

CONSTITUTION 101

Module 12: Slavery in America: From the Founding to America's Second Founding
12.4 Primary Source

ABRAHAM LINCOLN, EMANCIPATION PROCLAMATION (1863)

View the document on the Constitution Center's website [here](#).

SUMMARY

President Lincoln made no overt moves to link the suppression of the rebellion with the ending of slavery for more than two years after the outbreak of conflict. But he began making indirect moves within six months of taking office, devising a congressionally funded plan for compensated emancipation in the four “border states”—Delaware, Maryland, Kentucky, and Missouri (which legalized slavery but had not joined the Confederacy). He received little cooperation. Finally, in the summer of 1862, he shifted the basis for an emancipation strategy to his presumed constitutional “war powers” as commander in chief, presenting a draft emancipation proclamation to his Cabinet in July. Although there was no consensus on the existence of such “war powers,” Lincoln issued a preliminary emancipation proclamation on September 22, 1862, and then released a final Emancipation Proclamation on January 1, 1863.

Excerpt

The Emancipation Proclamation is framed as a war measure to suppress the Confederacy; Lincoln roots it in his Article II Commander in Chief powers; the Proclamation emancipates enslaved people held in Confederate territory; and the national government pledges to protect their freedom. Now, therefore I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief, of the Army and Navy of the United States in time of actual armed rebellion against authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three...order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

Lincoln calls on formerly enslaved people to avoid violence, unless in self-defense; and he calls on them to work in exchange for a fair wage. And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

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Lincoln also calls on African Americans to join the Union army. And I further declare and make known, that such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

According to Lincoln, the Emancipation Proclamation is an act of justice, consistent with the Constitution and necessary to win the Civil War. And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.

***Bold sentences give the big idea of the excerpt and are not a part of the primary source.**