lincoln traces his story from the turmoil he faced in early childhood through his assassination in 1865. The narrative leads viewers from his early years in Illinois through his growth into an eloquent, courageous, and thoughtful leader. Historical experts and primary source excerpts help bring us inside Lincoln's inner world, revealing how he developed the political skills and dedication to help bring a splintered nation through the crisis of Civil War. This program would be a great general introduction to Lincoln's life for middle school and high school aged students.

Title : Lincoln

This powerful biography follows Lincoln's life through an exploration of his internal life, focusing on his thoughtful approach to leadership and his struggles with melancholy and depression. The personal loss of loved ones, and later, the mounting casualties of the Civil War, caused Lincoln to be intensely introspective and, often, wracked with despair. This documentary shows how Lincoln's intense empathy helped him become a more persuasive and effective leader, destined to help the nation survive through Civil War. This program is a fascinating take on Lincoln that can provoke debate and discussion among mature high school students. Not recommended for middle school.

Title: April 1865

Chronology is one of the central categories in studying history, yet the frameworks of time we use can be broad or narrow in scope. This documentary zeroes in on a single, pivotal month in American history. Based on the best-selling book by historian Jay Winik entitled *April 1865*, this program covers the critical final weeks of the Civil War, from Lincoln's second inauguration, to the surrender at Appomatox, the assassination of Lincoln, and the final laying down of arms by the Confederacy. It focuses on Lincoln's exemplary political skills as he brokered compromise during the nation's most fragile days. Because of its thesis—that the terms of peace are as determinative historically as the terms of war—this documentary will be very useful in government, political science, and current events courses, as well as history courses for middle school and high school students.

Title: High Tech Lincoln

As technology continues to advance and transform, historians and museum specialists try to create new and exciting ways to experience history. One location that showcases these efforts is the Abraham Lincoln Presidential Library and Museum in Springfield, Illinois. This documentary introduces viewers to this innovative facility which

houses treasures such as the Gettysburg Address, Emancipation Proclamation, and Lincoln’s 2nd Inaugural address. Historical archives are presented alongside state-of-the-art technology, including a holographic “Ghost of Lincoln”; a special effects and theater where six historical figures present their views on the 16th President. This program gives students the chance to discuss and debate the various ways museums and public institutions represent Lincoln, and the role of technology in the making of history in the 21st century.

Tips for Using Video in the Classroom

The list of Lincoln documentaries above is just a small sampling of the many excellent programs related to the leader and his era. Educators can introduce video programming into their course units and lesson plans to provide additional context and build students’ visual learning skills. Below are some helpful tips for using documentaries in the classroom which can help focus course discussions and encourage students to develop their media literacy skills.

1. Before viewing a documentary, quiz students on their background knowledge. Write some guiding questions or key terms on the board for students to consider as they watch.
2. Show a short segment, pausing the program to encourage discussion and debate. Using clips or short segments of a documentary can spark student interest and be incorporated easily into existing lesson plans.
3. Have students take notes and research related topics for additional information. Using documentary in an interactive environment will enhance the development of language, writing and vocabulary skills.
4. Ask students to think about the images they see and the music they hear. Watching a clip with the volume muted can be a great way of sparking student awareness of how audio affects video, and can help them focus on the images they see. After viewing the clip on mute, ask students to watch again with sound, and compare and contrast the differences in what they think about the meaning and purpose behind the documentary.
5. Consider using documentaries as a basis for cross-disciplinary projects. Share the calendar with your colleagues and plan ahead. Design a related field trip or invite a guest-speaker to attend your class.
6. Design extended activities to connect with documentary topics or specific clips. The History Channel has developed many study guides to accompany documentaries which can be located at www.history.com/classroom. Using primary sources paired with documentary clips can be a great way of leading students through a focused lesson plan combining reading, critical thinking, and visual skills. The National Archives has a wealth of primary sources and related activities available on-line at www.ourdocuments.gov.



Suggested activities

The activities below offer some suggestions for further exploration of Lincoln's life in the classroom. These activities link up with the documentaries described in this resource guide, or can be used as a companion to existing course units and lessons on Lincoln. Many more suggested activities, special projects, and recommended websites about a variety of historical topics are available at www.history.com/classroom.

Images of Lincoln

Abraham Lincoln's face is one of the most well-known in American history. Most Americans are familiar with his image from the five dollar bill, popular advertising, and their textbooks. The popularity of Lincoln's image gives students the opportunity to reflect on representations of this iconic leader and to analyze the way images of him have changed over time. For this activity, ask students to locate two or three different images of Lincoln created during his lifetime or after his death. These images can include photographs, paintings, or any other depiction of Lincoln. Ask students to compare the presentation of Lincoln in each one of these images. Students should consider the following: do all of the images suggest the same mood? What does each image suggest about Lincoln's character or about the intended audience for the image? If dealing with images in different media, how does the representation of Lincoln differ among these? What is the intended function of the image?

On separate pieces of paper, have students write short explanations of each image and one paragraph comparing the images or tying them to a common theme. Hang reproductions of the images up on the walls of the room along with the texts students have written to explain them. By exploring this image gallery, students can learn from their peers. You might want to invite other classes to visit your student-curated exhibition as well.

The Many Faces of Abraham Lincoln

After watching a documentary, students might have a different impression of Abraham Lincoln than before watching it. Ask students to create an art project that reveals or captures the essence of Abraham Lincoln as an individual and as a leader. These projects can be poster-board paintings, drawings, 3D models, or in any other medium of their choice. Students should write a one-page essay describing their projects.

Lincoln v. Douglas

As slavery became a more pressing issue in the 1850s, it became a factor in politics at the state and national level. During the race for the Illinois Senate in 1858, Abraham Lincoln hotly debated the spread of slavery with his opponent Stephen A. Douglas. These debates are still remembered as some of the most powerful political verbal showdowns ever waged between two candidates. Ask students to research these debates. Students should then write a newspaper story describing one of the debates as if they were reporters listening to the debates.

Lincoln Documented

When President Lincoln issued the Emancipation Proclamation in 1863, he stated, “If my name ever goes into history, it will be for this act, and my whole soul is in it.” Indeed, the Emancipation Proclamation is still considered one of the most significant documents in United States history. Lincoln was also the author of some of the most important speeches, pieces of legislation, and addresses produced by any American President.

In small groups, ask students to brainstorm a list of important documents and speeches by President Lincoln. Then, ask them to narrow down the list to five. At the library or using the Internet, the students should then locate these documents and choose excerpts from each. Students should create presentations arranging these excerpts in chronological order. Each selection should include a one-paragraph explanation of the document and the context in which it was created. These presentations can be put together in hard copy form, in PowerPoint format, or in a creative design such as a photo album. Students should then pick a representative to describe their documents and why they were selected in a short oral presentation to the larger class or group.

A Visit to the White House

The former slave and activist Sojourner Truth went to visit Abraham Lincoln at the White House. Ask students to break up into small groups of 3-4. At the library, using the Internet, have students research the 1864 visit. Ask them to think about the following questions:

- a. Who was Sojourner Truth? Where was she born?
- b. What was the outcome of Sojourner Truth’s visit with Abraham Lincoln at the White House?
- c. What were the issues and concerns Sojourner Truth brought to the White House?

Then, ask students to write an account of this visit. These accounts could be in essay form, or presented as newspaper articles. Students could also reflect on the issues the two discussed by fictional letters exchanged between the two after the meeting. Students should then reconvene in a larger group setting and discuss what this meeting reflects about Lincoln and his historical context.

Nation Undivided

By the end of his life, Abraham Lincoln showed a sense of relief that the Civil War had ended and the nation had been reunited. Ask students to imagine that Lincoln had not been assassinated in 1865. They should then write a one page essay, either from their own perspective or from Lincoln’s in 1865, describing his key priorities for the United States after the Civil War had ended. These writings could also be in journal or letter form from Lincoln’s perspective based on what they have learned from watching a documentary. Students should share these writings with the larger class or group.



An Epitaph for Abe

One of the most useful ways for students to reflect on the significance of a leader is to write an obituary and epitaph. Ask students to write an obituary which outlines in 2-3 pages the most important accomplishments in Lincoln's life. These obituaries can also be descriptive, and reveal the ways his personality shaped his decision-making style and his public perception. Students can also be asked to write an epitaph which succinctly captures Lincoln's life and his importance. Ask students to share their epitaphs with the larger class or group. They may also want to vote on their favorite epitaph and design a project incorporating these words.

Additional Activities:

1. Ask students to create an illustrated timeline of Lincoln's life.
2. Older students can create chapter books about Lincoln to share with younger students which tell his life story and meaning in U.S. history.
3. Have students create campaign buttons or mottos about Lincoln as a Presidential candidate.

Additional Recommended Resources

The following list of books and websites are excellent supplementary texts and on-line sources for activities and course units on Abraham Lincoln and his era.

Books

Clinton, Catherine. *Scholastic Encyclopedia of the Civil War*. (New York: Scholastic Reference, 1999).

This is a comprehensive introduction to the Civil War era. It includes a variety of primary sources, photographs, and maps, and is written in a very clear style. Recommended for middle school students.

Freedman, Russell. *Lincoln: A Photobiography*. (New York: Clarion Books, 1989).

This award winning book for younger readers examines the life of Abraham Lincoln through photographs and images. Written in a compelling language that will appeal to students, Freedman's book highlights key events in Lincoln's life. A personal perspective on the 16th President, this is a great text for giving students fresh insights into how Lincoln developed from a small-town boy into a national statesman.

Gienapp, William E. *The Civil War and Reconstruction: A Documentary Collection*. (New York: W.W. Norton & Company, 2001).

This diverse collection of primary sources offers students first-hand perspectives on the Civil War era as it was experienced by soldiers, slaves, everyday people, and political leaders. Letters and diary entries provide a personal perspective, and carefully chosen official documents give students insight into the political negotiations crucial to this era.

McPherson, James M. *Hallowed Ground: A Walk at Gettysburg*. (New York: Crown Publishers, 2003).

McPherson writes a clear, detailed description and analysis of the Battle of Gettysburg. He uses the numerous monuments, which stand today at the battlefield site, as points of departure to discuss specific events and individual people connected to the battle. From commanders on both sides of the war to local farmers, this book examines experiences of the battle and responses in both the North and the South. In addition to the history, McPherson, a Pulitzer Prize winner, provides his well-respected opinion about the memorials and what they represent.

North, Sterling. *Abe Lincoln, Log Cabin to White House*. (New York: Landmark Books, Random House, 1993).

This biography of Abraham Lincoln is an excellent introduction to his life, from his birth through his assassination. Ideal for middle school readers, this text includes background on key turning points in Lincoln's career. It is a great biography for student research reports, and an excellent resource for anyone interested in gaining more background knowledge on his upbringing and leadership.

Oates, Stephen B. *With Malice Toward None: The Life of Abraham Lincoln*. (New York: HarperCollins, 1993).

This respected biography of Lincoln informs readers about his tough early years, his voracious reading and self-education, and his brilliant leadership through the crisis years of the Civil War. Written in a style that is both sophisticated and easy to read, this is an excellent book for those interested in gaining a broad understanding of Lincoln's life, intellectual growth, and political career. It is an excellent text for educators looking for more background on Lincoln's life and for advanced high school students working on research projects about Lincoln.



Werner, Emmy E. *Reluctant Witnesses: Children's Voices from the Civil War.* (Boulder, CO.: Westview Press, 1998).

Full of quotes from primary sources, such as letters, diaries, and period photographs, Werner's book looks at the experiences of children and teenagers during the Civil War. From their remarkably articulate accounts, she compiles a history of the war's major events across the divided country. Emancipated slaves, young soldiers and drummer boys, and local residents of battle sites and besieged cities are some of the voices that provide first-hand perspectives.

Winik, Jay. *April 1865: The Month That Saved America.* (New York: HarperCollins, 2002).

Winik's riveting tale focuses on the final thirty days of the Civil War, when the nation teetered between a fragile surrender and the threat of ongoing war. The author argues that by setting the tone for compromise and political negotiation, Abraham Lincoln helped save the nation from division even after his tragic assassination prevented him from witnessing the triumph of war's end. This is a great book for educators and for advanced high school students.

Websites

"The Gettysburg Address," Our Documents

The National Archives' Our Documents Web site features digital images of the handwritten draft of Lincoln's address, as well as the full text of the document in printable form. The site also offers background information on the Battle of Gettysburg and helpful hints for using and analyzing primary sources in the classroom.

Link: <http://www.ourdocuments.gov>

"Today in History: November 19," American Memory

The Library of Congress's "November 19" Web page remembers Lincoln's Gettysburg Address with maps, links related to sources, and images from the Soldiers' National Cemetery.

Link: <http://memory.loc.gov/ammem/today/nov19.html>

Lincoln and the Media from the Gilder Lehrman Institute

This online exhibition features cartoons and illustrations which emerged during the Presidential election of 1860 and through the Civil War as the debate over slavery became a critical issue in American political life. This site offers students an array of visual sources to reflect upon and research representations of Lincoln and his views on slavery in the popular press.

Link: http://www.historynow.org/12_2005/interactive_politics1.html

Civil War at The Smithsonian

This Smithsonian Institute site, produced by the National Portrait Gallery, includes images and photographs taken throughout the Civil War. It also offers a detailed timeline, and links to a wealth of additional primary sources and will guide interested students toward additional research topics on the history of the Gettysburg battle and its larger Civil War context.

Link: <http://www.civilwar.si.edu>

April 1865

This History Channel Web site is dedicated to the program on which this lesson is based. The site includes a thorough interactive timeline, additional resources related to the show, and details about the key figures integral to the final phase of the Civil War.

Link: <http://www.historychannel.com/1865>

Mr. Lincoln's Virtual Library

Mr. Lincoln's Virtual Library, one of the Library of Congress's American Memory collections, is a compilation of two archives of documents related to Lincoln's life. Images, correspondence, photographs, and a wonderful collection of sheet music for songs about Lincoln are featured in this excellent collection. Students will find many digital sources on this searchable site.

Link: <http://memory.loc.gov/ammem/alhtml/alhome.html>

DISCOVER Presidential Log Cabins

The National Park Service Web site includes a colorful interactive biography of Abraham Lincoln. In addition to providing activities and curricula, this site is a good resource for basic background information about Lincoln's life and accomplishments. It will be particularly useful for younger high school students.

Link: <http://www.cr.nps.gov/logcabin/>

The Abraham Lincoln Association

This Web site, operated by the Abraham Lincoln Association, offers direct links to the Collected Works of Abraham Lincoln, a compilation of writings, speeches, and correspondence by and about Lincoln. The site also includes lesson plans on Lincoln and his generals and a helpful overview of Lincoln's role in the Civil War.

Link: <http://www.alincolnassociation.org>



A TEACHER'S BOOKSHELF

By Ann Claunch

Ann Claunch is the Curriculum Director for National History Day.

Who are the individuals who have transformed history? What makes one person confront great opposition, standing alone for a belief, while others follow the populace with unconditional agreement? Why do some individuals have the passion and the courage to ask society and themselves difficult questions and others are comfortable to withdraw into silence? Is a person born to greatness or does time and place forge even the most ordinary person into an extraordinary visionary? These are some of the compelling questions National History Day students ponder as they begin their 2009 historical research framed by the theme *The Individual in History: Actions and Legacies*.

Abraham Lincoln, “an eloquent statesman in a time of unparalleled political crisis,” is an example of an ordinary person formed by ambition, passion, talents, time and place into a historic leader of mythical proportions. Our 16th President was an individual who transformed history by his actions, creating a legacy still resonating 200 years later. For all these reasons, Abraham Lincoln is a perfect person for this year’s NHD theme.

Often compared in political cartoons of the time to Jean Francois Cravelet-Blondin, a French performer who crossed the gorge below Niagara Falls on a tightrope in 1859, Lincoln walked a tenuous political “tightrope” between ideologies during his presidency. As the President he balanced the entire nation precariously between secession and civil war until there was no other recourse. As a statesman, Abraham Lincoln vacillated between preventing the expansion of slavery and promoting the abolition of slavery. As a lawyer and a constitutional scholar, he counterbalanced a direct interpretation of the Constitution with an interpretative understanding of the Constitution which “evoked the spirit from the words.”

Many topics are possible when researching Abraham Lincoln. As James McPherson, Harold Holzer and James Landman suggest in their articles in this resource book, students might approach a research project about Abraham Lincoln’s legacy as a leader or as a statesman. Students might choose a decision like the suspension of Habeas Corpus to study and analyze. They might analyze how Lincoln’s background as a lawyer—confronting people with opposing views, dissecting arguments, and advocating for his own—led to a successful presidency. Sara Jenck posits other possible research topics with her article on Lincoln’s language. Students might study how Lincoln’s gift with language built consensus and saved the Union. Considering Lincoln as an orator might lead students to study the Cooper Union Speech through a microscopic analysis.

Steven Danver’s article promotes the study of Abraham Lincoln’s legacies, examining the impact and different meanings of civil liberties in Lincoln’s own time and juxtaposed throughout the next century. A research project on the intent and impact of the Emancipation Proclamation or how Lincoln’s actions defined or limited the Civil Rights Movement in the next century are persuasive topics for NHD students to investigate.

Research topics surrounding Abraham Lincoln’s actions and legacies are fascinating and worthy scholarly ventures. Kimberly Gilmore provides an exhaustive list of texts and media resources for teachers to access at The History Channel. The final article by Dr. Gilmore is a springboard for formulating my own list of resources to be shelved on the “NHD Teacher’s Bookshelf.”

The following bibliography was compiled through the eyes of a classroom teacher supporting students in an NHD project about Abraham Lincoln. Humbly, I will admit that this is just a scratch on the surface of the 14,000 books that have been written about Abraham Lincoln and the 18,000,00 web references to him; therefore, the list is subjective. Categorizing the bibliography into three sections—teacher background, historical contingency, and Abraham Lincoln—I have selected a total of fourteen books, two journal articles, and four websites to begin studying Abraham Lincoln, including a list of primary sources.

Teachers' Library: Historical Background Books

Two Pulitzer Prize winning books, two issues of *The Magazine of History*, and two definitive books begin to develop teachers' foundation background as they move students deeper in their historical research by asking key questions. The stronger the teacher's background in the content, the greater the ability to ask critical questions in guiding students toward understanding.

McPherson, James. *Battle Cry of Freedom: The Civil War Era*. (New York: Oxford Press, 1988).

McPherson, James. *This Mighty Scourge: Perspectives on the Civil War*. (New York: Oxford Press, 2001).

Oates, Stephen. *With Malice toward None: A Life of Abraham Lincoln*. (New York: Harper Collins, 1997).

Organization of American Historians. Lincoln and the Constitution, edited by Phillip Guerty. *The Magazine of History*. Vol. 21. No. 1. (January 2007).

Organization of American Historians. Lincoln, Race and Slavery, edited by Phillip Guerty. *The Magazine of History*. Vol. 21. No.4. (October 2007).

Sandburg, Carl. *Abraham Lincoln: The Prairie Years and the War Years*. (New York: Harcourt, 1926).

Wills, Gary. *Lincoln at Gettysburg: The Words that Remade America*. (New York: Touchstone Books, 1999).

Historical Contingency: Looking at the Civil War through the Lens of Defining Moments

In the spirit of historical contingency, McPherson and Holzer microscopically examine events during the Civil War which simultaneously reveal the larger causes and effects of the war and the mundane day to day life of a nation in crisis. The texts are well written and intellectually accessible for secondary school students.

Holzer, Harold. *Lincoln at Cooper Union: The Speech that made Abraham Lincoln President*. (New York: Simon and Schuster, 2004).

McPherson, James. *Crossroads of Freedom: Antietam, the Battle that Changed the Course of the Civil War*. (New York: Oxford Press, 2002).

McPherson, James. *Hallowed Ground: A Walk at Gettysburg*. (New York: Oxford Press, 2003).

McPherson, James. *What They Fought For: 1861-1865*. (New York: Oxford Press, 1995).

McPherson, James. *For Cause and Comrades: Why Men Fought in the Civil War*. (New York: Oxford Press, 1997).



Abraham Lincoln

While working with *The Individual in History: Actions and Legacies*, students must move beyond biographies and description to demonstrate an individual's impact in history. This set of books focuses on turning points in the President's life and are less a biography of Lincoln as an analysis of Lincoln's actions.

Fenster, Julie. *The Case of Abraham Lincoln*. (New York: Palgrave Publishers, 2007).

Goodwin, Doris Kearns. *Team of Rivals: The Political Genius of Abraham Lincoln*. (New York: Simon and Schuster, 2005).

Guelzo, Allen. *Lincoln's Emancipation Proclamation: The End of Slavery in America*. (New York: Simon and Schuster, 2004).

Miller, William Lee. *President Lincoln: The Duty of the Statesman*. (New York: Alfred Knoff Press, 2008).

Oates, Stephen B. *Abraham Lincoln: The Man behind the Myths*. (New York: Harper Collins, 1994).

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Abraham Lincoln Papers. <http://memory.loc.gov/ammem/alhtml/malhome.html>

Abraham Lincoln and the Civil War. <http://memory.loc.gov/ammem/scsmhtml/scsmhome.htm>.

Burlingame, Michael. *An Oral History of Abraham Lincoln: John G. Nicolay's Interviews and Essays*. (Carbondale, IL: Southern Illinois University Press, 1996).

Donald, David Herbert and Harold Holzer. *Lincoln in the Times: The Life of Abraham Lincoln as Originally Reported in The New York Times*. (New York: St. Martin's Press, 2005).

Johnson, Michael. *Abraham Lincoln, Slavery and the Civil War: Selected Writings and Speeches*. (Boston, MA: St. Martin's Press, 2001).

Luben, Martin. *The Words of Abraham Lincoln: Speeches, Letters, Proclamations, and Papers of our Most Eloquent President*. (New York: Black Dog and Leventhal Publishers, Inc, 2005).

Through NHD research projects, students will discover Abraham Lincoln as a complex individual, a contemplative intellectual who was steadfast in his commitment to national unity at all costs. Students will uncover an ordinary man destined to overcome tremendous obstacles in uniting a divided nation. Lincoln was a man of humble origins who, in his time, was dismissed nationally and internationally—nationally as a folksy, backwoods rail-splitter, self-educated politician; and internationally as a “man unlettered, undignified, unable, uneverything but uncommon.” At the same time Abraham Lincoln is remembered as one of our greatest presidents. Standing on the cusp of the collapse of the democracy, he continuously posed difficult questions to society and himself at each juncture in his presidency while listening and responding to diametrically opposed viewpoints. In the end he achieved his ultimate goal—reuniting the United States of America. Abraham Lincoln is an individual who impacted his world and initiated legacies that are continuing today.

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