

# ABRAHAM LINCOLN'S UNDERSTANDING OF THE NATURE OF THE UNION: SECESSION, SLAVERY, AND THE PHILOSOPHICAL CAUSE

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## INTRODUCTION

Lincoln entered the historical stage as he took the oath of office on March 4<sup>th</sup>, 1861, faced with a task “greater than that which rested upon Washington.”<sup>1</sup> All American minds were engaged with that task, but some Southern hearts had already turned away.

By the time Lincoln took office, seven states had already seceded and six of them had formed the Confederacy. More would soon follow. As he delivers his Farewell Address at Springfield, Illinois, Lincoln is fully aware that “a disruption of the Federal Union...is now formidably attempted.”<sup>2</sup> A Republican president had been elected by a constitutional majority, and an expressed minority had resolved to secede rather than stay.<sup>3</sup> Never before had this happened in the history of the young American republic. Secession had been threatened before, but this menacing force had subsided through the relaxation of passion, through the

progression of time, and through the reconciling effect of compromise. During Andrew Jackson’s presidency in 1832, South Carolina threatened to secede from the Union after Congress passed the protective tariff. What followed became known as the Nullification Crisis, testing whether a state can refuse to recognize or to enforce a federal law. Although a compromise was struck, and South Carolina did not secede, the question concerning whether or not a state can legally secede from the Union was never answered.

Fifteen different men had come to occupy the office of president before Lincoln took office, and each of them had “in succession, administered the executive branch of government...through many perils; and, generally, with great success.”<sup>4</sup> Now it was Lincoln’s turn, and his duty on the stage of history would be equal to the cause of free government, as the fate of the Union rested in his hands.

Lincoln’s coming has significance because of the stage that was set for his entrance and because of his own resolute political beliefs. The election of 1860 had elected Lincoln president of the United States. Lincoln was constitutionally, and thereby legally, elected to the executive office. There was no squabble as to what the Constitution meant, and, likewise, there was no perversion of where the public mind rested. In other words, no one denied that Lincoln was the next American president.

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<sup>1</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 568. Farewell Address at Springfield, Illinois, February 11, 1861.

<sup>2</sup> *Ibid*, 582. First Inaugural Address, March 4, 1861.

<sup>3</sup> Lincoln received 180 electoral votes when 152 were necessary for a majority. He received 40% of the popular vote.

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<sup>4</sup> *Ibid*, 582. First Inaugural Address, March 4, 1861.

What was denied was the rightness of his rule. What was challenged was the principle of majority rule. And in a republic, where majority rule is denied, there will also be found a denial of popular government. “The right of the people to act by means of such a majority was itself grounded in the principle of all popular government.”<sup>5</sup> When the secessionists rejected Lincoln, they consequentially and unequivocally rejected the principle of popular government itself.

But this was no accident on the part of the secessionists. They understood this notion just as Lincoln understood it. Immediately following the 1860 election, two opposing banners would have stood on the political battlefield. The Northern banner would read, “Majority rule.” The Southern banner would read, “Consent of the governed.” What is interesting to any student of politics is that both axioms are correct. Both represent a vital component to the American experiment. What is even more interesting is that they are both an expression of the same principle, yet it is the understanding of that principle which makes them different. In other words, the Northerners and the Southerners had a different understanding of good government. They both claimed to be lovers and defenders of liberty, but both did not mean the same thing. Thomas Jefferson, in his First Inaugural Address, said, “[E]very difference of opinion is not a difference of principle.”<sup>6</sup> But certainly *some* differences of opinion *are* differences of principle. In April, 1864, as the Civil War was in its third year, Lincoln spoke at the Sanitary Fair in Baltimore on the consequences of a difference of opinion becoming a difference of principle:

The world has never had a good definition of the word liberty, and the

American people, just now, are much in want of one. We all declare for liberty; but in using the same *word* we do not all mean the same *thing*. With some the word liberty may mean for each man to do as he pleases with himself, and the product of his labor; while with others the same word may mean for some men to do as they please with other men, and the product of other men’s labor. Here are two, not only different, but incompatible [*sic*] things, called by the same name – liberty. And it follows that each of the things is, by the respective parties, called by two different and incompatible [*sic*] names – liberty and tyranny.

The shepherd drives the wolf from the sheep’s throat, for which the sheep thanks the shepherd as a *liberator*, while the wolf denounces him for the same act as the destroyer of liberty, especially as the sheep was a black one. Plainly the sheep and the wolf are not agreed upon a definition of the word liberty; and precisely the same difference prevails to-day among us human creatures...and all professing to love liberty.<sup>7</sup>

North as well as South understood that the consent of the majority is necessary for rule in a Republic, and neither could see good government apart from majority rule. We see that both anti-slavery Southerners like Robert E. Lee and anti-secessionists like Alexander Stephens went along with their respective states when the decision to secede had been made by a majority of the people living in those states.<sup>8</sup> Lee, Stephens, and

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<sup>5</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 250.

<sup>6</sup> Thomas Jefferson, First Inaugural Address, 1801.

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<sup>7</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 748-9. Address at a Sanitary Fair in Baltimore, April 18, 1864.

<sup>8</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 280.

countless others may not have agreed with the reason for leaving or the actual leaving itself; nonetheless, they accepted the rule of the majority and consented to the rule of their state. Therefore, it is apparent that the Southerners accepted majority rule when their state seceded, but they rejected it when it elected Lincoln president.

The central contention between North and South after the 1860 election was the purpose of majority rule. In the Southern mind, the purpose of a Lincoln presidency would be the eventual death of the institution of slavery. Even though a constitutional majority of the Union had elected Lincoln president, the interests of the few would thereafter be threatened. The South has an interest in slavery and cannot give it up. It is a useful institution for them, one which grants them both wealth and leisure. Slavery has always been a part of their history and Lincoln notes, "They are just what we would be in their situation."<sup>9</sup> But at the time of Lincoln's election, slavery is no longer merely in the interest of the Southerners. It has become something much more valuable and precious: slavery has become a right. It now possesses a role greater than that of interest and has transcended the bounds of that which can be reasonably given up by the ballot. Because they believed the election of 1860 threatens their rights, the rule of the majority loses its authority and justification. Therefore, the South abandons the rule of the majority because they understand, as Lincoln did, that if the majority votes to deprive a minority of any of its essential rights, it would morally justify revolution.<sup>10</sup>

But secession is not the same as revolution, and the Southern people never claimed that their "leaving the Union" was an act of Revolution. And Lincoln certainly understood the theory of Revolution, but his argument was that the federal government had no intention of depriving any minority of any of its essential rights. Therefore, according to Lincoln, the right to revolution was guaranteed, but because no one had been harmed in his rights or his property, the people of the South could not appeal to revolution, as the Declaration says, "[W]hensoever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government."<sup>11</sup> And the South never did appeal to the right of revolution, but instead their appeal was to something else—namely, a right to secession that the people had by virtue of the status of the individual states within the Union. In the minds of the Southern people, the legitimacy of secession rested upon the Southern argument for state rights.<sup>12</sup>

Lincoln denies that his election will deprive any citizen of his rights, and he even ensures that ample evidence exists to the contrary. He points to his previous speeches for this evidence, reiterating in his First Inaugural Address in March 1861, "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the states where it exists. I believe I have no lawful right to do so and I have no inclination to do so."<sup>13</sup> Lincoln points out that he has no intention of harming slavery where it already exists, because the Constitution does not grant the federal

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<sup>9</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 291. The Repeal of the Missouri Compromise, October 16, 1854.

<sup>10</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 281.

<sup>11</sup> Declaration of Independence, Par. 2.

<sup>12</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), xiii.

<sup>13</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 580. First Inaugural Address, March 4, 1861.

government the legal authority to do so. Where slavery exists now, so shall it remain untouched by Congress. That does not mean, however, that the federal government lacks the power to stop the spread of slavery to those areas where it is not already in place. In fact, Lincoln readily admits that he will do everything he constitutionally can to keep slavery out of those places. Everyone who voted in the election of 1860 was fully aware of this stance, and yet the Southern people still saw danger in Lincoln's election because they correctly understood that the survival of slavery was wholly dependent upon its growth. If slavery did not spread to the territories, the slave states would soon be outnumbered in Congress as the free-state representation continued to grow. Without the necessary number of pro-slavery votes, the North was assured the passage of any and all anti-slavery legislation that the Constitution would allow, including a Constitutional Amendment. Congress could theoretically abolish slavery if the slave states were unable to prevent the passage of an amendment. Therefore, in the minds of Southerners, the very survival of slavery was at stake, and this was the immediate threat the South witnessed with the election of Lincoln to the presidency.

Because the purpose of majority rule is to protect and secure the rights of the people, the South rejected the results of the 1860 election when they viewed that their supposed right to own slaves was being threatened. In other words, they understood the election as an exploitation of the minority. Therefore, they felt fully justified in rejecting majority rule, but they did not think at any point that they were rejecting the principle of that rule. The 1860 election was a perversion of majority rule because it did not fulfill its purpose. Therefore, it was just and good for the Southern people to reject it. When the states announced their intention to secede, that single act

represented, in the Southern mind, the removal of the perverted concept of majority rule and the reinstatement of its true purpose.

The secessionists went obediently with their states out of the Union because they held that majority rule "applied to them only as citizens of their respective states, and not of the United States."<sup>14</sup> The justification for this application rested wholly upon the idea of the sovereignty of the state. Ironically, we find that the principle of equality is the central idea behind state sovereignty. The citizens of a state are not equal to each other because of their sovereignty as human beings, but because of the constitutional equality which exists between the states.<sup>15</sup> The states are perfectly equal to one another because each of them is sovereign. However, not only are they equal to every state in the Union, they are also equal to every state outside the Union.<sup>16</sup> Virginia is equal to Ohio as it is equal to England. Nothing connects the citizens of a state to the Union. They are just as much connected to the Union as they are connected to France or Spain. They are held in obedience to the state only, and any obedience they may claim to the Union is cancelled if the state goes the other way.<sup>17</sup> And secession is the ultimate exemplification of a state "going the other way" as opposed to the direction of the Union. That is why the Southerners went with their states when they seceded but did not go with the Union when it elected Lincoln president. Therefore, the Southern mind understood majority rule as applying only in the state. It was a state principle that could not dictate or guide the Union and could never justify the election of Lincoln.

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<sup>14</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 280.

<sup>15</sup> *Ibid*, 282.

<sup>16</sup> *Ibid*, 282.

<sup>17</sup> *Ibid*, 282.

Lincoln, a man who “never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence,”<sup>18</sup> possessed an understanding of the nature of the Union that was derived from his understanding of those principles in that document. Those who saw the Union apart from those principles were reliant upon the doctrine of states’ rights as a fundamental justification for legal secession. Chief among the architects of this understanding was John C. Calhoun, a man far better known and respected for his political thinking in 1860 than Lincoln, even though he had been dead for more than ten years. Part Two of this work will be an attempt to reconstruct Calhoun’s argument, sparing nothing in the search for the highest rational and persuasive ground from which to survey the Southern view of the nature of the Union. Parts Three and Four will be Lincoln’s argument in response. In this account, we will present his views in the clearest light possible, in an attempt to illustrate his understanding of the nature of the Union and the principles for which it stands.

## THE CASE FOR CALHOUN

John C. Calhoun was the champion of the cause of the Southern slave states, and it was his views that gave the Confederacy justification for constitutional secession. His ideas concerning the theories of constitutional government made this major statesman a bold and original political force in the predawn years of the Civil War. He was rigidly articulate and comprehensively clear in his analysis of states’ rights, liberty,

equality, and the nature of the Union. And even though he died eleven years before the Confederates fired on Fort Sumter, he was responsible for it. The honor belonged to him alone. He was the one who succeeded in convincing the southern mind that they were acting to protect their rights against northern aggression. Calhoun gave the southern people the ability to understand secession as a constitutional and legal alternative to remaining in a political partnership that sought to harm their interests and the rights guaranteed to them by the Constitution. In 1833, Calhoun had articulated that South Carolina had the right to nullify the protective tariff within its borders by virtue of the reserved rights of the states.<sup>19</sup> He would use similar reasoning to defend the doctrine of secession. He defended a doctrine of states’ rights that was blatantly simple in its origination and ingeniously obvious in its application, and this method convinced nearly all of those who heard him or heard of him that he could not be wrong. He advocated an argument, shaped by history, concerning the nature of the American Union that constitutionally justified southern secession.

The argument that Calhoun purports to prove in support of slavery as a constitutional right is derived from the debate over slavery in the territories. Calhoun was a United States Senator from South Carolina when the doomed Wilmot Proviso was introduced onto the floor of the House of Representatives in 1846. It was this proviso that called for the prohibition of slavery in any territory acquired or purchased from Mexico as a result of the recently begun Mexican-American War. Calhoun saw this political tactic for what it was – namely, an appeal by the North to gradually abolish the institution of slavery in the South. As more

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<sup>18</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 577. Address in Independence Hall, Philadelphia, February 22, 1861.

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<sup>19</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 278.

and more territories were acquired by the United States in the nineteenth century, the decision regarding whether they would come into the Union as free or slave states gained increasing momentum in both the North and the South. It was the desire of the northern states to gradually decrease the power of the slave states in the US Senate. The North was not interested in uprooting slavery where it already was but instead prevailed to prevent it from spreading to where it already was not. Their determined course was to increase the numerical majority of free states in the Senate in order to eventually eliminate the southern veto of any antislavery legislation.

Although the Wilmot Proviso easily passed the House, its defeat in the Senate was due to the fiery argumentation of Calhoun along with the absence of what the proviso itself had hoped to procure – namely, a majority of free states. Calhoun realized then that although the proviso would never go into effect, the South was more secure than it was before. Slavery would continue to be threatened by the North until the addition of more slave states ensured the South the capacity to defeat all future anti-slavery legislation. The South with its sacred institution had prevailed this time against the Wilmot Proviso, but no one, not even Calhoun, was certain of what would happen the next time the North sought to attack slavery in the territories. Slavery was safe for now, but all the North needed was to possess the three-fourths majority to not only effectively pass future legislation akin to the Wilmot Proviso but, more importantly, to also amend the United States Constitution to abolish slavery completely, doing so without the consent of a single slave state.<sup>20</sup> Therefore, the debate over slavery in the territories was far from over and would only become increasingly

important to Calhoun and the rest of the country as time wore on.

That slavery could be abolished without the consent of a single slave state is what Calhoun calls “democratic tyranny,” where the interests of the minority are relieved of their Constitutional protection and subjugated to the interests of the majority. Calhoun confronts the tyranny of the majority in his speech, “The Admission of California and the General State of the Union” on March 4, 1850. At this time, the political dominance of the North was greater than that which existed at the time of the defeat of the Wilmot Proviso due to the influx of more free states into the Union than slave states. This change in the political backdrop therefore presents a greater threat to the peaceful continuance of southern interests than had ever been known up to this time. Calhoun explains the particular nature of the composition of the federal government as well as the implications this has on the interests of the southern people who have now found themselves in the minority.

A single section, governed by the will of the numerical majority, has now, in fact, the control of the Government and the entire powers of the system. What was once a constitutional federal republic, is now converted, in reality, into one as absolute as that of the Autocrat of Russia, and as despotic in its tendency as any absolute government that ever existed. As, then, the North has the absolute control over the Government, it is manifest, that on all questions between it and the South, where there is a diversity of interests, the interest of the latter will be sacrificed to the former, however oppressive the effects may be, as the South possesses no means by which it

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<sup>20</sup> *Ibid*, 404.

can resist through the action of the Government.<sup>21</sup>

Once the interests of the minority are no longer secure from the numerical dominance of the majority, the protection engineered by the Constitution for the sake of those interests is no longer veritable or dependable. According to the Constitutional understanding of Calhoun, the end of the veto power of the slave states brings with it the end of constitutional government proper.<sup>22</sup> Calhoun understood that in order to secure that veto power, he must of necessity defend the right of the people to bring their slaves with them when they emigrate into any territory and thereby constitutionally permit a territory to come into the Union as a slave state. Therefore, the aim or the purpose of Calhoun in defending the right of any citizen of any of the states to emigrate with their property into any of the territories is to uphold the perfect equality which belongs to the individual states as members of the Union and to direct that cause against the proposed derogation of the Union and the principle on which the country rests.

If the relationship between one state and another is perfectly equal, then this status dictates that not only do they possess equal rights, but they also maintain equal claim to hold the territories of the United States as their joint and common property. Those lands that have the potential of becoming future states do not belong to the federal Union, but instead are under the authority of the states in their united character. “They are the territories of all, because they are the territories of each; and not of each, because they are the territories

of the whole.”<sup>23</sup> This entire argument rests upon the supposed sacredness of a state that Calhoun prescribes as correct constitutional doctrine. The territories legally belong to each and every individual state. Because the states are all equals, they all have an equal share in the territories that they collectively possess. As a consequence of this, no one state or one collection of some states may impose legal restrictions upon the territories and deny them specific constitutional rights that go directly against the dominion or sovereignty that any other state equally possesses by the Constitution. The territories do not belong to one faction of states, but to all of them as a whole. Therefore, to have one group of states prescribe unconstitutional conditions upon the territories and seek to disable them of their legal rights can never fit within the framework of the presumed sacredness of a state. The formula promulgated and propagated by the North to exclude slavery from the territories declares that some states are more sacred than others, a political tactic that is both unconstitutional and a breeder of bad government. No advantage can be given to one state or the other. This is the Calhounian stance that declares that the power to exclude slavery from the territories implies a power to subvert the Constitution itself.

Calhoun’s focal point is that there is no legal or constitutional restraint upon bringing slavery into the territories. It must be noted that this was the very thing that Lincoln had consistently denied. Lincoln always thought that the Constitution did not give him or the Congress authority to interfere with slavery in the states where it was already established. But Lincoln fully believed that the federal government had the power to stop the spread of slavery into the

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<sup>21</sup> John C. Calhoun, *Union and Liberty: The Political Philosophy of John C. Calhoun*, ed. Ross M. Lence (Indianapolis: Liberty Fund, 1992), 582. Speech on the General State of the Union, March 4, 1850.

<sup>22</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 404.

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<sup>23</sup> John C. Calhoun, *Union and Liberty: The Political Philosophy of John C. Calhoun*, ed. Ross M. Lence (Indianapolis: Liberty Fund, 1992), 556. Speech on the Oregon Bill, June 27, 1848.

territories. This represents the key divisive issue that fueled the debate between Lincoln and Calhoun. Nevertheless, both men possessed a proper understanding of the severity of the situation. They both knew that the future prosperity of the nation rested upon the answer to this question. Calhoun says that if the people do not agree with him, then all safety and happiness will be lost.<sup>24</sup> And Lincoln says that if the people do not agree with him, then the Union and what the Union stands for will be lost. This is not an easy question, and both men know it. What's more, the answer we give will either threaten our peace or our meaning. Neither answer can secure both. One must be accepted at the cost of the other. And the war came.

Calhoun possesses a view of "perfect equality" that fully encompasses a true doctrine of the states in relationship to each other, as well as an additional constitutional meaning that had not yet been attributed to it. It is perfectly reasonable and constitutionally sound to contend that every state, new as well as old, be in full possession of every right guaranteed to them under the Constitution. To do otherwise would represent an inherent flaw in the democratic structure of the country. Therefore, the states are in fact "equals in all respects, both in dignity and rights, as is declared by all writers on governments founded on such union, and as may be inferred from arguments deduced from their nature and character."<sup>25</sup> All of this is true and has not changed or redefined the constitutional formula of the Republic. What then represents the additional constitutional meaning that Calhoun sustains as an attribute of "perfect equality?" It is true that no law or laws may deny any citizen of any right in

any territory that also belongs equally to the citizens of a state. This understanding of Calhoun's "perfect equality" passes the constitutional test on its face, but the most important question of all is whether slavery constitutes a right under a republican government.

One of Calhoun's most important and well-known addresses relating to this issue was his speech on the Oregon Bill, delivered on the Senate floor on June 27, 1848. He understood the severe gravity of the slavery question, and the implications it provoked for the continuance of both the Union and its institutions. The answer was so important that Calhoun would articulate his understanding of the American Union with an analysis possessing both great merit and sufficient strength of purpose, an analysis that would use the Constitution as its foundation. "I shall direct my efforts to ascertain what is constitutional, right and just, under a thorough conviction that the best and only way of putting an end to this, the most dangerous of all questions to our Union and institutions, is to adhere rigidly to the constitution and the dictates of justice."<sup>26</sup> Calhoun knew what he was facing, and he was prepared to combat it with the greatest resolve. He employs the Constitution as a pro-slavery document because he sees it as an apple of gold, that very thing which is sacred to the survival of American rights. Without it, he has nothing, and with it, he has everything. Because his views are derived from the Constitution, he makes an argument that can be understood by all and accepted by most.

The doctrine of Calhoun tells us that the government of the United States is composed of the separate governments of the several states which make up the Union and represents the one common government of every single person living in the United

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<sup>24</sup> *Ibid*, 564. Speech on the Oregon Bill, June 27, 1848.

<sup>25</sup> *Ibid*, 543. Speech on the Oregon Bill, June 27, 1848.

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<sup>26</sup> *Ibid*, 542-3. Speech on the Oregon Bill, June 27, 1848.

States. A state is more important than the federal Union because it came before the Union and gave rise to it, entrusting it with any powers it might possess. Calhoun does not make an argument for natural rights, and so he does not argue that the Union or a state has a philosophical cause. He maintains that each state was framed by written constitutions, and that act prescribed to the state the equal character of the people composing the state. These people acted jointly in forming their state, and it was the sovereignty of the people which gave rise to the sovereignty of the states. In other words, the authority of the people was transferred to the state, and the state, acting on that authority, represents the unification of the people. Therefore, the authority of the state comes from the authority invested in the people of the states, and to deny a right to the state is to deny a right to the people. When the US Constitution was formed, however, it was not the people of the several states which created it, but instead the several states themselves which created the Union and gave it any power it might possess. In other words, the people were necessary for the formation of the state and the states were necessary for the formation of the Union. The authority of the United States comes from the states, and this transfer of power is relational to the people forming their respective states because “the powers conferred on them are not surrendered, but delegated.”<sup>27</sup> In other words, the people did not lose their authority when creating the states and, likewise, the states did not lose their authority when creating the Union.

Calhoun maintains that the government of the United States is federal because it is not a government of individuals socially united (as it is for a state), but instead is a

government of states united in a political union. In other words, it is federal because it exists as a community of states instead of one single people, state, or nation.

That it [the Constitution] is federal and not national, we have the high authority of the convention which framed it. General Washington, as its organ, in his letter submitting the plan to the consideration of the Congress of the then confederacy, calls it, in one place – “the general government of the Union” – and in another – “the federal government of these States.” Taken together, the plain meaning is, that the government proposed would be, if adopted, the government of the States adopting it, in their unified character as members of a common Union; and, as such, would be a federal government.<sup>28</sup>

Calhoun is referring to the letter by which Washington transmitted the Constitution to the Congress in 1787. Calhoun uses Washington to support his contention that the nature of the Union is not national, but federal. He would denounce the idea of Madison in *Federalist 39* that the Constitution is “partly federal, partly national” as a complete impossibility. Because the Union is federal in nature, Calhoun would maintain that in a contest between the state and the federal government, the state, by its inherent sovereignty, and standing upon its reserved powers, would prove too powerful in a controversy, and must triumph over the federal government, sustained only by its delegated and limited authority.<sup>29</sup> Therefore, if resistance be limited on both sides to constitutional doctrine, then the state must of necessity prevail.

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<sup>27</sup> *Ibid*, 82. A Discourse on the Constitution and Government of the United States.

<sup>28</sup> *Ibid*, 82. A Discourse on the Constitution and Government of the United States.

<sup>29</sup> *Ibid*, 429. Speech on the Revenue Collection [Force] Bill, February 15-16, 1833.

This basic idea represents the foundational underpinnings of Calhoun's argument in support of slavery in the territories as well as legal and constitutional secession itself. At the core of the argument in support of secession lies Calhoun's contention that according to history as well as the Constitution, the authority of a state permits it to legally secede from the Union. A state may be a member or a part of a common federal Union, but its membership does not exclude the sovereignty it possesses as a consequence of the authority delegated to it by the people. Because it did not give up that authority upon entering the Union, it is perfectly reasonable that they should act to maintain that authority when it is being openly threatened. That perfectly reasonable action is represented by secession. In other words, the state is greater than the Union, and can therefore exist on its own, altogether separate from the Union. Therefore, if the rights of the minority are no longer protected by the power of the majority, then the state has every legal and constitutional right to leave such a detrimental partnership and secede.

John C. Calhoun finishes his speech on the Oregon Bill by examining the philosophical cause.

If he should possess a philosophical turn of mind, and be disposed to look to more remote and recondite causes, he will trace it to a proposition which originated in a hypothetical truism, but which, as now expressed and now understood, is the most false and dangerous of all political errors. The proposition to which I allude, has become an axiom in the minds of a vast majority on both sides of the Atlantic, and is repeated daily from tongue to tongue, as an established and incontro-

vertible truth; it is, that "all men are born free and equal."<sup>30</sup>

Calhoun says this when he prophesizes what a future historian may say when explaining the cause of the failure of the American Union. Calhoun's argument represents the ultimate denial of that of which the Gettysburg Address is the ultimate affirmation.<sup>31</sup> The phrase Calhoun uses to describe the proposition is "all men are born free and equal." This is of course directly linked to the Declaration of Independence and the self-evident truth that "all men are created equal." But Calhoun does not quote the Declaration, but instead chooses the phrasing of the Massachusetts Bill of Rights, originally adopted in 1780, four years after the signing of the Declaration. John Adams was the writer of the Massachusetts constitution, the same man who convinced Jefferson to author the sacred Declaration, despite receiving an invitation from his future rival to author it himself. It is interesting to note that although both men express the self-evident truth differently, the differences are slight and do not change the meaning which that truth unveils. Even Calhoun admits this. "The form of expression [in the Declaration], though less dangerous, is not less erroneous."<sup>32</sup>

Calhoun begins his attack on the falsity of the phrase "all men are born free and equal." He breaks the proposition down and first attacks the notion that all men are born. "Men are not born. Infants are born. They grow to be men."<sup>33</sup> Calhoun attacks

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<sup>30</sup> *Ibid*, 565. Speech on the Oregon Bill, June 27, 1848.

<sup>31</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 406.

<sup>32</sup> John C. Calhoun, *Union and Liberty: The Political Philosophy of John C. Calhoun*, ed. Ross M. Lence (Indianapolis: Liberty Fund, 1992), 566. Speech on the Oregon Bill, June 27, 1848.

<sup>33</sup> *Ibid*, 565. Speech on the Oregon Bill, June 27, 1848.

the phrase as being historically inaccurate and therefore succeeds in convincing the southern people that he is right. Everyone knows that it is in fact the case that infants are born and that they grow to become men. The absurd simplicity of this claim is its genius, and no one can disagree with Calhoun on this matter. Everyone knows it and the simplicity with which Calhoun attacks the proposition is not meant to be humorous. He is completely serious and expects his listeners to understand that the phrase is inaccurate on its basic level. If it is wrong on its basic level, then it is the phrase itself which should not be taken seriously, not Calhoun's argument against it. He has taken the phrase "all men are born free and equal" and proved that men are not born, but we have not yet arrived at the crux of the matter. Calhoun is just warming up when he offers an argument against the first part of that phrase, because it is the part about being "free and equal" that primarily concerns him. Deconstructing the idea that men are in a state of perfect equality and freedom to one another is the last hurdle facing Calhoun in justifying legal and constitutional secession.

Calhoun makes an argument that is reflective of his contention that it is really infants that are born and not men. Although infants are born, they have the potential to become men by growing into one. They are not men right away, but instead must earn their manhood through the passage of time. Here we understand that all infants will eventually become men, and even Calhoun admits that the Negro infant will likewise become a man, because the only requirement is growth. Every infant, black as well as white, grows, and this means that the adult slave is a man. Therefore, according to Calhoun, the adult slave cannot be denied his humanity because he is indeed a man. As we can see, Calhoun did not use the popular argument that a slave has no rights

because he is not a man. Instead, he used the argument that despite his humanity, the slave cannot possess equality or freedom because of the condition in which he was born into and can never escape. Infants do not have to do anything to eventually become men. Men, on the other hand, must grow to equality and freedom through the employment of their own individual faculties, capacities, and abilities. In other words, infants do not earn manliness, but men must earn their freedom.

They are not born free. While infants they are incapable of freedom, being destitute alike of the capacity of thinking and acting, without which there can be no freedom. Besides, they are necessarily born subject to their parents, and remain so among all people, savage and civilized, until the development of their intellect and physical capacity enables them to take care of themselves. They grow to all the freedom of which the condition in which they were born permits, by growing to be men. Nor is it less false that they are born "equal."<sup>34</sup>

There is nothing that a slave can do to earn equality because his condition negates even the possibility. Because he is born a slave he lacks the political fitness either to acquire or maintain these rights, and there is nothing he can do to change this fact because he cannot change who he is. His intellectual and moral condition is altogether opposed to the notion of individual liberty because it is "the noble and highest reward bestowed on mental and moral development."<sup>35</sup> Men cannot be born free and equal, but instead they must earn it and Calhoun tells us that

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<sup>34</sup> *Ibid*, 565-6. Speech on the Oregon Bill, June 27, 1848.

<sup>35</sup> *Ibid*, 569. Speech on the Oregon Bill, June 27, 1848.

they are the “high prizes to be won” and “the highest reward that can be bestowed on our race, but the most difficult to be won – and when won, the most difficult to be preserved.”<sup>36</sup> Because the prize of liberty is so high, and the condition of the Negro is so low, the two can never meet on common ground given the juxtaposition of the two. The slave can never be free, and to suggest that he can represents what Calhoun called “the most dangerous of all political errors.”<sup>37</sup>

## THE CASE FOR LINCOLN: GETTYSBURG

*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.*  
- Abraham Lincoln

The first six words that Lincoln uses to begin the Gettysburg Address are an acknowledgment of time. “Four score and seven years ago.” He delivers this speech to dedicate the national cemetery at Gettysburg in 1863, as the Civil War is still raging around him. He is standing on “a great battle-field of that war,” a battlefield where Union men had fought and died, and Lincoln knew that nothing could be said or done to add or subtract from the meaning of that sacrifice. What he does know is that he can remind us why those men died, and what they are all fighting for.

More than two years have already passed since the beginning of the war, and the timing of Gettysburg means something

to Lincoln. In the middle of the war, in the middle of remembering the dead, Lincoln does not begin by doing what may have been expected of him. He does not begin his address by looking forward. He begins by looking backwards. There is evidently something in the nature of the current war that is reminiscent of another time in the country’s past. There is something that we can learn from the past and apply to the present. Lincoln remembers (and forces us to remember) the War for Independence. The first war America fought needs to mean something for those living during the Civil War, because if it does not mean anything to them, then the men who died at Gettysburg died in vain.

The two wars share a common bond that time is starting to break. As time passes, memories fade. At the time of the Gettysburg Address, the Revolution has faded from the memories of nearly everyone simply because they were not alive in 1776. The simple fact that they were not alive leaves them without something that their fathers had. They are far removed from the Founding, and therefore they do not see it as their ancestors did. Lincoln hopes to make them more aware, more focused, on what the Revolution meant not only for those long dead, but for them today living in the age of civil war.

The meaning of the sacrifice made at Gettysburg in 1863 shares a common bond with what happened in 1776. Men fought and died in both wars. They still plow the same earth and live in the same homes. They still speak the same language and pray to the same God. This relationship is still strong between the two generations, but it is not what is most important. It is not what binds the two separate generations and makes them all Americans. What is most important, according to Lincoln, is that both generations have the same beliefs. If the beliefs of Americans have changed, or if

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<sup>36</sup> *Ibid*, 569. Speech on the Oregon Bill, June 27, 1848.

<sup>37</sup> *Ibid*, 569. Speech on the Oregon Bill, June 27, 1848.

those beliefs are threatened with extinction, then they are not the same people they once were. We can act just like our parents, and we can say the exact same things we remember them saying. But if we do not remember how they thought or what they valued, we can never do what they did in gaining their independence. The resolve and the spirit of the Revolution were founded in the thoughts and minds of the people. What America was fighting for is what made the struggle for Independence significant. It is what made that struggle remembered. But now, eighty-seven years later, Americans are starting to forget the meaning of 1776. The southern half of the country has already not only rejected those past beliefs, but has continued to wage a war against them. Alexander Stephens, the Vice-President of the Confederacy and a former Whig and one-time friend of Lincoln, announced in March 1861, “Those ideas [found in the Declaration], however, were fundamentally wrong. They rested upon the assumption of the equality of the races. This was an error. It was a sandy foundation, and the idea of a government built upon it; when the storm came and the wind blew, it fell.”<sup>38</sup> The South has forgotten, but for justice to be done, it must be the sacred obligation of the northern half of the country to force themselves to remember why they are fighting. That is Lincoln’s purpose with the Gettysburg Address – to remind the people what 1863 and 1776 have in common.

If those fighting the Civil War do not remember the Revolution, they cannot win. They cannot win, as Lincoln will tell them two years later, “With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right...to bind up the nation’s wounds...to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all

nations.”<sup>39</sup> The message of the Second Inaugural will not be manifest unless the people understand what is said at Gettysburg. Victory in battle has little meaning if we do not remember where we have come from and why we are fighting. Even if the war is won, and the south is forced into reconciliation, it will have no meaning unless those fighting in 1863 possess the same spirit as those who fought in 1776. An argument prevalent among the Southern ranks was that the Civil War was their “second war for independence.” They believed that they were fighting for the same thing as they had long ago. Lincoln did not believe it, but he did know that a link did in fact exist between the two wars. The South had got it wrong. And the North was missing it.

Lincoln is not necessarily trying to introduce the people to an idea that they have never heard before, for he knows that they all know it, but perhaps have only failed to remember it. To force us to remember it, as Lincoln is standing at Gettysburg in 1863, he takes us back away from that time and turns our minds to another object. He comes before the people who think he will talk about the current war. But he does not do that, and instead immediately starts talking about a war eighty-seven years old. He lays the Civil War aside for the moment and chooses instead to focus his efforts on examining the significance of the Revolution and sharing it with the people. But perhaps the two causes are not as far apart or as different as time makes them out to be.

Lincoln begins by saying, “Four score and seven years ago.” He does not say “Eighty seven years ago,” and he does not say “In 1776.” There’s a Biblical allusion

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<sup>38</sup> Alexander Stephens, *The Cornerstone Speech*.

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<sup>39</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 793. Second Inaugural Address, March 4, 1865.

here, back to Psalms 90, and Lincoln observes that the time since 1776 exceeds the period of the allotted lifetime of man. He uses the same language as the Psalm: “The days of our years are threescore years and ten; and if by reason of strength they be fourscore years, yet is their strength labour and sorrow; for it is soon cut off, and we fly away.”<sup>40</sup> The Founding generation has, for the most part, been cut off and flown away. They are gone, and the men of Lincoln’s generation have taken their place. It is now up to them to reclaim, to refound, in 1863 what has been lost since the birth of the Union.

What America is in danger of losing is the principle behind the Revolution. The principle in the Declaration of Independence, “that all men are created equal.” During the Founding era, there did not exist one single individual in the North or the South who believed that the slave was not a human being and possessed the same unalienable rights as his white master. Even Alexander Stephens openly admits this fact in the Cornerstone Speech:

This truth [the inequality of the negro] has been slow in the process of its development, like all other truths in the various departments of science. It has been so, even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics.<sup>41</sup>

Therefore, the equality principle in the Declaration was known by everyone and accepted by everyone at the time of the

Founding and even “as late as twenty years” before the start of the Civil War. It united the men fighting for their independence in 1776 with a common strength, a shared purpose. They all believed it, and therefore fought vehemently to secure it. When Lincoln is standing in Gettysburg, however, the equality of man has been rejected by the South, and a war is being waged against that very principle. The principle behind the Revolution itself is currently at stake and, as an immediate consequence, threatens the very existence of the Union. Stephens again articulates the nature of that threat:

Our new government is founded upon exactly the opposite idea [to the idea of equality in the Declaration]; its foundations are laid, its corner stone rests upon the great truth that the negro is not equal to the white man. That slavery – subordination to the superior race, is his natural and normal condition. This, our new Government, is the first, in the history of the world, based upon this great physical and moral truth.<sup>42</sup>

The Union has at its very core the principle of equality to all – the same principle that Stephens says is directly opposed to the “new government” of the South. The principle of equality, however, is what the Union stands for and why it is worth defending with a “bloody Civil War.” Nothing is more important than that principle, because if it ceases to exist, then the entire Union crumbles along with it. The principle of equality is the purpose of the Union. And securing that principle is the purpose of government. The federal government therefore has the power to keep the southern states from seceding because their doing so threatens the existence of the Union. They cannot leave without doing so

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<sup>40</sup> *Holy Bible* (King James Version), Psalm 90:10.

<sup>41</sup> Alexander Stephens, *The Cornerstone Speech*.

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<sup>42</sup> *Ibid.* *The Cornerstone Speech*.

and must of necessity remain as a part of the whole. That is why the constitutional responsibility and sacred duty of the federal government was to keep the southern states from seceding. The only thing that could justify this horrible Civil War was if it was fought to save the Union and to secure the principle behind it.

The Union and the principle of equality are inseparable and cannot be understood apart from one another. If the North loses, then everything that the nation had fought to achieve would also be lost. If the North loses, then the Revolution would have all been for naught. In order to keep alive the spirit of the Revolution, in order to prove that the Revolution was worth the sacrifice, in order to prove why we fought the Revolution, the North had to win the war. That is why reminding the people of a time “Four score and seven years ago” is so important. Nothing is more significant than keeping the Union together if only to justify the principle of equality to all. That goal is even more important than abolishing slavery itself. In a letter to Horace Greely, editor of the New York Tribune, on August 22, 1862, Lincoln says, “If I could save the Union without freeing *any* slave I would do it, and if I could save it by freeing *all* the slaves, I would do it; and if I could save it by freeing some and leaving others alone I would also do that.”<sup>43</sup> This highly criticized, and often misunderstood, quote of Lincoln’s tells us why America is fighting this war. And the first six words of the Gettysburg Address tell us why the sacrifice is worthy of the cause.

America is fighting the Civil War in order to return the meaning of the Union to its proper and significant status. The survival of the Union is at stake, not only

because the southern portion of the nation has taken up arms against it, but because the principle behind the Union is being threatened. Securing that principle against the arms of those who wish to destroy it is why America fought the War for Independence and why it is necessary to continue that fight eighty-seven years later. The Union must not only survive, but it must survive with that principle intact, because the Union only becomes “worthy of the saving”<sup>44</sup> if that principle can be safely secured. Without the principle of equality as its moral sheet anchor, the Union ceases to be one whole body with one shared purpose as its cause. If the principle is forfeited, then the Union ceases to be what it has always been since the signing of the Declaration. In other words, the Union exists and has a purpose only by virtue of the principle, and the Civil War represents the struggle to save that principle.

Now, my friends, can this country be saved upon that basis [the sentiment in the Declaration]? If it can, I will consider myself one of the happiest men in the world, if I can help to save it. If it cannot be saved upon that principle, it will be truly awful. But if this country cannot be saved without giving up that principle, I was about to say I would rather be assassinated on this spot than surrender it.<sup>45</sup>

If the principle of human equality is what makes the Union sacred and worthy of fighting a great Civil War, then it seems reasonable to assert that Lincoln should free all of the slaves in order to put that principle into practice. It is clear that the proper application of equality is a permanent

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<sup>43</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 652. Letter to Horace Greely, August 22, 1862.

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<sup>44</sup> *Ibid*, 315. The Repeal of the Missouri Compromise, October 16, 1854.

<sup>45</sup> *Ibid*, 577. Address in Independence Hall, Philadelphia. February 22, 1861.

negation to the practice of slavery. In other words, slavery and equality cannot coexist. Although it is certain that slavery impedes equality, we know that Lincoln would not free any slaves if that freedom would compromise the existence of the Union. This has been a great criticism of Lincoln throughout history, and one which extends primarily from his letter to Horace Greely cited above. Those critics of Lincoln act out of a concern for the perfect and proper application of the principle rather than a concern over what will kill that principle outright, entirely, permanently, and forever.

Lincoln's reasoning for promoting the Union over the abolishment of slavery is based on a prudence that has remained hidden from those who continue to find fault with him over this issue. "Many critics have held that this proves that in the decisive moment, Lincoln subordinated morality (antislavery) to an amoral national interest (Union)."<sup>46</sup> Their claim is that if Lincoln valued the principle of equality as much as he said he did, then freeing the slaves should have been his primary obligation in order to create the ends for which that principle was established. In their minds, Lincoln agrees with the theory of equality, but will not apply that theory to reality and require the total abolishment of slavery. But Lincoln's ultimate concern was to preserve the principles of the Declaration, and his critics misunderstand the different aspects of this one sovereign purpose.<sup>47</sup> In other words, preserving the Union and placing slavery in the course of ultimate extinction were two indissoluble parts of one unchanging and permanent purpose. They were not separate and distinct in and of themselves, so one could not be sacrificed in favor of the other without also sacrificing the proposition that all men are created equal. They were

indistinguishable in Lincoln's mind, and his public letter to Horace Greely reflects "his own judgment as to where it was prudent to place the emphasis at any given moment."<sup>48</sup>

Lincoln believed that slavery and equality could coexist peacefully, albeit not forever. The first evidence we have of Lincoln struggling with this question comes from a letter to George Robertson dated August 15, 1855: "Our political problem now is 'Can we, as a nation, continue together permanently – forever – half slave, and half free?' The problem is too mighty for me. May God, in his mercy, superintend the solution."<sup>49</sup> Lincoln comes back to this political problem three years later, and it seems that it was not so much the yes or no answer that was "too mighty" for him, as it was finding the proper solution for fixing it. Lincoln again wrestles with this question during a speech at Springfield, Illinois at the closing of the Republican State Convention on June 16, 1858. More commonly and properly known as the "House Divided" speech, it is here that Lincoln gives his response to the question he first raised in the letter to Robertson.

A house divided against itself cannot stand. I believe this government cannot endure, permanently half slave and half free. 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. Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in course of ultimate extinction; or its advocates will push it forward, till it shall become

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<sup>46</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 250.

<sup>47</sup> *Ibid*, 250.

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<sup>48</sup> *Ibid*, 250.

<sup>49</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 331. Letter to George Robertson, August 15, 1855.

alike lawful in all States, old as well as new – North as well as South.<sup>50</sup>

Slavery and the principle of equality had each existed together in America for eighty-seven years by the time Lincoln delivers the Gettysburg Address. The two had survived together for that entire time, but the political problems this caused proved that they could not do so forever. The chief problem dealing with the relationship between slavery and the principle of equality was that one was continually trying to rule the other, and was arresting the people's belief in the one for the sake of the other. Slavery had taken such a hold on the public mind that the people began to think that it was right and ought to be extended. Slavery was no longer on its way to ultimate extinction because those people primarily located in the southern portion of the nation had convinced themselves and their neighbors that they no longer had anything in common with those people primarily located in the northern portion of the nation. Slavery made the two halves different and threatened to destroy that sacred bond which had made them similar for so many years. The people in the north and the south no longer had the principles of equality and liberty in common anymore due to the extension of the institution of slavery. That practice threatened the existence of the principle, and the Civil War was the result.

What made the peaceful coexistence of slavery and the principle of equality possible for all those years leading up to the Civil War was the existence of the Union itself. It was a harmonizing and reconciling force which had equality for all as its purpose and saw the eventual extinction of slavery as a very important means for attaining that end. At the time of the

Founding, the Union represented equality, because everyone – white, black, male, female, rich, poor – was declared to be created equal and “endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of happiness.”<sup>51</sup> Lincoln makes similar remarks in a speech on the Dred Scott decision delivered at Springfield, Illinois on June 26, 1857 (Lincoln would later again quote this same passage more than a year later during his final debate with Stephen Douglas):

I think the authors of that notable instrument intended to include all men, but they did not mean to declare all men equal in all respects. They did not mean to say all men were equal in color, size, intellect, moral development or social capacity. They defined with tolerable distinctness in what they did consider all men created equal – equal in certain unalienable rights, among which are life, liberty, and the pursuit of happiness. This they said, and this they meant. 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...They meant simply to declare the right so that the enforcement of it might follow as fast as circumstances should permit.<sup>52</sup>

No one claimed that slavery was right in principle, and the public mind rested confidently in the idea that slavery was in the course of ultimate extinction. Some of those living at the time of the Founding condemned the practice of slavery and

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<sup>50</sup> *Ibid*, 372-3. A House Divided Speech, June 16, 1858.

<sup>51</sup> Declaration of Independence, Paragraph 2.

<sup>52</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 360-1. The Dred Scott Decision: Speech at Springfield, Illinois, June 26, 1857.

hoped to confine it for the time being, while setting forces into motion that would eventually destroy it forever. The Union then still represented a liberty-loving people who were obliged to tolerate the institution of slavery. Lincoln says in his seventh and last debate with Stephen Douglas at Alton, Illinois on October 15, 1858:

[T]he fathers of the Government expected and intended the institution of slavery to come to an end. They expected and intended that it should be in the course of ultimate extinction ...The exact truth is, that they found the institution existing among us, and they left it as they found it. But in making the government they left this institution with many clear marks of disapprobation upon it. They found slavery among them and they left it among them because of the difficulty – the absolute impossibility of its immediate removal.<sup>53</sup>

If the Union remained together as a whole, then slavery would eventually meet the prophetic end that the Founders had wished and designed. The Union could only remain together as a whole, however, if Americans continued to believe in the principles of the Declaration. The ultimate extinction of slavery required that the public mind continue to rest in the conclusion that slavery should only be tolerated by necessity as a temporary evil where it exists because the institution would not go away by itself. But instead of a whole people believing in the moral wrongness of slavery and working toward its eventual abolishment by limiting its expansion, the time between the end of

the Revolution and the beginning of the Civil War saw some people who had an interest in it argue that not only was the institution a necessity, but that it was also “right, and ought to be extended.”<sup>54</sup> In other words, when the Union is whole, when all Americans possess the same beliefs, slavery and the principle of equality could peacefully coexist for the time being. But when that Union became weak and fragmented by those arguing in support of the moral rightness of slavery, the total breakdown of the principle was at risk. It was then that Americans could either choose to give up the institution of slavery and fully embrace the Founding principle, or they could choose to promote slavery by rejecting equality. In other words, a crossroads appeared, and slavery and equality could no longer coexist together. The nation must choose one or the other, leaving behind either slavery or equality forever, and nothing less than the future of the Union was at stake. The North chose the principle. The South chose slavery. The war that followed would determine the winner. The Union was weak, and only a bloody Civil War could complete what the Founders had intended and expected for the future of their nation, thereby creating a stronger Union than that which had existed since the Founding. The Civil War fulfilled and refounded the antislavery promise of the Founders because it broke the bonds of slavery, secured the Union and, along with it, the precious principle of equality to all.

Lincoln continues to use the Gettysburg Address to take his audience back in time to the Founding era in an effort to shape the peoples’ understanding of the American Union. His concern is to make

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<sup>53</sup> Abraham Lincoln, *Collected Works*, ed. Roy P. Basler (New Brunswick, New Jersey: Rutgers University Press, 1953), vol. III, p. 307-8. Seventh and Last Debate with Stephen A. Douglas at Alton, Illinois, October 15, 1858.

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<sup>54</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 568. Letter to A.H. Stephens, December 22, 1860.

the people more keenly aware of the creation of the nation, a founding effort that demanded the conception of the principle by the Fathers. In other words, Lincoln tells a story about the birth of the Union. His appeal is to the men who gave birth to the nation so that we may see the Union as they did. The current generation that is listening to Lincoln at Gettysburg represents the children of the Union, and Lincoln wants them to understand the forging made by the original Fathers in order to give to them the current Union. Our American Founders fathered this country, giving to it a meaning and a purpose that it did not have before. Now that that meaning has come under fire, Lincoln encourages the people to understand the origin of the nation and how our Fathers created that thing for which we are fighting and dying for in 1863.

To force the people to understand the nature of the Union, Lincoln tells them, “[O]ur fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.” There seems to be another Biblical allusion here because the language Lincoln uses to appeal to the American Fathers is reminiscent of the language that Christ taught his disciples to use to appeal to the supreme Father in heaven. The Lord’s Prayer begins, “Our Father which art in heaven, Hallowed be thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven.”<sup>55</sup> The prayer that Christ instructs his people, as Christians, to use is directed towards God the Father, and the words that Lincoln uses to instruct his people, as Americans, is directed towards the Founders. There is a similar purpose to each. The Lord’s Prayer is a way for sinners on earth to appeal to their Creator in Heaven so that they may

better understand His will and become more Christ-like. The Gettysburg Address is a way for the American people, who are in danger of losing the principle of the Founding, to appeal to their Founding Fathers so that they may better understand their political thought and become more like them in their recognition of the nature of the Union.

I do not mean to say that Lincoln’s Gettysburg Address is a prayer or that it is directed towards God as an appeal to Heaven. I do not mean to say that the Gettysburg Address is formulaic in its relationship to the Lord’s Prayer. In other words, I believe there are similarities between the two, but that relationship is not a perfect one. They are two different speeches that are directed towards two different objects for two different ends. I have seen no evidence to suggest that Lincoln even used the language of the Lord’s Prayer to structure his speech at Gettysburg. However, it is the similarity of the language that suggests a connection between the two, a connection that teaches us something about how Lincoln viewed the Union and how he wanted God’s “almost chosen people”<sup>56</sup> to understand the Founding era. My goal is to describe what Lincoln meant, and I think we can come closer to that meaning if we examine his Gettysburg Address with an eye to the Lord’s Prayer.

Lincoln refers to the Founders as “our fathers,” to illustrate their role as the creators of the American Union. They gave birth to the Republic as they gave birth to their sons, those men who are currently fighting for the survival of the Union. As the Founders fought to create the Union, their sons are fighting to save it. In other

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<sup>55</sup> *Holy Bible* (King James Version), Matthew 6: 9-10.

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<sup>56</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 575. Address to the Senate of New Jersey, February 21, 1861.

words, one creation is fighting to save the other. However, not only did the Founders give birth to sons, but they also gave birth to the Union, giving to it the precious principle of equality. Lincoln creates a generational link between the men of the Revolution and the men of the Civil War in order to illustrate what we must do to secure what our fathers have given us. The father and the son share something in common, but it is not so much blood as it is a shared purpose to secure the principle of equality to all. The Founders have given their children something that must not only be protected by them, but must also be nurtured and advanced by them as well. In other words, the Founders gave birth to a principle that could only grow with the help of the preceding generations. That growth has been hindered with the advancement of slavery, and the sons must become the fathers in order to do what their birth as Americans demands.

Lincoln refers to the Founders as “our fathers,” as Christians refer to God as “Our Father” in the Lord’s Prayer. God is referred to here as a singular, holy being who is the Father of the whole human race. Lincoln is not referring to God, or even a divine being, at the beginning of the Gettysburg Address. He instead refers to a creator who is distinctly human - the several Founding Fathers, those once living, but now dead, human beings who created the Union and the principle behind it. It is their role as creator that links the Founders to the Christian God in the Gettysburg Address. In other words, the Founders gave birth to a nation as God gave birth to a race. Both the prayer and the address are an appeal to a creator, either that holy being or those imperfect men who can aid us in our current struggle. Men may pray toward God to intercede in their lives as Lincoln encourages Americans to look toward the Founders to intercede in their political

thought. As God may save the people from their sins, so the Founders may save the people from abandoning their principles.

The Founders gave birth to a nation, a people, and a principle, all of which were new and exclusively American in nature. In other words, as Lincoln tells us, the art of the creation was rooted in the conception of liberty. Neither the nation, nor the people, nor the principle existed before the Founding, and all of them have continued to exist to this day. This does not mean, however, that their existence has never been threatened. The Civil War, in the very least, teaches us that fact. But while Lincoln is standing at Gettysburg, delivering this address, he acknowledges those people whose lives have not only been threatened, but also recently extinguished. Death surrounds this war as it surrounds Lincoln on November 19<sup>th</sup>, 1863. He was there at Gettysburg to dedicate a cemetery, an honored testament to the glorious dead. The Battle of Gettysburg was over, but the Civil War continues to tear a nation in two. Lincoln speaks to honor the dead, but he does not begin his address by talking about death. Instead, he gives meaning to death by talking about the most significant birth in the country’s history – namely, the birth of the Union itself.

The Founding Fathers gave birth to a principle that would itself eventually give birth to the Civil War. The new nation of America was, as Lincoln says, “conceived in liberty, and dedicated to the proposition that all men are created equal.” Our American fathers laid with a land that conceived, nurtured, and eventually gave birth, through liberty, to an everlasting principle. When our fathers came to America from England, they brought with them, as a liberty-loving people, a belief in equality to all. But the Union was not born simply out of the existence of a liberty-loving people living in a land far from home. Nor was it born

simply out of the fact that the people carried with them a belief in equality. There had to be an act of conception, a connection that created a bond between people and principle. The result would be the “new nation” that Lincoln refers to at Gettysburg. A sacred dedication to that principle, through an establishment of free government upon that principle, would create a new nation of human beings with one new purpose. In other words, the nation could only be conceived in liberty by a permanent dedication to the principles articulated in the Declaration of Independence.

Liberty-loving men “brought forth on this continent” that which gave rise to the principle that would be put to the test years later at the cost of a Civil War. When the first American colonists appeared, the land they harvested was just being sewn with the seeds of liberty. Not until 1776, and the advent of the Founding generation, did those seeds bring forth revolutionary fruits. America’s founding principle was born on that day in Philadelphia in 1776, and the land ceased to be merely a “continent,” as Lincoln calls it. When the American people declared their Independence from Great Britain and founded their newborn country upon the principle of equality, their very purpose as a people and as a nation changed. They became a whole people, united through the direction of their souls and their minds, toward a purpose that had often been expressed in word and in deed before, but never in terms of an end or a meaning for political society.

The American colonists believed in liberty, they believed in equality before the Revolution, but it did not become the collected political purpose of their nation until 1776. When the Founders dedicated their lives, their fortunes, and their sacred honor to the Declaration, their shared purpose for their new country became the very principle that they were fighting to

defend. In that year, a new nation was formed called America, by a new people called Americans, whose thoughts and ideas expressed an innate love of liberty and a resolved dedication to equality. While Americans were living here, but before it became American in nature, this land was merely a continent, lacking purpose and meaning. With the signing of the Declaration, however, that continent became “a new nation” that would forever be different from its original due to that which was at its center – a principle that came miraculously forth from the conception of liberty by the human mind.

The Lord’s Prayer is directed toward our divine Father “who art in heaven” as Lincoln’s Address is directed toward our Founding Fathers who resided “on this continent” four score and seven years ago. These two phrases seem to illustrate where we are addressing ourselves – we either look toward heaven or we look toward history. In other words, God resides in heaven as the Founders once resided in this land called America, but who now only reside in our memory of history. But the Founders themselves are not merely inside of time and history; for the principles they expressed in the Declaration are constant and forever, outside the bounds of time and a part of nature. Therefore, Lincoln is appealing to history and to nature so that his audience may better understand the self-evident universal principle that is outside time. Although the Founders are long dead, and Lincoln can no longer appeal directly to them, he can, however, direct his listeners to the memory that the Founders left behind and direct their minds to that universal object that they are in danger of losing. An appeal to heaven is a direct appeal to nature, to a God that is constant and also outside time, but whom we can humbly approach in prayer. Lincoln’s appeal to the Founding era encourages the people to examine

history and nature to better understand why they are fighting this bloody Civil War. Both represent an appeal to that which is greater than ourselves in an effort to reclaim what has been lost. As sinners, we have lost the grace of God through the fall of mankind, and we can only reclaim God's original purpose for us through his son Jesus Christ. As people living in an era of Civil War, we are in danger of losing the precious principle of equality through the disintegration of the Union, and we can only reclaim the Founders' original purpose for the nation through understanding what Lincoln expresses in the Gettysburg Address.

Lincoln says that America's Founding fathers were "dedicated to the proposition that all men are created equal." By using the word proposition, Lincoln might seem to be implying that there was doubt in the minds of the Founders as to the accuracy or the legitimacy of the principle of equality. But the Declaration of Independence tells us that the Fathers held "these truths self-evident, that all men are created equal." If the Founders understood the principle as both a "truth" and, more importantly, as a "self-evident" truth, then this necessarily negates the notion that they questioned whether or not the principle was true. Instead, Lincoln uses the word proposition to describe the public mind during his own time, and not that of the Founding era. In other words, when Lincoln describes the principle of equality as a proposition, he is criticizing those of his own era who have failed to live up to the thinking of the Founding Fathers.

Lincoln used the word proposition because that word implies that not everyone accepted the principle of equality at the time of the Civil War. A proposition can be believed to be true by some people and can be believed to be false by other people. It is a proposal that is still up for debate because

its accuracy is undecided. Lincoln used the word proposition to describe the phrase "all men are created equal" because the public mind no longer rested in the opinion that that phrase was true. The self-evident truth of the equality of man had now come into question.

The people living during the Civil War no longer understand the principle of equality as a self-evident truth as the Founders did. Everyone knew and accepted the principle of equality during the Founding era. The Fathers of the country were always the begetters of the principle, the families of the country always preserved the principle, the soldiers of the country always fought for the principle, and the framers of the Constitution tried their best to draft the principle into that historic document. In other words, the Fathers always believed in the moral rightness of the principle as Americans always supported the perpetuation of the principle. There was no debate, therefore, as to its accuracy because everyone accepted it as the truth. There was no doubt in their minds that the principle of equality was right and good altogether, and Lincoln knew their thoughts, partly because they were his own but mostly because they were right.

They [the fathers who issued the Declaration] meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere.<sup>57</sup>

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<sup>57</sup> *Ibid*, 361. The Dred Scott Decision: Speech at Springfield, Illinois, June 26, 1857.

Lincoln understood that America was a nation trying desperately to live up to the “standard maxim” in which it was conceived. The Civil War represented that desperate struggle, as America tried to prove the moral rightness of the principle by forcing the public mind out of the notion that the principle was merely a proposition and returning it to its original and proper place as a truth.

Our Declaration of Independence was held sacred by all, and thought to include all; but now, to make the bondage of the negro universal and eternal, it is assailed, and sneered at, and construed, and hawked at, and torn, till if its framers could rise from their graves, they would not at all recognize it.<sup>58</sup>

Slavery is now being justified and aggressively pursued by interest, instead of being tolerated by necessity as it was at the time of the Founding. Lincoln uses the Gettysburg Address as a part of that struggle to enlighten the people to peacefully accept what the Founding generation had always known. Because the present generation has a bias to overcome that has grown in their minds since 1776 regarding the truthfulness of the principle, the task before Lincoln and the nation is, as Lincoln himself said, “greater than that which rested upon Washington.”<sup>59</sup>

The task before Lincoln and the nation was greater because they would have to change the public mind and reformulate it to be both more like that of the Founding era, but also different from it. The public mind must be transformed because, as Lincoln said earlier in August, 1858, in the

First Debate with Stephen Douglas at Ottawa, Illinois, “[P]ublic sentiment is everything. With [it], nothing can fail; without it, nothing can succeed.”<sup>60</sup> The people must come to understand the principle as the Founders did (i.e. as a self-evident truth instead of a proposition), which means that the people must understand the principle as their fathers did. As Lincoln later said, the people must see the principle in the Declaration as “an electric cord...that links the hearts of patriotic and liberty-loving men together, that will link those patriotic hearts as long as the love of freedom exists in the minds of men throughout the world.”<sup>61</sup> But that principle is no longer an electric cord for all people, because some of those living at the time of the Civil War have changed their minds, sacrificing their love of freedom in exchange for a love of slavery, or at least not caring “whether slavery be voted down or voted up.”<sup>62</sup>

The minds of the people must not only change to be more like their original, but they must also achieve something that would make them distinctly different from their fathers as well. The people must survive the empirical test that the principle is in fact a qualified law of nature. In other words, the proposition has to be proven to be true. If they survive that test, given to them in the form of a Civil War and the challenge of Lincoln at Gettysburg, then the principle itself must thereafter survive inherently in the workings of society. The implementation of the principle would be a realization that was never achieved by the Founding era. In other words, the nation that the Fathers conceived in liberty by its

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<sup>58</sup> *Ibid*, 359. The Dred Scott Decision: Speech at Springfield, Illinois, June 26, 1857.

<sup>59</sup> *Ibid*, 568. Farewell Address at Springfield, Illinois, February 11, 1861.

<sup>60</sup> *Ibid*, 458. First Debate, at Ottawa, Illinois, August 21, 1858.

<sup>61</sup> *Ibid*, 402. Speech in Reply to Douglas at Chicago, Illinois, July 10, 1858.

<sup>62</sup> *Ibid*, 375. A House Divided Speech, June 16, 1858.

dedication to the proposition in the Declaration must test the survivability of that proposition through a fantastic struggle in the real world. While Lincoln is speaking at Gettysburg, the public mind is in worse shape than it was during the Founding. But if the people accept the meaning of Lincoln's Gettysburg Address, then the public mind will not only be just as good as it was at the Founding, but it would in fact be better than it ever was before.

Lincoln hopes to reclaim what has been lost through the progression of time since the Founding. Americans were now faced with this bloody Civil War because they had turned their backs on that "abstract truth, applicable to all men and all times."<sup>63</sup> The abandonment of this defining axiom was seen throughout the country, but particularly in the South where it was called "a self-evident lie" by Alexander Stephens, Vice-President of the Confederacy.<sup>64</sup> Others argued that the principle of equality was applicable only to "superior races" or was, in fact, a "positive good" that was naturally beneficial for both the white and the black man, and ought to be extended, strengthened, and perpetuated throughout the territories and into the states to be formed from those territories. Lincoln, and the other members of the newly organized Republican Party, stood in opposition to this change in public opinion and rooted their political thought and public policy in the belief that slavery was a great moral wrong and should be prevented by law from being introduced into any of the newly organized territories or any state where it had not yet established a stranglehold. Lincoln's purpose, in reminding the people of a time "four score and seven years ago," is to reestablish the original understanding of the forgotten principle in the public mind so that the Union may be returned to its proper and

original standing. In other words, the planned purpose of the Union was in danger of collapse, and it could only be saved if the current generation could conform their minds and their souls to that original purpose of the Founders.

A similar purpose, a similar plea, for the human race can be found, in part, in the introduction to the Lord's Prayer. "Thy kingdom come, thy will be done, on earth as it is in heaven." Human beings, as the fallen creation of Almighty God, recognize the perpetual state of our sinfulness, and pray to God that He may reclaim us as His own through His son Jesus Christ. Our prayer is that the establishment of "a new nation" here on earth may fulfill our lost, but original, purpose. This is not to say that America is God's kingdom on earth (as Lincoln said that Americans were God's "almost chosen people"), but that "a new heaven and a new earth"<sup>65</sup> may one day be established in His name. The Lord's Prayer is an appeal to this end, an appeal that seeks to reclaim our original purpose that was lost through the fall. Our prayer is conformity to God's will "on earth as it is in heaven," so that we may no longer be what we are, but instead become what was intended for us. So too the Gettysburg Address, insofar as we seek to reclaim the lost principle of the Founding. We are not what we once were, but desire to be saved from our transgressions. The chief difference is that only God can save us from our sins and only God can reestablish His heavenly kingdom. We play no role, save as obedient servants to that will. However, as an American nation, trying to reclaim the principle of equality through a bloody Civil War and the transformation of our political minds, we are the chief architects of the eventual result. We fight, we die, and we change our minds to better ourselves as a people and as a nation. God's will reigns and determines the

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<sup>63</sup> *Ibid*, 489. Letter to H.L. Pierce, April 6, 1859.

<sup>64</sup> Alexander Stephens, *The Cornerstone Speech*.

<sup>65</sup> *Holy Bible* (King James Version), Revelation 21:1.

course of this war, yet we alone may answer the question whether this nation still cherishes the faith in which it was conceived and raised, and does it still hold those truths to be self-evident?

## **THE CASE FOR LINCOLN: THE PHILOSOPHICAL CAUSE**

The transformation in public opinion that Lincoln is fighting against in the Gettysburg Address and what the North is fighting against in the Civil War not only effected how the South saw slavery and the principle of equality, but it also effected how those same people understood the nature of the Union itself. Lincoln attacks the Southern claim to a constitutional right of secession by claiming that there is nothing sacred about a state.

By the way, in what consists the special sacredness of a State? I speak not of the position assigned to a State in the Union by the Constitution, for that by the bond we all recognize. That position, however, a State cannot carry out of the Union with it. I speak of that assumed primary right of a State to rule all which is less than itself, and to ruin all which is larger than itself.<sup>66</sup>

The ingenious sophism of the Confederacy was “lawful secession,” and this idea is based primarily in the political philosophy of John C. Calhoun. Lincoln, however, combats that romantic ideology with an understanding of the nature of the Union that claims the high echelon of reason and the universal ground of right through a

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<sup>66</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 572. Speech at Indianapolis, Indiana, February 11, 1861.

knowledge of the nation’s philosophical cause.

Lincoln’s argument advancing the philosophical cause is in response to John C. Calhoun’s contention that this “hypothetical truism”<sup>67</sup> does not exist. Because Calhoun denies the doctrine of natural rights, Lincoln not only creates a philosophical argument, but he also lays out an historical argument, seen especially in his Message to Congress in Special Session. Lincoln is addressing Congress to respond to allegations that he has acted in a way contrary to his Constitutional powers as President. From the very beginning of his speech, Lincoln points out that everything he has done thus far, including raising an army, funding a war, calling forth the militia, ordering a blockade of southern ports, and suspending the writ of habeas corpus, have all been done legally and Constitutionally. In other words, Lincoln uses the Constitution to prove that he has not broken any part of the Constitution. He begins his speech by saying, “Having been convened on an extraordinary occasion, as authorized by the Constitution, your attention is not called to any ordinary subject of legislation.”<sup>68</sup> Here we see right away that Lincoln brings special attention to the fact that he has the power to call forth the Congress to special session because the Constitution expressly gives him the power to do so. The first half of this speech will be a defense of his administration, fully thwarting all attacks against him that he has acted contrary to his powers as Chief Executive and fully embracing his duty to uphold the

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<sup>67</sup> John C. Calhoun, *Union and Liberty: The Political Philosophy of John C. Calhoun*, ed. Ross M. Lence (Indianapolis: Liberty Fund, 1992), 565. Speech on the Oregon Bill, June 27, 1848.

<sup>68</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 594. Message to Congress in Special Session, July 4, 1861.

Constitution and the Union. The second part of this speech will explain his historical argument against secession in an attempt to answer Calhoun's arguments.

After explaining why he has not acted contrary to the authority vested in him by the Constitution, Lincoln then turns to the real threat that the Union is currently facing. He does this by appealing to history – the history of the Union, of the Constitution, and especially of the states – to directly refute Calhoun's argument regarding the sacredness of a state. Because Calhoun does not accept the philosophical argument, Lincoln must now meet Calhoun on his own terms, appealing only to history to prove that a state cannot lawfully and peacefully withdraw from the Union. Lincoln begins his argument in the Special Message to Congress by distinguishing that only individuals, and not states, possess the natural right to revolution, articulated in the Declaration. Additionally, the right to revolution can only be legally exercised if the natural rights belonging to the people of a state is violated by the federal government. It is for this reason that Lincoln felt compelled first to lay out the Constitutional justification for his actions as President before coming to this part of his speech. Because no rights have been violated, Lincoln reasons that the Southern states therefore have no legal claim to revolution.

But the South never contended that they were exercising their right to revolution. They always claimed that they were seceding from the Union, and that they were Constitutionally justified in pursuing this end. John C. Calhoun thought that secession was a Constitutional right because the Union is charged with the duty of protecting the interests of the states. According to Calhoun, if the Union fails in this regard, then it is Constitutionally acceptable for a state to secede because the purpose they had for joining the Union in

the first place has been violated. Lincoln, however, continues to advance his historical argument by implying that it was Calhoun who was mainly responsible for “sugar-coating” rebellion by calling it secession.<sup>69</sup> Lincoln believes that there is no such thing as secession in name or principle, and that the Southern states had never seceded since they could not do so. Calhoun's argument, never appealing to the doctrine of natural rights, is entirely dependent on the sovereignty of a state. But Lincoln asks the question, “What is sovereignty in the political sense of the term?”<sup>70</sup> The word, as he and Calhoun understand it, is “a political community, without a political superior.”<sup>71</sup> And Lincoln reasons that such a definition cannot apply to a state because history proves that there is nothing sacred about a state.

Lincoln explains that all power that a state holds is given to it by the Union and the Constitution because they were never states “in substance or in name” outside of the Union.<sup>72</sup> He maintains that no state has ever been sovereign because history shows that: 1) The Union is older than any of the states; 2) The Union created them as states; and, 3) The Union gave to them any power that they might possess. Lincoln argues that it was “some dependent colonies” which made the Union; then, the Union cast off their old dependence, making them states and now only dependent upon the Union itself.<sup>73</sup> Therefore, no state ever existed outside, or without, the Union. In other

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<sup>69</sup> *Ibid*, 603. Message to Congress in Special Session, July 4, 1861.

<sup>70</sup> *Ibid*, 604. Message to Congress in Special Session, July 4, 1861.

<sup>71</sup> *Ibid*, 604. Message to Congress in Special Session, July 4, 1861.

<sup>72</sup> *Ibid*, 603. Message to Congress in Special Session, July 4, 1861.

<sup>73</sup> *Ibid*, 604. Message to Congress in Special Session, July 4, 1861.

words, they became states only by their coming into the Union, and all power that they might possess is dependent upon them remaining a part of the Union. They have no power by virtue of being states, and the relationship that they share with the Union is permanent and binding for all times. The connection that holds the states to the Union is based principally upon the contractual agreement made at the signing of the US Constitution. The people of the several states, and not the states separately, acted by means of the ballot-box to agree to the contract that the Constitution sought to establish. Therefore, Lincoln brings to light two points: 1) It was the sovereignty of the people, and not of the individual states, which was responsible for formulating the contract; and, 2) Once the Constitution is ratified by the people of the several states, and the contract becomes a binding law, then neither party can absolve themselves from the contract unless a specified term of the contract has been broken. The United States is contracted to both protect the natural rights of the citizens of each state and to “guarantee to every State in this Union a Republican Form of Government.”<sup>74</sup> The people of the states, in return, join the Union, agreeing to abide by the laws of that Government, including the law against rebellion. Because no terms of that contract have been broken by the federal government, and because the people only, and not a state separately, is sovereign, there can be no claim to Constitutional secession – only illegal rebellion.

The Southern understanding of secession is necessarily wholly dependent on the assumption that there does in fact exist a sacred supremacy pertaining to each of the states in the Union. In other words, each state must only exist in and of itself

and require nothing outside of itself in order to fulfill its purpose. But Lincoln’s argument is that the state has no purpose outside of the Union because only the whole, and not the states separately, represents the purpose of government. This purpose can only be secured when the many come together to act as one. A state alone is incapable of doing so by its very nature because it is a part of the whole only by virtue of the whole. A state is only defined by the whole; it is the Union that is philosophically aimed towards securing liberty to all – an aim shared by a state but not individually possessed of it. In other words, a state has no purpose save as a part of the larger Union. Only the Union can offer a state its own completion of being and secure the natural rights of the people.

The whole has a distinct purpose that cannot be fulfilled by any one part. A state joins the larger organization of the Union because participation in the larger whole necessarily leads to the fulfillment of the purpose of the smaller parts. The whole defines the end of the state and completes its being. Lincoln says, “The States have their status in the Union, and they have no other legal status.”<sup>75</sup> The states were never states in name or in actual substance outside of the whole, or outside of the Union. Breaking from this doctrine necessarily is against the law and in support of revolution. In the same way that a marriage will fall apart if it is not held sacred, the Union too will fall apart if it is not held sacred.

We may be helped in understanding Lincoln’s philosophical argument by examining his *Fragment on the Constitution and Union*. It is here in full:

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<sup>74</sup> *The Constitution of the United States*, Article IV, Section 4.

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<sup>75</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 604. Message to Congress in Special Session, July 4, 1861.

All this is not the result of accident. It has a philosophical cause. 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, *enterprise*, 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.<sup>76</sup>

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<sup>76</sup> *Ibid*, 513. Fragment: The Constitution and the Union [1860?].

This small fragment grants us great insight into Lincoln’s understanding of the nature of the Union. Here we see that Lincoln conceives of two possibilities as to the cause of our political institution – either accident or “a philosophical cause.” He immediately eliminates the one, and so is left to defend the other, and everything that follows in this short fragment is a defense of that philosophical cause behind the American Union.

When we examine the long annals of history and explore the many reasons for the creation of all past and present regimes, we find that not one of them came to be and took shape because of a specific philosophy, save the American Union of 1776. The Fathers of this country were the creators of a nation that was based upon the philosophy that all men are created equal. This idea was not innate to them and has never been innate to the race of men, but the various faculties and talents of the Founders allowed them to know and understand this basic human idea and logically deduce that it was a universal truth, a truth that was given to all men by the “Laws of Nature and Nature’s God.” “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.”<sup>77</sup> Once they understood the philosophy, the Fathers subsequently used that philosophy not only to justify their independence from Great Britain, but as the purpose for creating the new American regime. The Union, therefore, was created in order to fulfill the philosophy – the philosophy was not created to fulfill the Union. The philosophical cause is the backbone of support for our American

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<sup>77</sup> *Ibid*, 489. Letter to H.L. Pierce and Others, April 6, 1859.

Union, and without that cause, we would have no purpose as a nation.

Because the Union is not the result of accident, but has a philosophical cause, Lincoln reasons that the Founders had a goal in 1776 when they claimed that “all men are created equal.” They had a certain reason for declaring the truth of the principles in the Declaration; i.e., they acted with a purpose in mind. They came to understand the philosophical truth of the principles found in the Declaration by the employment of their faculties, through the use of their reason, but to take those principles from human reason and apply them to human activity required an addition of something they were lacking. It required an establishment of government to take the philosophy and turn it into practice, to take the theory and change it into reality. The principle of equality was not new to the Founders; they were not the first to use reason to enlighten themselves and others to the moral and philosophical truthfulness of the proposition. Others had done it before in history, but never before were those ideas realized through the creation of a state based on those principles. The Founders’ purpose was the establishment of a nation, a Union that would have a philosophical cause for its physical existence.

According to Aristotle, to know the cause of things is to know their nature. A knowledge of a thing’s nature requires a full explanation of that thing, and so Aristotle presents us with the four causes: material, efficient, formal, and final. If we are looking at something, say a statue, we can understand the nature of that thing by understanding its four causes. The material cause, or that in which a change is made, would be the components that structure the statue – perhaps it is bronze, or iron, or gold. The efficient cause, or that by which some change is made, would be that which shapes the statue – perhaps the art of welding or the

welder himself. The formal cause of the statue, or that into which something is changed, would be the shape the thing takes – perhaps it is Washington, Clay, or Calhoun. So far, these causes are an explanation of the thing’s empirical or quantifiable causes. In other words, we can see or observe their physical properties. To understand the thing’s value or meaning requires an explanation of its philosophical properties and the one additional cause of the thing. The final cause of the statue, or purpose or end for which a change is made, is the reason for the creation of the thing; i.e., describing what it is for – perhaps admiration or loyalty. Notice that we cannot understand the final cause merely by observing the thing. We cannot see the purpose of the statue by examining its shape or its individual components. We cannot deduce the thing’s purpose without a knowledge of why it was created, not how it was created. In other words, we do not know what makes it a statue without the final cause.

We see then that to know the cause of things (*Rerum cognoscere causas*) is different from knowing a thing’s purpose. Whether we are examining a statue or the Union, the four Aristotelian causes give us a sufficient explanation of the thing, but without the final cause, we are left without a purpose. The philosophical cause is the final cause; that thing which gives meaning and significance to the creation. The Union was created for the principles in the Declaration, and it is that cause which gives to it a meaning or purpose. The purpose of the Union is the fulfillment of the philosophy, the fulfillment of the principles in the Declaration.

The principle of equality to all is the philosophical cause for the American Union. Once we understood the philosophical cause and why it was important, we were then capable of making decisions regarding all

things political. In other words, we were able to understand things such as justice, happiness, rights, law, and government, and we recognized that these things ought to be based on the philosophical cause. Our politics come out of our philosophy, and this makes the principle higher than the laws. Therefore, the law cannot have the authority to change that which it has no power to control because the law cannot give or take from men what was conferred to all men before the birth of the law itself. In other words, the principle behind the American Union is given to all men at all times at all places, and cannot be given or taken away by men because it was not granted by men. Instead, the philosophical cause was given to men by the Laws of Nature and Nature's God, and it is this higher law that makes all men equal in their natural rights, chief among these, "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."<sup>78</sup> This represents the principle of equality that Lincoln speaks of that creates liberty and "clears the path for all - gives hope to all - and, by consequence, enterprise, and industry to all." It is this understanding of the American Union that is directly refuted, challenged, and rejected by the South when they attempt to secede from the Union.

The new adage of the South, according to Lincoln, was that "if any one man, choose to enslave another, no third man shall be allowed to object."<sup>79</sup> The South therefore rejected the philosophical cause of the Union in an effort to justify the institution of slavery. The states abandoned the meaning that the Union had given them as states in favor of another meaning - a meaning that they hoped to obtain by being

independent states. But it is the philosophical cause that binds the states together and gives them their meaning. Because their meaning comes from the bond they have with the Union, a state has no meaning without being a part of the whole. As the cause, or purpose, of the acorn is the tree, and the purpose of the egg is the chicken, so too the purpose of the state is the Union. And the purpose of the Union is to secure natural rights. In other words, the Union gave to each of the states whatever independence it may possess. Therefore, the philosophical cause holds all the states together and gives them meaning because the whole is greater than the sum of its parts. When the South tried to break that bond through secession, they were participating in a concerted effort to separate from their meaning and reestablish for themselves a justification for slavery. Therefore, the South was forced to reject the philosophical cause in order to justify the theory of states' rights, as well as legal secession. And in rejecting the philosophical cause, the states lost whatever purpose they may have had. They did not mean to continue under the banner of the philosophical cause, in the same way that Lincoln did not mean to let them leave. Lincoln believed in the philosophical cause, and he was willing to fight a great Civil War in order to return that banner to its proper place.

Human beings possess the capacity, through the virtue of being human, to rule themselves. We did not invent this idea of self-government nor was it an accident, but we have come to epitomize it since the Founding. The principle of equality holds the Union together, and the Southern secessionists, when they reject that principle, are attempting to break that sacred bond. In other words, the Union is divided not because the South possesses a desire to "leave the Union," but because they reject the philosophical cause.

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<sup>78</sup> *Ibid*, 394. Speech in Reply to Douglas at Chicago, Illinois, July 10, 1858.

<sup>79</sup> *Ibid*, 373. A House Divided Speech, June 16, 1858.

The Southerners during the Civil War challenged this philosophical cause by eliminating it as the purpose of government. Even for some Northerners, such as Stephen Douglas, the Constitution became an end in itself, eliminating the need for the philosophical cause. The principle becomes unnecessary because the Constitution includes the idea of self-government, which becomes sufficient in and of itself apart from any principle whatsoever. According to Douglas, this idea of popular sovereignty meant that the states should decide their own internal questions for themselves and that their decision ought to have the force of law. Douglas concluded that the Fathers would have supported this defense of popular sovereignty because it sought to “secure the right of the people of each State and of each Territory, North or South, to decide the question for themselves, to have slavery or not, just as they chose.”<sup>80</sup> In other words, because the idea of self-government is the first rule of politics, it must necessarily be the purpose of government as well. If the decision of the people has the force of law to decide upon any question of government with a simple vote of interest, then self-government becomes an end in and of itself and eliminates the need for the philosophical cause. But this reasoning which says that the people must have the right to choose for themselves whether slavery be voted up or down presupposes that there is nothing outside of the Constitution which gave rise both to it and the ideas embraced by it.

Up until Douglas advocates the theory of Popular Sovereignty as the proper Constitutional solution to slavery in the territories, no one had ever voted for slavery. Slavery had always existed because of history and accident throughout the colonies. This represents Lincoln’s reason-

ing for letting slavery continue in the states where it had already come to exist out of custom. He was prepared to allow that, but he would never stand by and allow people to argue that slavery is right and ought to be put to a vote, because that practice necessarily makes slavery an amoral issue. Not only that, but Popular Sovereignty destroys the limits of consent because Douglas was actually allowing the states to consent to slavery. However, such thinking is against the spirit of the Revolution because man cannot consent to destroy the philosophical cause of natural rights. After all, those rights are unalienable and no one, not even the people themselves, can change that through a vote. The truth of the matter is that although slavery in the colonies might have been the result of accident or history, the Union, on the other hand, was not a result of accident. And as Lincoln tells us in the *Fragment*, the Union has a philosophical cause. Douglas’s doctrine allows for the people to take a vote for or against the philosophical cause of natural human rights, but natural rights can never be put to a vote because they are unalienable. In other words, they are outside of the reach of the people to decide for themselves. Only those things which we understand based on that philosophy, such as government or the law, can be changed by a vote of the people, but that thing which gives rise to all else, the philosophical cause, can never be changed by a vote of the people, no matter what their passions be.

The theory of popular sovereignty, like the southern claim to “legal secession,” is dependent upon the condition that there is something sacred about a state. The United States could be said to be a sovereign nation of sovereign states, and such a formula may be rightly called dual sovereignty. But Lincoln contends that within such a compound whole, any claim surrounding the sacredness of a state is illogical and against

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<sup>80</sup> Stephen Douglas, *Homecoming Address at Chicago*, July 9, 1858.

the very spirit of the Revolution. In other words, the spirit of the philosophical cause and the spirit of popular sovereignty and legal secession are completely at odds with one another, and before the outbreak of Civil War, the one was being engulfed by the other through the arguments advanced by those such as Douglas and Calhoun.

This contention exists out of an understanding of the composition of the government under the Constitution. Our government is unique because it remains both partially federal and partially national. Madison explains in *The Federalist* No. 39 that, "The proposed Constitution therefore is in strictness neither a national nor a federal constitution; but a composition of both." Sovereignty is therefore divided between the national government and the state government, but the Southerners insist that a "composition of both" is impossible because it must be either one or the other. For them, a "composition of both" destroys any hope for a lawful claim to secession. Madison's contention that the Constitution is both partly national and partly federal implies that there is nothing sacred about a state. The South, in order to justify state sovereignty, must contend that Madison was wrong and that the nation is strictly a federal government. The truth of the matter is that we can see Madison's contention manifested throughout all of American politics. For example, the electoral college represents a democratic idea, but it is democratic within each state. Madison says that this process is a "mixed character" that is both federal and national. Therefore, because the states are a part of the same government, and not strictly a government to themselves, it is logical to conclude that no one part of that larger whole has any legal right to break away from the other part because to do so not only includes a right to destroy the Union, but also reserves a right to destroy the purpose behind the Union as well.

The philosophical cause is fulfilled only when the states are bonded together into one concise whole that is greater than the sum of its parts. This idea is exemplified in man's leaving the State of Nature to become a part of the city. Instead of being separate parts, they come together in order to better preserve themselves and their interests by fulfilling the philosophical cause. Aristotle contends that the city is greater than the household, or the family, or the individual because the whole is greater than the sum of its parts. The individual, therefore, has no meaning without the city because it is the city that completes him. In other words, the city is man's end. This is self-evident because man is by nature a political animal, and in the exact same way, Lincoln contends that the Union is greater than the state. The Southerners reject this for the same reason they reject the greatness of the city. They contend that the individual, or the family, or the household is greater than the city. They do this because they reject the philosophical cause and uphold the claim of a state's sacredness. If a state did have the authority to secede, then it would only be reasonable to assume that the acorn can break its bond with the tree or the egg can break its bond with the chicken.

The foundation for the southern argument in support of secession is the contention that the states created the Union. In other words, the one only came to exist out of the direction of the many. But Lincoln believes that the Union created the states and that it is in fact older than any of the states.

The Union is older than any of the States, and, in fact, it created them as States. Originally some dependent colonies made the Union, and, in turn, the Union threw off their old depen-

dence for them, and made them States, such as they are.<sup>81</sup>

The many came to exist out of the direction of the one because the Declaration of Independence founded the Union of the states upon the natural rights of man. With the decision in support of secession, however, the states thereafter broke their connection with natural rights in favor of the argument that the state was sacred. In other words, they broke with the spirit of the Revolution. They abandoned the idea of natural rights and instead chose to adopt a brand new conception of state rights, and this action attempted to change America's founding idea of the philosophical cause.

John Locke contends that man leaves the State of Nature so that his natural human rights will be protected. As an individual outside of the city, the natural rights of man are in constant danger because he cannot secure them by himself. Therefore, he leaves the State of Nature and enters the city so that his natural rights will be protected. It therefore follows that the purpose, or ends, of government is to protect these rights. But this protection is not possible if a state is sacred because that sacredness supposes a right to destroy the philosophical cause. In other words, if a state can legally secede, then the natural rights of the people are in constant danger, because the states can thereafter legally destroy that which they have no right to touch.

A state can never legally have the right to destroy the philosophical cause because to do so negates the purpose for which it was created. It has already been said that the Union gives the states their meaning. If the claim to secession is upheld,

then it necessarily follows that the state has lost its meaning. Without a meaning, a state would not be able to fulfill government's purpose. Therefore, a state cannot secure man's natural human rights because it is not sacred. The philosophical cause of the Union, on the other hand, is sacred because it is the principle of equality which holds us together. In the *Fragment*, Lincoln expresses equality as the "golden apple," and the Union and the Constitution are expressed as the silver frame that preserves that "golden apple." The apple, or the principle, is more important than the frame, or the Union and the Constitution. Therefore, it stands to reason that the principle is that thing which gives meaning and importance to the Constitution and the Union. And because it is also that thing which has been rejected by the South, the existence of the Union and the Constitution are thereafter threatened with extinction. They do not cease to be because the principle behind them has been rejected by the South, but they are certainly threatened because their continued existence is dependent upon the recognition and acceptance of the principle by the whole of the American people. However, even though the South threatens the existence of the Union and the Constitution, they can never eliminate the philosophical cause, no matter how high their voices rise in opposition. The philosophical cause is first, foremost, and forever. Even if both the Constitution and the Union have to be forfeited, Lincoln contends that it is worth it as long as that principle remains forever unchanged.

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 motherland; but that sentiment in the Declaration of Independence which

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<sup>81</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 604. Message to Congress in Special Session, July 4, 1861.

gave liberty, not alone to the people of this country, but, I hope, to the world, for all future time. It was that which gave promise that in due time the weight would be lifted from the shoulders of all men. This is a sentiment embodied in the Declaration of Independence. Now, my friends, can this country be saved upon that basis? If it can, I will consider myself one of the happiest men in the world, if I can help to save it. If it cannot be saved upon that principle, it will be truly awful. But if this country cannot be saved without giving up that principle, I was about to say I would rather be assassinated on this spot than surrender it.<sup>82</sup>

Because America was founded upon the principle that gives equality and liberty to all men, it is this principle that alone is sacred and supreme – a state has no such claim. This principle of natural rights is the philosophical cause, and the Union represents the philosophical cause - the same philosophical cause that binds the states together and gives them their meaning.

The Southerners, when claiming a legal right to secession, rejected the philosophical cause and thereafter denied the self-evident truth of the principle that gave birth to the Union. They were prepared to fight and die rather than let that philosophical cause continue. But the Union remained, and the principle behind it was secured, when Lincoln orchestrated a “great civil war” to ensure that “government of the people, by the people, for the people shall not perish from the earth.”<sup>83</sup>

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<sup>82</sup> *Ibid*, 577. Address in Independence Hall, Philadelphia, February 22, 1861.

<sup>83</sup> *Ibid*, 734. Gettysburg Address, November 19, 1863.

## CONCLUSION

This Lincoln knew that his understanding of the nature of the Union was right and just altogether. But he also knew that the use of reason which gave rise to his words was also responsible for the arguments advanced by his opponents, such as John C. Calhoun and Stephen Douglas. In other words, as Harry Jaffa puts it, “Lincoln knew perfectly well that there were no limits to the capacity of the human mind to deny what is true or affirm what is false.”<sup>84</sup> But for Lincoln, we see that having justice in his reason means something to him. “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.”<sup>85</sup> And again, “[W]ith firmness in the right, as God gives us to see the right...”<sup>86</sup> Although men may use their reason to understand the nature of the Union differently from one another, there is only one right, there is only one just, answer. And if the reason of Abraham Lincoln is just, then it makes for a powerful ally against the onslaught of bullets.

The Civil War threatened not only the existence of the Union, that great work achieved by the wisdom and patriotism of the nation’s Founding Fathers, but also the principle behind it, that thing which gave to it meaning and value. Lincoln’s achievement, the saving of the Union and the destruction of slavery, answered for all time the issue of the legitimacy of secession. The question has never been raised since and never will be raised again. Less has been written to justify the cause of the Southern

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<sup>84</sup> Harry V. Jaffa, *A New Birth of Freedom* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 276.

<sup>85</sup> Abraham Lincoln, *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, Ohio: Da Capo Press, 2001), 536. Address at Cooper Institute, New York, February 27, 1860.

<sup>86</sup> *Ibid*, 793. Second Inaugural Address, March 4, 1865.

states than has been written to tear down Lincoln. Although the nineteenth and twentieth centuries saw more works written on the greatness of the man than on any other human being, the twenty-first century has so far been the story of the Lincoln-haters. They say Lincoln was a tyrant. That he was a racist. That he was a homosexual. They are tired of reading “the same old thing” concerning the greatness of Father Abraham. They desire something new and provocative, something to remove the man from his pedestal. But they do not desire the truth. Let us remember what they have ignored; let us remember that to say something old but truthful is more important than to say something new but false. Maybe the world does not need another work on Lincoln’s greatness, but when all we see around us are lies and deceit, to say something again is not for the purpose of repeating it.

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