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Lincoln's Legacy at 200

Submitted by Scott D. Myers

By Mark Alexander · Friday, February 13, 2009

"If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it." --Thomas Jefferson

February 12 marked the 200th anniversary of the birth of Abraham Lincoln.

During his inauguration, Barack Hussein Obama insisted on using Lincoln's Bible as he took his oath of office. Those who know their history might understand why Obama then proceeded to choke on that oath.

Obama, the nation's first president whose heritage is half-African American, was doing a constituent play on Lincoln's status as "The Great Emancipator," though Obama himself is certainly not the descendant of slaves. His father was, in fact, an African national, which is why, in this case, the hyphenated "African-American" is appropriate. His ancestors may well have been slaveholders, though -- and I am not only talking about his maternal line.

Tens of millions of Africans have been enslaved by other Africans in centuries past. And, even though Chattel (house and field) and Pawnship (debt and ransom) slavery was legally abolished in most African nations by the 1930s, countless African men, women and children remain enslaved today, at least those who escape the slaughter of tribal genocide.

Not to be outdone by the Obama inaugural, Republican organizations are issuing accolades in honor of their party's patriarch, on this template: "The (name of state) Republican Party salutes and honors Abraham Lincoln on the celebration of his 200th birthday. An extraordinary leader in extraordinary times, Abraham Lincoln's greatness was rooted in his principled leadership and defense of the Constitution."

Really?

If the Republican Party would spend more energy linking its birthright to our Constitution rather than Lincoln, it might again attain the overwhelming support it enjoyed under Ronald Reagan. Though Lincoln has already been canonized by those who settle for partial histories, in the words of John Adams, "Facts are stubborn things; and whatever may be our wishes, our inclination, or the dictates of our passions, they cannot alter the state of facts and evidence."

In our steadfast adherence to *The Patriot Post's* motto, *Veritas Vos Liberabit* ("the truth shall set you free"), and our mission to advocate for the restoration of constitutional limits on government, I am compelled to challenge our 16th president's iconic standing.

Lincoln is credited with being the greatest constitutional leader in history, having "preserved the Union," but his popular persona does not reconcile with the historical record. The constitutional federalism envisioned by our Founders and outlined by our Constitution's Bill of Rights was grossly violated by Abraham Lincoln. Arguably, he is responsible for the most grievous constitutional contravention in American history.

Needless to say, when one dares tread upon the record of such a divine figure as Lincoln, one risks all manner of ridicule, even hostility. That notwithstanding, we as Patriots should be willing to look at Lincoln's whole record, even though it may not please our sentiments or comport with the common folklore of most history books. Of course, challenging Lincoln's record is NOT tantamount to suggesting that he believed slavery was anything but an evil, abominable practice. Nor does this challenge suggest that Lincoln himself was not in possession of admirable qualities. It merely suggests, contrary to the popular record, that Lincoln was far from perfect.

It is fitting, then, in this week when the nation recognizes the anniversary of his birth, that we consider the real Lincoln -- albeit at great peril to the sensibilities of some of our friends and colleagues.

Liberator of the oppressed...

The first of Lincoln's two most oft-noted achievements was ending the abomination of slavery. There is little doubt that Lincoln abhorred slavery, but likewise little doubt that he held racist views toward blacks. His own words undermine his hallowed status as the Great Emancipator.

For example, in his fourth debate with Stephen Douglas, Lincoln argued: "I will say then that I am not, nor ever have been in favor of bringing about in any way the social and political equality of the white and black races -- that I am not nor ever have been in favor of making voters or jurors of Negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race."

Lincoln declared, "What I would most desire would be the separation of the white and black races..."

In 1860, Lincoln's racial views were explicit in these words: "I think I would go for enslaving the black man, in preference to being enslaved myself. ... They say that between the nigger and the crocodile they go for the nigger. The proportion, therefore, is, that as the crocodile to the nigger so is the nigger to the white man."

As for delivering slaves from bondage, it was two years after the commencement of hostilities that Lincoln signed the Emancipation Proclamation -- to protests from free laborers in the North, who didn't want emancipated slaves migrating north and competing for their jobs. He did so only as a means to an end, victory in the bloody War Between the States -- "to do more to help the cause."

"My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery," said Lincoln in regard to the Proclamation. "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. What I do about slavery, and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union."

In truth, not a single slave was emancipated by the stroke of Lincoln's pen. The Proclamation freed only "slaves within any State ... the people whereof shall then be in rebellion against the United States." In other words, Lincoln declared slaves were "free" in Confederate states, where his proclamation had no power, but excluded slaves in states that were not in rebellion, or areas controlled by the Union army. Slaves in Kentucky, Missouri, Delaware and Maryland were left in bondage.

His own secretary of state, William Seward, lamented, "We show our sympathy with slavery by emancipating slaves where we cannot reach them and holding them in bondage where we can set them free."

The great abolitionist Frederick Douglass was so angry with Lincoln for delaying the liberation of some slaves that he scarcely contacted him before 1863, noting that Lincoln was loyal only "to the welfare of the white race..." Ten years after Lincoln's death, Douglass wrote that Lincoln was "preeminently the white man's President" and American blacks were "at best only his step-children."

With his Proclamation, Lincoln succeeded in politicizing the issue and short-circuiting the moral solution to slavery, thus leaving the scourge of racial inequality to fester to this day -- in every state of the Union.

Many historians argue that Southern states would likely have reunited with Northern states before the end of the 19th century had Lincoln allowed for a peaceful and constitutionally accorded secession. Slavery would have been supplanted by moral imperative and technological advances in cotton production. Furthermore, under this reunification model, the constitutional order of the republic would have remained largely intact.

In fact, while the so-called "Civil War" (which by definition, the Union attack on the South was not) eradicated slavery, it also short-circuited the moral imperative regarding racism, leaving the nation with racial tensions that persist today. Ironically, there is now more evidence of ethnic tension in Boston than in Birmingham, in Los Angeles than in Atlanta, and in Chicago than in Charleston.

Preserve the Union...

Of course, the second of Lincoln's most famous achievements was the preservation of the Union.

Despite common folklore, northern aggression was not predicated upon freeing slaves, but, according to Lincoln, "preserving the Union." In his First Inaugural Address Lincoln declared, "I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments."

"Implied, if not expressed"?

This is the first colossal example of errant constitutional interpretation, the advent of the so-called "Living Constitution."

Lincoln also threatened the use of force to maintain the Union when he said, "In [preserving the Union] there needs to be no bloodshed or violence ... unless it be forced upon the national authority."

On the other hand, according to the Confederacy, the War Between the States had as its sole objective the preservation of the constitutional sovereignty of the several states.

The Founding Fathers established the constitutional Union as a voluntary agreement among the several states, subordinate to the Declaration of Independence, which never mentions the nation as a singular entity, but instead repeatedly references the states as sovereign bodies, unanimously asserting their independence. To that end, our Constitution's author, James Madison, in an 1825 letter to our Declaration of Independence's author, Thomas Jefferson, asserted, "On the distinctive principles of the Government ... of the U. States, the best guides are to be found in ... The Declaration of Independence, as the fundamental Act of Union of these States."

The states, in ratifying the Constitution, established the federal government as their agent -- not the other way around. At Virginia's ratification convention, for example, the delegates affirmed "that the powers granted under the Constitution being derived from the People of the United States may be resumed by them whensoever the same shall be perverted to injury or oppression." Were this not true, the federal government would not have been established as federal, but instead a national, unitary and unlimited authority. In large measure as a consequence of the War Between the States, the "federal" government has grown to become an all-but unitary and unlimited authority.

Our Founders upheld the individual sovereignty of the states, even though the wisdom of secessionist movements was a source of debate from the day the Constitution was ratified. Tellingly, Alexander Hamilton, the utmost proponent of centralization among the Founders, noted in Federalist No. 81 that waging war against the states "would be altogether forced and unwarrantable." At the Constitutional Convention, Hamilton argued, "Can any reasonable man be well disposed toward a government which makes war and carnage the only means of supporting itself?"

To provide some context, three decades before the occupation of Fort Sumter, former secretary of war and then South Carolina Senator John C. Calhoun argued, "Stripped of all its covering, the naked question is, whether ours is a federal or consolidated government; a constitutional or absolute one; a government resting solidly on the basis of the sovereignty of the states, or on the unrestrained will of a majority; a form of government, as in all other unlimited ones, in which injustice, violence, and force must ultimately prevail."

Two decades before the commencement of hostilities between the states, John Quincy Adams wrote, "If the day should ever come (may Heaven avert it!) when the affections of the people of these States shall be alienated from each other ... far better will it be for the people of the disunited States to part in friendship with each other than to be held together by constraint. Then will be the time for reverting to the precedents which occurred at the formation and adoption of the Constitution, to form again a more perfect Union. ... I hold that it is no perjury, that it is no high-treason, but the exercise of a sacred right to offer such a petition."

But the causal case for states' rights is most aptly demonstrated by the words and actions of Gen. Robert E. Lee, who detested slavery and opposed secession. In 1860, however, Gen. Lee declined Lincoln's request that he take command of the Army of the Potomac, saying that his first allegiance was to his home state of Virginia: "I have, therefore, resigned my commission in the army, and save in defense of my native state ... I hope I may never be called on to draw my sword." He would, soon thereafter, take command of the Army of Northern Virginia, rallying his officers with these words: "Let each man resolve to be victorious, and that the right of self-government, liberty and peace shall find him a defender."

In his Gettysburg Address, Lincoln employed lofty rhetoric to conceal the truth of our nation's most costly war -- a war that resulted in the deaths of some 600,000 Americans and the severe disabling of more than 400,000 others. He claimed to be fighting so that "this nation under God shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the earth." In fact, Lincoln was ensuring just the opposite by waging an appallingly bloody war while ignoring calls for negotiated peace. It was the "rebels" who were intent on self-government, and it was Lincoln who rejected their right to that end, despite our Founders' clear admonition to the contrary in the Declaration.

Moreover, had Lincoln's actions been subjected to the terms of the Fourth Geneva Convention (the first being codified in 1864), he and his principal military commanders, with Gen. William T. Sherman heading the list, would have been tried for war crimes. This included waging "total war" against not just combatants, but the entire civilian population. It is estimated that Sherman's march to the sea was responsible for the rape and murder of tens of thousands of civilians.

Further solidifying their wartime legacy, Sherman, Gen. Philip Sheridan, and young Brigadier General George Armstrong Custer (whose division blocked Gen. Lee's retreat from Appomattox), spent the next ten years waging unprecedented racial genocide against the Plains Indians.

Lincoln's war may have preserved the Union geographically (at great cost to the Constitution), but politically and philosophically, the constitutional foundation for a voluntary union was shredded by sword, rifle and cannon.

"Reconstruction" followed the war, and with it an additional period of Southern probation, plunder and misery, leading Robert E. Lee to conclude, "If I had foreseen the use those people designed to make of their victory, there would have been no surrender at Appomattox Courthouse; no sir, not by me. Had I foreseen these results of subjugation, I would have preferred to die at Appomattox with my brave men, my sword in my right hand."

Little reported and lightly regarded in our history books is the way Lincoln abused and discarded the individual rights of Northern citizens. Tens of thousands of citizens were imprisoned (most without trial) for political opposition, or "treason," and their property confiscated. Habeas corpus and, in effect, the entire Bill of Rights was suspended. Newspapers were shut down and legislators detained so they could not offer any vote unfavorable to Lincoln's conquest.

In fact, the Declaration of Independence details remarkably similar abuses by King George to those committed by Lincoln: the "Military [became] independent of and superior to the Civil power"; he imposed taxes without consent; citizens were deprived "in many cases, of the benefits of Trial by Jury"; state legislatures were suspended in order to prevent more secessions; he "plundered our seas,

ravaged our Coasts, burnt our towns, and destroyed the lives of our people ... scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation."

The final analysis...

Chief among the spoils of victory is the privilege of writing the history.

Lincoln said, "Character is like a tree and reputation like a shadow. The shadow is what we think of it; the tree is the real thing."

Lincoln's enduring reputation is the result of his martyrdom. He was murdered on Good Friday and the metaphorical comparisons between Lincoln and Jesus were numerous.

Typical is this observation three days after his death by Parke Godwin, editor of the New York Evening Post: "No loss has been comparable to his. Never in human history has there been so universal, so spontaneous, so profound an expression of a nation's bereavement. [He was] our most supreme leader -- our safest counselor -- our wisest friend -- our dear father."

A more thorough and dispassionate reading of history, however, reveals a substantial expanse between his reputation and his character.

"America will never be destroyed from the outside," Lincoln declared. "If we falter and lose our freedoms, it will be because we destroyed ourselves." Never were truer words spoken.

While the War Between the States concluded in 1865, the battle for states' rights -- the struggle to restore constitutional federalism -- remains spirited, as indeed it should. It is a major front in the continuing battle to reestablish Rule of Law for our nation.

In his inaugural speech, Barack Obama quoted Lincoln: "We are not enemies, but friends.... Though passion may have strained, it must not break our bonds of affection."

Let us hope that he pays more heed to those words than did Lincoln.