

“Lincoln, the Founders, and the Rights of Human Nature”

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If Abraham Lincoln’s opinion of the American founding were put on a bumper sticker, it would say: “Lincoln ♥ the American Founding.” There was no greater influence on Abraham Lincoln’s rhetoric and statesmanship than the leading men and ideas that shaped America’s revolution and early constitutional formation. It’s true that one can see the influences of the Bible, Shakespeare, and later political examples like John Quincy Adams, Daniel Webster, and Henry Clay in Lincoln’s speeches. But the key statesmen, and especially documents, of the American revolutionary era did the most to help Lincoln navigate the disputes and controversies that threatened to divide the American union.

The impetus of this brief essay is a book I have written (now under academic press review) that serves as a primer on the impact of the American founding on Lincoln’s political thought and practice. The leading political principles I highlight in the book derive from the argument presented in the opening two paragraphs of the Declaration of Independence. As Lincoln said *en route* to his first inauguration as president, “I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence.” Address in Independence Hall, Philadelphia (February 22, 1861) Several years before his election and the ensuing civil war, Lincoln summarized his approach to the increasing conflict between the free and slaveholding American states: “Let us re-adopt the Declaration of Independence, and with it, the practices, and policy, which harmonize with it. . . . If we do this, we shall not only have

saved the Union; but we shall have so saved it, as to make, and to keep it, forever worthy of the saving.” Speech at Peoria, Illinois (October 16, 1854)

Let me give a quick synopsis of my book, and then I’ll turn to a few specific arguments that I make, which will show how Lincoln drew from the American founding to address the problems of his day. The book has 5 chapters. **Chapter 1** explains the influence of George Washington, the indispensable Founder. But for Lincoln, more important than a founding man was a founding document, the Declaration of Independence. So I devote **Chapter 2** to the influence of the Declaration, and to some extent, its chief draftsman, Thomas Jefferson. **Chapter 3** explains the influence of the U.S. Constitution on Lincoln’s thinking and practice as a citizen and politician. It was the most important *means* that the Founders established to secure the *ends* spelled out in the Declaration of Independence. In other words, if chapter 2 is about human equality, chapter 3 is about government by consent of the governed—which means the restraint or channeling of delegated authority and the rule of law. In **Chapter 4**, I turn to what Lincoln learned from the Founders’ compromise with slavery, *the* institution that contradicted the Founding experiment in self-government. Lastly, **Chapter 5** explains Lincoln’s understanding of original intent as a political practice. In short, *why* should subsequent generations of Americans follow the Founders? This chapter examines how Lincoln understood his own respect for the American founding in light of progress, experience, and the responsibility of each generation to govern themselves, albeit under the Constitution. (For important quotations of Lincoln’s speeches and writings in support of each chapter’s thesis, see this paper’s appendix.)

So to recap, my book takes us on a journey: From Founder, to Founding Aim (equal rights), to Founding Means (the Constitution, enshrining the principles of consent and the rule of

law), to Founding Compromise with Slavery (here federalism looms large), to Founding Significance (or, why Lincoln thinks the original intention matters).

Lincoln believed that a return, in his fractious times, to Founding principles, institutions, and practices were the best means of preserving the United States of America. He made a habit of looking back to the Founding for guidance on how to perpetuate American self-government. Lincoln did this most famously in his Gettysburg Address. That speech begins at the *nation's* beginning: "Four score and seven years ago our fathers brought forth, on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal." "Four score and seven years ago" takes his audience not to the Constitution, but to the Declaration of Independence. He goes on to explain that the Civil War was a test of America: as he put it, "whether that nation, or any nation so conceived, and so dedicated, can long endure.

In the midst of a fight for the very survival of the United States—a civil war—, Lincoln thought if there were to be a future for the country, it would benefit from looking to its past. Why? To remind Americans why preserving the Union was so important, to clarify what was at stake. With Americans shooting at each other, it's safe to say there was some confusion about the meaning of America. So Lincoln wanted Americans to recommit themselves, to dedicate themselves, to the task that remained: to honor the dead who fought at Gettysburg on behalf of the Union by joining and supporting that fight. It was a fight to defend a certain political way of life, what Lincoln called "government of the people, by the people, for the people."

Recall that Lincoln delivered his short speech in the Year of Jubilee, the year of emancipation. Union soldiers and sailors were now charged by the president to protect the freedom of over 3 million, newly emancipated black people. What Lincoln called "a new birth of freedom" was tied directly to the old, *original* birth of freedom—our first emancipation

proclamation, the Declaration of Independence. Its principle that “all men are created equal” described all human beings. So at Gettysburg, Lincoln did not announce a new principle of freedom, but affirmed an old one, what he argued was its original one. He never sought to discover new rights for a new age; or for that matter, he never spoke of a “living constitution,” one where a visionary few would discern what would benefit the many. Instead Lincoln spoke of “the unfinished work” to which the living could dedicate themselves. In this way, they could honor the men who fought at Gettysburg—those “who gave their lives that that nation might live.”

This was no Civil War epiphany of Lincoln’s. In fact, on the way to his first inauguration as president, Lincoln explained that he hoped to guide the nation through its greatest crisis by drawing from the principles of the founders. He believed that for the nation to move forward, they would need to look back to its Founding. Stopping in Trenton, New Jersey, in February 1861, Lincoln declared: “I am exceedingly anxious that this Union, the Constitution, and the liberties of the people shall be perpetuated in accordance with the original idea for which that struggle was made.” He added, “I shall be most happy indeed, if I shall be an humble instrument in the hands of the Almighty, and of this, his almost chosen people, for perpetuating the object of that great struggle.” Some might think this is kind of obvious, but I suspect others are thinking that this is rather controversial. After all, weren’t the founders—at least some of them, even the most famous of them—slave owners? Why would Lincoln want to lean on that generation, long dead and gone, for political guidance in his day and age?

Our temptation today is to think that everything new is by definition improved, better than what’s old, what we used to call “the tried and true.” But in Lincoln’s time, there were some Americans arguing for something new, an improvement over the American founders.

Consider Alexander Stephens of Georgia, a former Whig colleague of Lincoln's during Lincoln's sole term in Congress (1847-49). As the Vice President of the Confederate States of America, Stephens argued that their Constitution was a better one than the old one Lincoln was trying to preserve. It was better not simply because it protected slavery explicitly, where the original constitution did so only by implication. There were plenty of people, plenty of regimes throughout human history, that practiced slavery. Alexander Stephens argued that the Confederacy was the first in history to base its slave society on race. Unlike the Founders, who Stephens acknowledges believed that "the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally, and politically," the Confederate government was "founded upon exactly the opposite idea; its foundations are laid, its cornerstone rests, upon the great truth that the negro is not equal to the white man; that slavery subordination to the superior race is his natural and normal condition." He added, "This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth." The American founders, in his mind, saw slavery as "an evil they knew not well how to deal with, but . . . somehow or other in the order of Providence, the institution would be evanescent and pass away." But Stephens argued that their anti-slavery principles "were fundamentally wrong. They rested upon the assumption of the equality of races." He called this "an error" and "a sandy foundation," unlike the new and improved constitution he helped write for the Southern Confederacy. (Alexander Stephens, Cornerstone Speech (March 21, 1861))

Nevertheless, in the decade leading up to the Civil War, Lincoln's main political target was not unrepentant *southern* slave owners, but complacent white *northerners*, like his Illinois rival Senator Stephen A. Douglas. Lincoln criticized Douglas's "popular sovereignty" policy

because of its neutrality—its moral indifference—on the slave question, and its insistence that whites at the local level—whether in the states or federal territories—reserved the right to decide the question without interference from Congress. In other words, the future of slavery or freedom in the United States, under this policy of “popular sovereignty,” would not be determined, ironically enough, by the vast majority of American citizens, but by the very small majority of settlers who went to live in the western territories.

This indicated to Lincoln, that the most urgent threat to the expansion of freedom in the United States, was the temptation of white northerners to become indifferent to the plight of blacks in the federal territories. What made Douglas’s “don’t care” policy about slavery in the territories, so insidious, was that slavery becoming national did not require a full-throated defense of the peculiar institution. Rather, simply promote the acquiescence or tolerance on the part of free-state whites, in the enslavement of blacks in the territories, and eventually those territories would become additional slave states of the American union.

This is why “looking back” was no exercise in nostalgia or some abstract consideration by Lincoln. It couldn’t have been more relevant to the developing crisis the nation faced in the 1850s. Lincoln’s trip down memory lane was a contested one; another leading politician, someone who actually held office, claimed he knew better what the Founders thought about the question of slavery, and claimed his policy proposal aligned for closely with the Founders’ hopes for the new republic. In Lincoln’s mind, the future of freedom and the eventual demise of slavery was at stake.

Lincoln argued that in the beginning, the founding of the United States, slavery was once viewed and treated as a “necessary evil,” but had become in the South, to quote John C. Calhoun, “a positive good.” It was also true at the beginning, that where slavery already existed in the

states, Congress had no authority over the matter because of the federal nature of the U.S. Constitution. It was considered a “domestic institution,” governed only by state authority. Government powers, since the beginning of the United States, were divided between the state governments and national government. And slavery, as it existed prior to the formation of the United States, remained a state institution, and therefore could not be abolished by Congress, short of a constitutional amendment.

Given the greater population growth in the free states than in the slaveholding states, this meant that the spread of slavery or freedom in America would be decided by the votes of northern whites, who according to Lincoln could use federal authority to ban slavery in the only area they had jurisdiction over internal affairs—the federal territories. Territory owned by *all* the citizens, could be regulated by those same citizens, and that meant Congress. However, tempted by Stephen Douglas’s popular sovereignty, slavery’s fate might be determined not by moral right but by mere self-interest—meaning those who could profit by taking black slaves into the territories. If free-state whites agreed with Douglas that Congress did not have authority to regulate the domestic affairs of the territories, then his “declared indifference” would actually represent, in Lincoln’s words, “covert *real zeal* for the spread of slavery.” And so Lincoln was at pains to tie the future security of the rights of whites, to the present in-security of the rights of blacks. Those same white Americans would have to decide if what happened to a people that did not look like them—black slaves in the South potentially being taken into federal territory—had anything to do with the kind of country in which they wanted to live. For Lincoln, the necessary connection could be found in the thinking of the American founders.

So why does the founding, the beginning, of America, deserve Lincoln’s respect? Discussion of original intent is important not simply because it came first. After all, not all old

things are worth holding onto. What if the Founders were wrong? To be sure, an old government should not be rejected simply because it is old. Nevertheless, as we see in Lincoln's consideration of the American founding, to preserve what is old—even one's form of government—requires a justification most importantly in its merits. Later generations of American citizens should follow those older intentions because they are worthy of their respect: which is to say, because they are good. If not, then it stands to reason that what is no longer seen as good—no longer true in principle, nor useful in practice—should be replaced by something better.

Lincoln addressed this concern regarding original intentions early in 1860. It was a speech designed to make him a credible candidate for the Republican nomination for the presidency. He said:

I do not mean to say we are bound to follow implicitly in whatever our fathers did. To do so, would be to discard all the lights of current experience—to reject all progress—all improvement. What I do say is, that if we would supplant the opinions and policy of our fathers in any case, we should do so upon evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand . . .

Lincoln allows that differences of opinion over what policy to pursue will emerge not only from a dispute between the old ways and the new ways, but also between *interpretations* of the old ways among those who believe the old ways are the best ways.

He goes on to say:

If any man at this day sincerely believes that a proper division of local from federal authority, or any part of the Constitution, forbids the Federal Government to control as to slavery in the federal territories, he is right to say so, and to enforce his

position, by all truthful evidence and fair argument which he can. But he has no right to mislead others, who have less access to history, and less leisure to study it, into the false belief that “our fathers, who framed the Government under which we live,” were of the same opinion . . .”

Of course, Lincoln has Stephen Douglas in mind here. Both men greatly respected the founders; but they differed in their interpretation of the founders.

To his credit, Lincoln said out loud, in that pivotal campaign year of 1860, that Americans were free not to follow what is old, even the founders of their country, if experience and argument lead them to think they could improve on their old political beliefs and practices. That said, Lincoln hastened to add that he did not see a better way forward for the country—given the crisis facing them regarding the future of slavery in their republic—than the mode adopted by the founders. He thought Stephen Douglas’s respect for the American founding was actually a misinterpretation of their intentions. “Popular sovereignty” so-called was actually a sham because it treated slavery “as something having no moral question in it.” And Alexander Stephens’s outright rejection of the American founding was deficient in comparison to founders dead and gone. Although Lincoln’s generation faced different challenges than those of the founders, he did not suggest that the primary means and ends were to be tossed for the sake of newer interpretations of those means and ends, let alone newer principles or institutions.

The question of innovation and progress, versus original intention, is an important one. Lincoln acknowledges that experience could lead to progress and improvement; nevertheless, with regards to slavery, the experience of free white southerners enslaving black people, led some whites to make new arguments on behalf of slavery, that Lincoln believed were wrong—and an example of how the new was decidedly not an improvement upon the past.

Contrary to Douglas and Stephens, Lincoln thought the Founders saw the toleration of slavery only as a necessary evil. After the passage of the 1854 Kansas-Nebraska Act, which permitted both territories north of the 36° 30' parallel to the possibility of slavery, contrary to the Missouri Compromise of 1820, Lincoln contrasted the Founding era with the degeneration of his own times. He detailed the many ways that older generation restricted the further entrenchment of slavery in America by stopping it at its source, as well as limiting its spread into federal territories—all in the hopes that slavery was being put “in the course of ultimate extinction.” Lincoln concluded:

[T]he plain unmistakable spirit of that age, towards slavery, was hostility to the PRINCIPLE, and toleration, ONLY BY NECESSITY.

But NOW it is to be transformed into a “sacred right.” Nebraska brings it forth, places it on the high road to extension and perpetuity; and, with a pat on its back, says to it, “Go, and God speed you.” Henceforth it is to be the chief jewel of the nation—the very figure-head of the ship of State. Little by little, but steadily as man’s march to the grave, we have been giving up the OLD for the NEW faith.

Instead of the new faith of Douglas’s crude majoritarianism, which rejected the self-evident truth that “all men are created equal,” Lincoln preached a return to the old faith, the faith of the fathers:

Our republican robe is soiled, and trailed in the dust. Let us repurify it. Let us turn and wash it white, in the spirit, if not the blood, of the Revolution. Let us turn slavery from its claims of “moral right,” back upon its existing legal rights, and its arguments of “necessity.” Let us return it to the position our fathers gave it; and there let it rest in peace. Let us re-adopt the Declaration of Independence, and with it, the practices, and

policy, which harmonize with it. Let north and south—let all Americans—let all lovers of liberty everywhere—join in the great and good work. If we do this, we shall not only have saved the Union; but we shall have so saved it, as to make, and to keep it, forever worthy of the saving.

After his election, but before he assumed the presidency, Lincoln received a letter from none other than Alexander Stephens, who would become the Vice President of the Confederate States of America. Stephens wanted the president-elect to speak to the nation before the inauguration—in his words, “to save our common country.” Quoting Proverbs 25, Stephens suggested to Lincoln that, “A word fitly spoken by you now would be like ‘apples of gold in pictures of silver.’”

Lincoln wrote a response, but only by way of a note to himself—a reflection on what he called the “philosophical cause” of American prosperity. He wrote that as important as the Constitution and the Union were to the success of the republic, they were “not the primary cause of our great prosperity”:

There is something . . . 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 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.

As Lincoln saw it, more important than *new* words from him, was old words from the founders, from their founding charter—the Declaration of Independence. Lincoln saw the Declaration’s principle of “Liberty to all” as the moral center of a Constitution and American union, that could otherwise be misinterpreted—or destroyed—in pursuit of other ends. For Lincoln, the Constitution and union of the states were the means of achieving the political ends defined in the Declaration of Independence.

To state that the Declaration of Independence was the lodestar of Lincoln’s political life would be an understatement. The Declaration was the *sine qua non* of Lincoln’s political thinking. Without its principles of human equality and government by consent, the Gettysburg Address would be unrecognizable; the Emancipation Proclamation and 13th Amendment would lack their moral purpose; and the Civil War would not have been fought as a war to save republican government, and ultimately expand the protection of rights to all Americans regardless of race.

A year before he was elected president, Lincoln was asked to give a speech in Boston upon the anniversary of Thomas Jefferson’s birth. He couldn’t make the trip, but sent a letter that was essentially an ode to Jefferson’s achievement in drafting the Declaration of Independence. He wrote that “the principles of Jefferson are the definitions and axioms of free society.” For someone who studied Euclid’s geometry while in Congress, this was a reference to the Declaration’s principles as the building blocks of democracy. Unfortunately, even self-evident truths can be “denied, and evaded,” as was the case in 1859. Lincoln continued: “This is a world of compensations; and he who would be no slave, must consent to have no slave.”

Cribbing from Jefferson's *Notes on the State of Virginia*, he observed that "Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it."

These were astounding words for a Republican, a former Whig, to utter, given that Jefferson was a states' rights Democrat, not a National Republican. And yet, Lincoln concluded:

All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document, an abstract truth, applicable to all men and all times, and so to embalm it there, that to-day, and in all coming days, it shall be a rebuke and a stumbling-block to the very harbingers of re-appearing tyranny and oppression.

Lincoln saw the principles of Jefferson, America's principles, as universal, timeless, and transcendent. Lincoln looked back to the founding generation and saw ideals of human nature and legitimate government that he believed applied in his day and forever more. He understood that according to Jefferson's logic, if they applied to anyone, they applied to everyone, at any time, and any place. This was key to Lincoln's eventual role as the emancipator of black slaves in America, a role or at least a goal to which he thought the nation had long been committed, until it began to lose its way in the mid-1850s.

In a speech at Independence Hall in Philadelphia, another stop on his way to his first inauguration, he had this to say about the universality of the principles of the Declaration: "All the political sentiments I entertain have been drawn . . . from the sentiments which originated, and were given to the world from this hall in which we stand." He said that he "never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence," and then he mused out loud about "what great principle or idea it was that kept this Confederacy so long together." He argued that the Declaration was more than just about separating from England; he said it gave "liberty, not alone to the people of this country, but

hope to the world for all future time. It was that which gave promise that in due time the weights should be lifted from the shoulders of all men, and that all should have an equal chance.”

Lincoln believed that the Declaration unified the citizens of the diverse thirteen American colonies, and the Constitution that replaced the flawed Articles of Confederation, a league with no direct authority over the citizens of each state, the Constitution helped “form a more perfect union.” But we all know that in addition to Jefferson, other signers of the Declaration were slaveholders; ditto for the framers of the U.S Constitution, which after all, made several compromises with slavery.

Lincoln was aware of these facts, and aware that slavery stood as the grand contradiction to the very principles of the American Revolution. But he believed that even though the founders did not abolish it right away, this did not mean that they approved of slavery as a morally just practice. How to understand this?

Lincoln is best known for two political accomplishments: preserving the American union and emancipating slaves. How he approached the abolition of slavery owes much to his interpretation of how the American founders approached the difficulty of slavery in their midst, as they sought to establish not just their independence from Great Britain, but also a way of life based on the principle of human equality.

Lincoln’s anti-slavery convictions were the very thing that informed his devotion to the Constitution. Like the founders, he believed that, but for the American union, there would be no freedom—for whites or blacks. This was no innovation on Lincoln’s part, but rather the abiding conviction of Americans who knew their colonial and revolutionary history. Individual freedom required political independence from foreign powers; political independence required domestic unity. To keep the union of American colonies, then states, required that compromises be made

regarding slavery. As Lincoln once said, “We had slavery among us, we could not get our Constitution unless we permitted them to remain in slavery, we could not secure the good we did secure if we grasped for more, and having by necessity submitted to that much, it does not destroy the principle that is the charter of our liberties.”

Time and again, Lincoln’s references to the founders centered on how they tried to establish a government based on human equality, but by that very equality, imposed upon themselves the requirement that slavery be abolished in a manner consistent with the consent that was the flip side of the equality coin. As he put it in a letter in 1864:

If slavery is not wrong, nothing is wrong. I can not remember when I did not so think, and feel. And yet I have never understood that the Presidency conferred upon me an unrestricted right to act officially upon this judgment and feeling.

This distinction between “official duty” and “personal wish,” a distinction he made most famously in his public letter to Horace Greeley before he issued his Emancipation Proclamation, demonstrates most clearly Lincoln’s concern that Americans follow the rule of law in their pursuit of justice—that in America, the means of securing liberty needs to be consistent with the end. In emancipating slaves, as president, in a time of war, Lincoln had to turn a humanitarian end into a constitutional means in order to make emancipation a legitimate action of the national government.

The connection between constitutional means and ends is one, I think, we have lost sight of today, and it has shaped how most historians interpret Lincoln’s statesmanship. The reigning interpretation of Lincoln today finds him most relevant to our times because of what consensus historians see as his openness to change. This progressive Lincoln got better as the nation got worse, with a good number of its white citizens grown indifferent toward the spread of black

slavery into federal territory, while others fought to defend a way of life where white supremacy was the rule and not the exception.

Moreover, a Lincoln worthy of our twenty-first-century esteem must exhibit virtues that shine brightest when distanced from his country's slaveholding founders. After all, few of the founders freed their own slaves or strove to rid the new nation of the "peculiar institution." If Lincoln is to be praised, his affinity for the founders, especially Thomas Jefferson, needs to be minimized if not altogether muted.

Thus what makes the Emancipator so great in the eyes of succeeding generations of Americans must be his capacity for growth, a figure embraced by future generations who, presumably, have improved upon the past to the extent they followed Lincoln's example, of not being too fixed in one's views and of being open to the light of experience and progress. Lincoln understood simply as a man focused on the future, becomes a man who did not know early on what he believed about America, or what he hoped for the nation.

Needless to say, I disagree with this interpretation. On my reading, Lincoln's greatness is due largely to his recognizing and appreciating what the founders had accomplished despite the lingering problem of slavery. He chose to offer an alternative view of the founding to counter the view promoted by influential figures such as Chief Justice Roger Taney and Senator Stephen Douglas. Unlike Lincoln, Chief Justice Roger Taney and Senator Stephen Douglas thought the Declaration of Independence applied only to white people, and read it that way to protect the slaveholding founders from charges of hypocrisy. In 1857 Taney wrote that "the men who framed this declaration were great men—high in literary acquirements, high in their sense of honor, and incapable of asserting principles inconsistent with those on which they were acting."

A year later, Stephen Douglas echoed this sentiment: “If they included negroes in that term [‘all men’], they were bound, as conscientious men, that day and that hour, not only to have abolished slavery throughout the land, but to have conferred political rights and privileges on the negro, and elevated him to an equality with the white man.” To make profession and practice *consistent* at the American founding, thereby establishing an integrity worth admiring for subsequent generations, Taney and Douglas interpreted the founders’ profession in light of their practice. So if the founders did not free their slaves and abolish the peculiar institution, then they must not have seen Africans as “created equal” to Englishmen or their descendants.

Commenting on the self-evident truth of human equality stated in the Declaration of Independence, Lincoln observed of the Founders: “They did not mean to assert the obvious untruth, that all were then actually enjoying that equality, nor yet, that they were about to confer it immediately upon them. In fact, *they had no power to confer such a boon*. They meant simply to declare the *right*, so that the *enforcement* of it might follow as fast as circumstances should permit.” From Lincoln’s antebellum vantage point, he understood the reticence of the founders not as hypocrisy but as prudence: they recognized that circumstances, like British opposition, could impede their attempt “to secure these rights.”

Furthermore, Lincoln pointed out that their inaction regarding black slaves in their midst was no different than their inaction toward white citizens on American soil: “They did not at once, or ever afterwards, actually place all white people on an equality with one another. . . . They meant to set up a standard maxim for free society, which could be familiar to all, and revered by all; constantly looked to, constantly labored for, . . . and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere.”

To sum up the Founding compromise with slavery: to be free, Americans had to be independent. And to be independent, they had to be united. That political unity—what the Constitution calls “a more perfect union”—required concessions to slaveholding states, which were unable to extricate themselves from their dependence upon slavery while they established the institutions and habits of self-government. Lincoln’s respect for the American Founding, which established an independent nation devoted to “secur[ing] the blessings of liberty to ourselves *and our posterity*,” recognized both the noble end to which that nation was founded and the prudent means adopted to achieve that end.

Put simply, the founding generation of Americans did not believe they could both free themselves and their slaves without hazarding the success of both their independence and their new way of governing themselves. As Lincoln noted elsewhere, “We had slavery among us, we could not get our Constitution unless we permitted them to remain in slavery, we could not secure the good we did secure if we grasped for more, and having by necessity submitted to that much; it does not destroy the principle that is the charter of our liberties.” Time and again, as the controversy over slavery threatened to split the nation, Lincoln returned his audience to the words of the Declaration of Independence. There he hoped they would find clarity about the true principles of self-government, and thus common ground for promoting a common future as a truly free people.

To keep Lincoln relevant, our task should not be to remake him in our image, but to render an accurate portrait of him in his age. He spoke to his own era with sufficient transcendence not only to enable Americans then to surmount their difficulties, but also to teach subsequent generations how to address the abiding questions that face a free people. Lincoln “belongs to the ages” as a teacher of profound lessons regarding the nature of the American

regime, and how Americans from generation to generation could preserve and perpetuate our free system of government. With Lincoln, we find no blind follower of the American founding, but a thoughtful and thought-provoking citizen who became a statesman by reaching back to the founders, and making the case that what they achieved was the best, most prudent, means of securing their safety and happiness.

Appendix

Chapter 1: From *the* Founder, George Washington (Lincoln, George Washington, and the Founding “Fathers”)

“. . . that we improved to the last; that we remained free to the last; that we revered his name to the last; that, during his long sleep, we permitted no hostile foot to pass over or desecrate his resting place; shall be that which to learn the last trump shall awaken our WASHINGTON.”
Lyceum Address (Jan. 27, 1838)

“Washington is the mightiest name of earth—long since mightiest in the cause of civil liberty; still mightiest in moral reformation.” Temperance Address (February 22, 1842)

“Let him remember he sits where Washington sat, and so remembering, let him answer, as Washington would answer.” Speech in United States House of Representatives: The War with Mexico (January 12, 1848)

“The rebels attack Fort Sumter, and your citizens attack troops sent to the defense of the Government, and the lives and property in Washington, and yet you would have me break my oath and surrender the Government without a blow. There is no Washington in that—no Jackson in that—no manhood nor honor in that.” Reply to Baltimore Committee (April 22, 1861)

“I now leave, not knowing when, or whether ever, I may return, with a task before me greater than that which rested upon Washington. Without the assistance of that Divine Being, who ever attended him, I cannot succeed. With that assistance I cannot fail. Trusting in Him, who can go with me, and remain with you and be every where for good, let us confidently hope that all will yet be well. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell.” Farewell Address at Springfield, Illinois (February 1, 1861)

“May our children and our children’s children to a thousand generations, continue to enjoy the benefits conferred upon us by a united country, and have cause yet to rejoice under those glorious institutions bequeathed us by Washington and his compeers.” 2nd Speech at Frederick, Maryland (October 4, 1862)

Chapter 2: To Founding Aim (equal rights) (Lincoln and the Declaration of Independence)

“I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence.” Address in Independence Hall, Philadelphia (February 22, 1861)

“Let us re-adopt the Declaration of Independence, and with it, the practices, and policy, which harmonize with it. . . . If we do this, we shall not only have saved the Union; but we shall have so

saved it, as to make, and to keep it, forever worthy of the saving.” Speech at Peoria, Illinois (October 16, 1854)

Human Equality

“Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.”
Gettysburg (Nov. 19, 1863)

“As I would not be a *slave*, so I would not be a *master*. This expresses my idea of democracy.”
Definition of Democracy [August 1, 1858?]

“Mr. Clay says a little further on: ‘I desire no concealment of my opinions in regard to the institution of slavery. I look upon it as a great evil; and deeply lament that we have derived it from the parental government; and from our ancestors. But here they are and the question is, how can they be best dealt with?’

‘If a state of nature existed and we were about to lay the foundations of society, *no man would be more strongly opposed than I should be, to incorporating the institution of slavery among its elements.*’” 7th Debate with Stephen Douglas, 1858 (Lincoln endorsing Henry Clay’s view of slavery)

“All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document, an abstract truth, applicable to all men and all times, and so to embalm it there, that to-day, and in all coming days, it shall be a rebuke and a stumbling-block to the very harbingers of re-appearing tyranny [sic] and oppression.” To Henry L. Pierce and Others (April 6, 1859)

“We understand that the ‘equality of man’ principle which actuated our forefathers in the establishment of the government is right; and that slavery, being directly opposed to this, is morally wrong.” Speech at Hartford, Connecticut (March 5, 1860)

“I have often inquired of myself, what great principle or idea it was that kept this Confederacy so long together. It was not the mere matter of the separation of the colonies from the mother land; but something in that Declaration giving liberty, not alone to the people of this country, but hope to the world for all future time.” Speech in Independence Hall, Philadelphia, Pennsylvania (February 22, 1861)

“I say, with Mr. [Henry] Clay, it is desirable that the declaration of the equality of all men shall be kept in view, as a great fundamental principle.” To James N. Brown (October 18, 1858)

“This was their majestic interpretation of the economy of the Universe. This was their lofty, and wise, and noble understanding of the justice of the Creator to His creatures. [Applause.] Yes, gentlemen, to *all* His creatures, to the whole great family of man. In their enlightened belief, nothing stamped with the Divine image and likeness was sent into the world to be trodden on,

and degraded, and imbruted by its fellows. They grasped not only the whole race of man then living, but they reached forward and seized upon the farthest posterity. They erected a beacon to guide their children and their children's children, and the countless myriads who should inhabit the earth in other ages.” Speech at Lewistown, Illinois (1858)

“[C]ome to the rescue of this great principle of equality.” Speech at Kalamazoo, Michigan (August 27, 1856)

Individual Rights

“And yet again; there are in the United States and territories, including the District of Columbia, 433,643 free blacks. At \$500 per head they are worth over two hundred millions of dollars. How comes this vast amount of property to be running about without owners? We do not see free horses or free cattle running at large. How is this? All these free blacks are the descendants of slaves, or have been slaves themselves, and they would be slaves now, but for SOMETHING which has operated on their white owners, inducing them, at vast pecuniary sacrifices, to liberate them. What is that SOMETHING? Is there any mistaking it? In all these cases it is your sense of justice, and human sympathy, continually telling you, that the poor negro has some natural right to himself—that those who deny it, and make mere merchandise of him, deserve kickings, contempt and death.” Peoria (October 16, 1854)

“Now I protest against that counterfeit logic which concludes that, because I do not want a black woman for a *slave* I must necessarily want her for a *wife*. I need not have her for either, I can just leave her alone. In some respects she certainly is not my equal; but in her natural right to eat the bread she earns with her own hands without asking leave of any one else, she is my equal, and the equal of all others.” Dred Scott Speech (1857)

“I believe each individual is naturally entitled to do as he pleases with himself and the fruit of his labor, so far as it in no wise interferes with any other man’s rights.” Speech at Chicago (July 10, 1858)

“[A]re you really willing that the Declaration shall be thus frittered away?—thus left no more at most, than an interesting memorial of the dead past? thus shorn of its vitality, and practical value; and left without the germ or even the suggestion of the individual rights of man in it?” Dred Scott (1857)

“It continues to develop that the insurrection is largely, if not exclusively, a war upon the first principle of popular government—the rights of the people.” Annual Message to Congress (December 3, 1861)

“It seems to have devolved upon them [Americans] to test whether a government, established on the principles of human freedom, can be maintained against an effort to build one upon the exclusive foundation of human bondage.” To the Workingmen of London (February 2, 1863)

Consent

“What I do say is, that no man is good enough to govern another man, *without that other’s consent*. I say this is the leading principle—the sheet anchor of American republicanism.”
Peoria (October 16, 1854)

“This is a world of compensations; and he who would *be* no slave, must consent to *have* no slave. Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it.” To Henry L. Pierce and Others (April 6, 1859)

“A majority, held in restraint by constitutional checks, and limitations, and always changing easily, with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people.” First Inaugural Address (March 4, 1861)

Right of Revolution

“Any people anywhere, being inclined and having the power, have the *right* to rise up, and shake off the existing government, and form a new one that suits them better. This is a most valuable,—a most sacred right—a right, which we hope and believe, is to liberate the world.”
Speech in United States House of Representatives: The War with Mexico (January 12, 1848)

“If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution—certainly would, if such right were a vital one. But such is not our case. All the vital rights of minorities, and of individuals, are so plainly assured to them, by affirmations and negations, guaranties and prohibitions, in the Constitution, that controversies never arise concerning them.” First Inaugural Address (March 4, 1861)

Self-improvement

“We stand at once the wonder and admiration of the whole world, and we must enquire what it is that has given us so much prosperity, and we shall understand that to give up that one thing, would be to give up all future prosperity. This cause is that every man can make himself.”
Speech at Kalamazoo, Michigan (August 27, 1856)

“*Most governments* have been based, practically, on the denial of equal rights of men, as I have, in part, stated them; *ours* began, by *affirming* those rights. *They* said, some men are too *ignorant*, and *vicious*, to share in government. Possibly so, said we; and, by your system, you would always keep them ignorant, and vicious. We proposed to give *all* a chance; and we expected the weak to grow stronger, the ignorant, wiser; and all better, and happier together.”
Fragment on Slavery [July 1, 1854?]

“[T]he 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.” Fragment on the Constitution and Union [c. January, 1861]

“I hold the value of life is to improve one’s condition. Whatever is calculated to advance the condition of the honest, struggling laboring man, so far as my judgment will enable me to judge of a correct thing, I am for that thing.” Speech to Germans at Cincinnati, Ohio (February 12, 1861)

“It was that which gave promise that in due time the weights should be lifted from the shoulders of all men, and that all should have an equal chance. This is the sentiment embodied in that Declaration of Independence.” Speech in Independence Hall, Philadelphia, Pennsylvania (February 22, 1861)

“This is essentially a People’s contest. On the side of the Union, it is a struggle for maintaining in the world, that form, and substance of government, whose leading object is, to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all, an unfettered start, and a fair chance, in the race of life.” To Congress in Special Session (July 4, 1861)

“Property is the fruit of labor—property is desirable—is a positive good in the world. That some should be rich, shows that others may become rich, and hence is just encouragement to industry and enterprize. Let not him who is houseless pull down the house of another; but let him labor diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built.” Reply to the New York Workingmen’s Democratic Republican Association (March 11, 1864)

Chapter 3: To Founding Means (the Constitution, enshrining the principles of Consent and the Rule of Law in service of the protection of individual rights and the promotion of the common good) (**Lincoln and the Constitution: An Appeal to the Founders’ Means**)

“Don’t interfere with anything in the Constitution. That must be maintained, for it is the only safeguard of our liberties.” Speech at Kalamazoo, Michigan (August 27, 1856)

“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.*” Fragment on the Constitution and the Union [c. January, 1861]

“Ever *true to Liberty, the Union, and the Constitution*—true to Liberty, not *selfishly*, but upon *principle*—not for special *classes* of men, but for *all* men; true to the Union and the Constitution,

as the best means to advance that liberty.” To Anton C. Hesing, Henry Wendt, Alexander Fisher, Committee (June 30, 1858)

“I am exceedingly anxious that **this Union, the Constitution, and the liberties of the people** shall be perpetuated **in accordance with the original idea** for which that struggle was made, and I shall be most happy indeed if I shall be an humble instrument in the hands of the Almighty, and of this, his almost chosen people, for perpetuating the object of that great struggle.” Address to the New Jersey Senate at Trenton, New Jersey (Feb. 21, 1861)

“As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of **the Constitution and Laws**, let every American pledge his life, his property, and his sacred honor . . .” Lyceum Address (January 29, 1838)

“We find ourselves under the government of a system of political institutions, **conducting more essentially to the ends of civil and religious liberty**, than any of which the history of former times tells us. . . . [A] **political edifice of liberty and equal rights.**” Lyceum Address (January 29, 1838)

“**I also acknowledge your rights and my obligations, under the constitution, in regard to your slaves.** I confess I hate to see the poor creatures hunted down, and caught, and carried back to their stripes, and unrewarded toils; but I bite my lip and keep quiet. . . . It is hardly fair for you to assume, that I have no interest in a thing which has, and continually exercises, the power of making me miserable. You ought rather to appreciate how much the great body of the Northern people do crucify their feelings, in order to maintain their loyalty to the constitution and the Union.” Letter to Joshua Speed (August 24, 1855)

“I have here stated my purpose according to **my view of official duty**; and I intend no modification of my oft-expressed personal wish that all men every where could be free.” To Horace Greeley (Aug. 22, 1861)

“I am naturally anti-slavery. If slavery is not wrong, nothing is wrong. I can not remember when I did not so think, and feel. **And yet** I have **never** understood that the Presidency conferred upon me an **unrestricted right to act officially upon this judgment and feeling.**” To Albert G. Hodges (April 4, 1864)

Chapter 4: To Founding Compromise with Slavery (here federalism looms large) (Lincoln and Slavery: An Appeal to the Founders’ Compromise)

“The Republican principle, the profound central truth that slavery is wrong and ought to be dealt with as a wrong, though we are always to remember the fact of its actual existence amongst us and faithfully observe all the constitutional guarantees—the unalterable principle never for a moment to be lost sight of that it is a wrong and ought to be dealt with as such.” Chicago (March 1, 1859)

“Why did those old men, about the time of the adoption of the Constitution, decree that Slavery should not go into the new Territory, where it had not already gone? Why declare that within twenty years the African Slave Trade, by which slaves are supplied, might be cut off by Congress? . . . [These actions were] a clear indication that the framers of the Constitution intended and expected the ultimate extinction of that institution.” Speech at Chicago, Illinois (July 10, 1858)

“We had slavery among us, we could not get our Constitution unless we permitted them to remain in slavery, we could not secure the good we did secure if we grasped for more, and having by necessity submitted to that much, it does not destroy the principle that is the charter of our liberties.” Speech at Chicago, Illinois (July 10, 1858)

“[T]here is no way of putting an end to the slavery agitation amongst us but to put it back upon the basis where our fathers placed it, no way but to keep it out of our new Territories—to restrict it forever to the old States where it now exists. Then the public mind *will* rest in the belief that it is in the course of ultimate extinction.” Fourth Debate with Stephen A. Douglas at Charleston, Illinois (September 18, 1858)

“We have no power as citizens of the free States or in our federal capacity as members of the Federal Union through the general government, to disturb slavery in the States where it exists.” Seventh and Last Debate with Stephen A. Douglas at Alton, Illinois (October 15, 1858)

“I believe the declara[tion] that “all men are created equal” is the great fundamental principle upon which our free institutions rest; that negro slavery is violative of that principle; but that, by our frame of government, that principle has not been made one of legal obligation; that by our frame of government, the States which have slavery are to retain it, or surrender it at their own pleasure; and that all others—individuals, free-states and national government—are constitutionally bound to leave them alone about it.

“I believe our government was thus framed because of the *necessity* springing from the actual presence of slavery, when it was framed.” To James N. Brown (October 18, 1858)

“The Judge [Stephen Douglas] said he did not care whether slavery was voted up or voted down. That was as much as to say, that he does not believe it to be wrong. This was not the opinion held by the good men of the Revolution of it.” Speech at Indianapolis, Indiana (September 19, 1859)

Chapter 5: Then to Founding Significance (or, why Lincoln thinks the original intention matters) (**Lincoln and Original Intent: An Appeal to the Founders’ Significance**)

“I do not mean to say we are bound to follow implicitly in whatever our fathers did. To do so, would be to discard all the lights of current experience—to reject all progress—all improvement. What I do say is, that if we would supplant the opinions and policy of our fathers in any case, we

should do so upon evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand.” Address at Cooper Institute (February 27, 1860)

“As a general rule, I think, we would much better let it [the Constitution] alone. No slight occasion should tempt us to touch it. Better not take the first step, which may lead to a habit of altering it. It can scarcely be made better than it is. . . . The men who made it, have done their work, and have passed away. Who shall improve, on what they did?” Speech on Internal Improvements (June 20, 1848)

“I love the sentiments of those old-time men; and shall be most happy to abide by their opinions.” Peoria Address (October 1854)