

A NEW BIRTH OF FREEDOM: STUDYING THE LIFE OF LINCOLN Lincoln and the American Manifesto

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Feature Essay

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Jayne, Allen *A NEW BIRTH OF FREEDOM: STUDYING THE LIFE OF LINCOLN Lincoln and the American Manifesto*. Prometheus Books, \$28.00 hardcover ISBN 9781591025023

Lincoln the Final Founder

Scholars have ranked Abraham Lincoln highest among all United States presidents. Lincoln has become a mythic figure in the deepest sense of the word, and the circumstances of his life and works time and again have transcended his era. Countless volumes have been written about Lincoln and his legacy, leaving historians, academics, and Civil War buffs wondering what more can be said about our sixteenth president. The prolificacy of Lincoln works is due primarily to the universal nature of the troubles Lincoln faced, and the relevance those times still have in today's society.

Allen Jayne, in his third publication on the ideology and philosophy of major figures in American history, writes about the beliefs upon which Lincoln based his objectives and accomplishments. *Lincoln and the American Manifesto* presents the view that Lincoln regarded the Declaration of Independence as an American manifesto and largely adopted its principles in carrying out his presidency, as evinced predominantly by the Gettysburg Address and his Second Inaugural Address. Prior to his current work, Jayne, who holds a Ph.D. in history from Columbia University, authored two books about Thomas Jefferson and the ideological origins of the Declaration of Independence. In *Jefferson's Declaration of Independence* and *The Religious and Moral Wisdom of Thomas Jefferson*, Jayne analyzed the moral principles upon which the Declaration of Independence was based, and studied the document's primary author, Thomas Jefferson. In *Lincoln and the American Manifesto*, Jayne further examines the impact the Declaration of Independence had on American history, by exploring the foundational role this document played during the presidency of the most favored United States president.

Jayne portrays Lincoln as the final founder of our nation, ultimately fulfilling the promises set forth in the Declaration of Independence, by fighting to achieve liberty and equality for all citizens. He posits that the Declaration of Independence heavily influenced Lincoln throughout his political life. Indeed, the first line of the Gettysburg Address, Four score and seven years ago, places the birth of the United States at the signing of the Declaration of Independence in 1776, rather than at the ratification of the Constitution in 1789. In the same speech, Lincoln spoke of the government being of the people, by the people, for the people, which invoked the Declaration of Independence's principle that the government and the right to be governed comes from the people. Through the Gettysburg Address, Lincoln broadened the purpose of the Civil War to a war not only for the preservation of the Union, but a war for unity and equality.

The relevance of Lincoln's legacy on the nation's present state of affairs is nearly palpable. The troubled times Lincoln faced are not unlike the troubled times our country has been forced to endure since September 11, 2001. Lincoln's notions of saving the nation and preserving equality and liberty carry as much importance in modern times as they did during Lincoln's era. As such, the philosophy behind Thomas Jefferson's Declaration of Independence still guides this country through its struggle to save the nation and protect individual liberties.

Lincoln's greatest influence, the Declaration of Independence, emphasizes that Governments are instituted among Men, deriving their just Powers from the Consent of the Governed. As Lincoln saw it, the people formed this nation through the Declaration of Independence and the American Revolution, which predated the Constitution. The overriding principle, therefore, concerns the formation of the nation by the *people*, not the states. Thus, the states, as members of a nation, could not secede without the consent of the people as a whole. Lincoln stated, in his First Inaugural Address, This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their *constitutional* right of amending it, or their *revolutionary* right to dismember, or overthrow it.

Accordingly, although the people have always had the right of revolution, a rebellion must be based upon a moral principle or one's God-given rights. Yet the southern states seceded to maintain slavery, an issue that Lincoln declared immoral, because he believed that holding others in bondage could not be considered among one's God-given rights. Therefore Lincoln would not permit

secession without a fight. The president's foremost responsibility, as chief executive of the people's government, is to preserve the nation. As Lincoln stated in his Second Inaugural Address, Both parties deprecated war; but one of them would *make* war rather than let the nation survive; and the other would *accept* war rather than let it perish.

Adherence to the Union was sacred to Lincoln. Lincoln believed that the inviolability of the Union was older than the Constitution, and could be traced back to the Articles of Association by which the Union was formed. In his First Inaugural Address, Lincoln proclaimed:

[T]he Union is much older than the Constitution. It was formed in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778.

Thus, to preserve the Union, Lincoln was obliged to engage in war and take draconian measures that he would not otherwise have used during peacetime.

By 1861, the Civil War had only just begun, yet many southern states had already seceded from the Union. Lincoln called for reinforcements to protect Washington, D.C. because the nation's capital bordered Virginia, a secessionist state, and Maryland, a state that threatened to secede. Lincoln realized that the war would be lost if the Confederates seized the capital or caused it to be wholly isolated from the northern states. To that end, the president unilaterally suspended the writ of *habeas corpus*, an action Lincoln was reluctant to take, preferring instead the possible bombardment of Maryland cities as an alternative to suspension of the Great Writ. Yet Lincoln realized that to protect the capital and save the nation, he would have to suspend *habeas corpus*, to provide the military with the power to detain those dangerous to the union until the war's end.

As Lincoln saw it, if one law, such as the writ of *habeas corpus*, must be ignored to save the nation, then the president had the duty to ignore that law, and do everything in his power to preserve the nation. Thus in the summer of 1861, in the midst of the Civil War, Lincoln suspended the writ of *habeas corpus*, fully believing that his duty to protect the capital and the Union required this strong measure.

Lincoln faced strong criticism for suspending the Great Writ. Yet he explained that his actions were not only justified, but were required of him pursuant to his oath to preserve, protect, and defend the Constitution of the United States. In response to those critics who contended that only Congress could suspend the writ of *habeas corpus*, Lincoln stated are all the laws, but one, to go unexecuted, and the government itself go to pieces, lest that one be violated? To Lincoln, nothing would be worse than allowing the nation to be overtaken by Confederate forces.

Lincoln strongly believed that it was necessary for its citizens to sacrifice some of their rights to save our nation. In keeping with Allen Jayne's thesis in his latest work, Lincoln strongly sought to preserve the nation for which its people fought so strongly in the American Revolutionary War. As Judge Richard Posner noted, Lincoln's unconstitutional acts during the Civil War show that even legality must sometimes be sacrificed for other values. We are a nation under law, but first we are a nation.

Jayne's major theme throughout his book is that Lincoln's morality was a universal morality, similar to the belief system expressed in the Declaration of Independence. Universal morality refers to the position that one system of ethics applies to all people, regardless of race, culture, gender, or nationality. In keeping with his previous works, Jayne explains that the writings and works of Thomas Jefferson strongly suggest that Jefferson adhered to moral universalism, as evinced by the Declaration of Independence. As evidence of Jefferson's ideology, Jayne points to several provisions of the Declaration of Independence. Specifically, the document provides that all men are created equal and that each human being has a set of God-given unalienable rights of Life, Liberty, and the Pursuit of Happiness.

According to the author, Lincoln's testament confirms that he did indeed adhere to the system of beliefs set forth in the Declaration of Independence. In September 1862, Lincoln ordered the freedom of the slaves, who were otherwise viewed as property, through the Emancipation Proclamation. The Emancipation Proclamation freed only the slaves in the southern states in rebellion and in the territories not held by the Union. The Constitution, as it was written before the inclusion of the Thirteenth Amendment, protected slavery where it existed. But as Commander-in-Chief, Lincoln could seize the property of the enemy, and hence could proclaim the freedom of the slaves. Thus, Lincoln's declaration of

freedom was a political and military move, designed to place the weight of morality on the side of the Union, as well as deny the Confederacy the use of this great resource. With the announcement of the Emancipation Proclamation, Lincoln changed the nature of the war from a purely political one to a moral one, by adding equality and freedom to the focus of preserving the Union.

Similarly, Lincoln proclaimed, in his Gettysburg Address, that all men are created equal and made reference to the Liberty of our nation. Lincoln aspired that after the Civil War, the United States would have a new birth of freedom. In his Second Inaugural Address, Lincoln further demonstrated his morality and declared that slavery was immoral.

If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said the judgments of the Lord are true and righteous altogether.'

Jayne is not the first historian to suppose that Lincoln adhered to the principles set forth in the Declaration of Independence, nor is he the first to proclaim that Lincoln considered this document, rather than the Constitution, to be the American manifesto. Yet *Lincoln and the American Manifesto* is one of the few works that has given much attention to Lincoln's ideology and the beliefs upon which Lincoln based his legacy. Allen C. Guelzo, Professor of the Civil War Era and Professor of History at Gettysburg College, portrayed Lincoln as a man of ideas in his book *Abraham Lincoln: Redeemer President*. According to Guelzo, Lincoln was largely influenced by Calvinism, the Enlightenment, and the ideas of John Locke. Harry V. Jaffa, a Distinguished Fellow of the Claremont Institute and a well-known Lincoln scholar, published *A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War*, in which he closely examined Lincoln's belief system. Like Jayne, Jaffa concluded that Lincoln believed the central idea of equality was best articulated in the Declaration of

Independence, and intended the phrase all men are created equal to carry the commonsense meaning that no one person has the right to control another.

Jayne's discussion of Lincoln's intellectual and ethical roots in universal morality is supported largely by the language in Lincoln's most memorable public addresses, namely the Gettysburg Address and his Second Inaugural Address. However, many of the author's arguments require reading between the lines and leaps of faith about what Lincoln must have believed. Given today's ongoing debate over the balance between individual liberty and national security, *Lincoln and the American Manifesto* is decidedly significant and provides a keen look into the mind and ideology of this country's most favored president.

Frank J. Williams is Chief Justice of the Supreme Court of Rhode Island and is one of the country's most renowned experts on Abraham Lincoln. He is the author or editor of over thirteen books; he has contributed chapters to several others, and has lectured on the subject throughout the country. Chief Justice Williams is also the founding chair of The Lincoln Forum — an international organization devoted to the study of Abraham Lincoln and the Civil War. He is one of fifteen members of the U.S. Abraham Lincoln Bicentennial Commission, created by Congress to plan and lead the events honoring the 200th anniversary of Abraham Lincoln's birth in 2009. The author of this review would like to thank Margreta Vellucci for her research assistance.