

Lincoln, Democracy, and the American Experiment

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[00:00:02.8] Jeffrey Rosen: Hello, friends. I'm Jeffrey Rosen, President and CEO of the National Constitution Center, and welcome to We the People, a weekly show of constitutional debate. The National Constitution Center is a nonpartisan nonprofit chartered by Congress to increase awareness and understanding of the Constitution among the American people. In this episode of We the People, I'm delighted to share a special conversation with the historian Allen Guelzo about his new book, *Our Ancient Faith, Lincoln, Democracy, and the American Experiment*. Professor Guelzo explores Lincoln's powerful commitment to democracy, assesses his record on civil liberties and racial equality, and emphasizes Lincoln's relevance as a political thinker today. Allen Guelzo is director of the James Madison Program Initiative on Politics and Statesmanship and senior research scholar in the Council of the Humanities at Princeton University. He's the author of many books on the Civil War and early 19th century American history and is among America's leading scholars on Lincoln. Allen, it is wonderful to welcome you to We the People.

[00:01:00.1] Allen Guelzo: Jeffrey, it's a pleasure to be able to talk to you and also to the audience of the National Constitution Center.

[00:01:07.5] Jeffrey Rosen: Your book is so clear and illuminating about the basic principles of democracy and how Lincoln embraced them. You begin by saying that liberalism was based on three tenets when it came to democracy. The first was consent, the second is majority rule, and the third is that liberal democracies must submit to law independent of both. Tell us about those three basic tenets of liberal democracy.

[00:01:38.6] Allen Guelzo: Lincoln is a figure that bulks very large in any thinking that we have about democracy, and especially in times that we live in now, times of anxiety, times of concern, fears of crisis. And at moments like this, we turn back to the figure of Abraham Lincoln, because there was a time of crisis in which he lived. And yet our democracy emerged victorious from that, in large measure because of his leadership and his wisdom. So we wonder, can we find answers to our present dilemmas in Lincoln? I think we can find at least some answers, and certainly a large measure of encouragement. And the curious thing is, Jeffrey, that Lincoln never really offers what you would call kind of a dictionary definition of democracy.

[00:02:31.3] Allen Guelzo: In fact, the closest he comes to giving us a definition of the term, is in a note that he writes out in 1858, doubtless in connection with the great campaign of 1858 against Stephen A. Douglas for the Illinois Senate seat. And he says in a very brief compass, As I would not be a slave. So I would not be a master. This expresses my idea of democracy. Whatever differs, to the extent of the difference, is no democracy. And that, as I say, is not perhaps the best definition one could find, because it's all cast in the negative of what democracy is not. Nevertheless, I think we can still extract some important things from it. And you've actually mentioned several of them already.

[00:03:24.1] Allen Guelzo: One is this fundamental idea of consent. What you deal with in a democracy is the consent of the governed. You work on the basic assumption that political sovereignty, the power to do things and to get things done, resides in the people. The people make the decisions for themselves. The assumption is people are competent to do that. The people, he said, who inhabit the country are the people who should rule it. And with that in view, we understand that consent, being able to say yes, is one of the absolute vital aspects of a democracy. In a monarchy, for instance, or a dictatorship, nobody asks the people what they want.

[00:04:05.0] Allen Guelzo: Either the monarch or the dictator says, this is the way it's going to be, and you're gonna have to live with that. And the people have no choice but either to submit or, in some cases, to rebel. But for Americans, Lincoln understood that democracy, is about this thing called consent, the consent of the governed. And he called that in the great speech he gives in 1854 in Peoria, Illinois. He calls that the sheet anchor of American republicanism, this idea of consent. That's the same speech, by the way, where I extract the title, Our Ancient Faith. And it's in that very same speech he gives in Peoria in October of 1854.

[00:04:52.3] Allen Guelzo: So sovereignty and consent, yes, that's fundamental. To any notion of democracy. We assume in a democracy that ordinary people are capable of governing their own affairs, that people are not born with bits and bridles in their mouths and saddles on their backs, waiting to be ridden by someone who assumes that they have more wisdom or more authority on their own. So yeah, sovereignty, consent. And then along with that, elections. Elections are just absolutely vital to a democracy. Not because we enjoy all the hoo-ha that goes along with elections. And there was lots of hoo-ha in Lincoln's day too. But it's because elections are about accountability. People make the choice of their laws, but they also make the choice of the officials who are going to enact and execute those laws. Well, if they don't do a good job, then elections are a way of holding those particular officials accountable.

[00:06:01.8] Allen Guelzo: It's simply saying that officials, simply because they're elected, do not automatically become monarchs or dictators of their own. No, they're accountable to the people. And so you have to have elections. They have to be free. They have to be fair. They have to be frequent. Otherwise, he said, you can't really have free government because free government is about accountability. To those people who are the sovereigns. And then there's majorities. Majorities are another important part of this for Lincoln. Because in any democracy, you're never gonna get unanimity. You're never gonna get 100% of the people who decide, yeah, we all want pepperoni on our pizza Friday night. I've never seen that happen even in a dorm room.

[00:06:48.4] Allen Guelzo: So you're always gonna have a majority. You're always gonna have a minority. In a democracy, majorities have the privilege of ruling, of having their say and having their way. Now that doesn't mean that majorities then have the authority to take the minority, stand it up against a barn wall and execute it. Now, majorities have the privilege of ruling, but they also have the obligation to respect minorities because, and here's one of the great shockers of democracy. A majority might be wrong. A majority might make a mistake. It might be carried away into error. And the minority might, in the event, turn out to be correct after all. In fact, the minority might be so correct that they actually persuade enough people so that they can become the majority at another point further down the road. So majorities, yes, they rule, but they also respect minorities.

[00:07:48.4] Allen Guelzo: But you see minorities also have a responsibility. Minorities have the privilege of dissent. They have the right to dissent. Maybe I'm using the word privilege and right a little too interchangeably. Let's keep it to right, because that's even more fundamental. Minorities have the right to dissent, but they don't have the right to subvert. They don't have the right to frustrate stand in the way of divert the attention and the direction of the majority. So you understand that in a democracy, there are majorities and minorities, they have obligations, they also have rights. Finally, you mentioned law. For Lincoln law is absolutely indispensable to a democracy because law is what keeps reason central to how a government operates. In a monarchy, what matters most is not reason. You didn't get a king because someone decided it was better for that particular person, Charles the first, or James the first to be king.

[00:08:55.5] Allen Guelzo: That was not the product of a reasonable deliberation. No, it was an accident of birth of heredity. So monarchy, dictators, these are not things that happen by reason. They happen by accident. Sometimes they happen by power, sometimes they happen by force, not by reason. A democracy functions by reason. How do you express reason in a political environment? You express it through law. 'Cause Otherwise, without reason, without law, a democracy can become a mob. This is what, this is what James Madison was afraid of, writing in the Federalist Papers. He was afraid that if democracy became unhinged, then it would do terrible things because it would move from being reasonable and governed by reason to being governed by power or maybe by fear. And he makes a comment in the Federalist Papers that if, and he's talking about the Athenian democracy, the democracy of Athens in its golden age.

[00:10:00.6] Allen Guelzo: And he says, "If every Athenian had been a Socrates, then the Athenian assembly would still have been a mob." That was how fearful he was about democracies running off the rails. Well, it did not turn out that way in the event as Madison himself would eventually live to concede. And certainly, Lincoln didn't believe that democracies necessarily ran off the rails. But to keep them on those rails, you need law. 'Cause Without law, you have mobs. Mobs lead to anarchy. And you know what anarchy eventually gives you, it gives you despotism. 'Cause People can't live in an environment of anarchy. You can't live an ordinary life in a midst of constant flux and anarchy. And what do people, what decent people do in the midst of anarchy, they turn to the man on the white horse.

[00:10:57.0] Allen Guelzo: They turn to the authoritarian figure who will promise to deliver them from all their problems and conflicts and anxieties. So whatever, whatever freedom the

mob thinks it has very quickly, very quickly goes downhill into a Napoleon, a Caesar, and Alexander, exactly the line that Lincoln described in one of his earliest great speeches, the Lyceum speech of 1838. So there has to be, first of all, consent. Secondly, it's the consent of a sovereign people. Third, it's the people who got elections that keep that sovereignty in their hands. It's government by majorities and above all its government under the rule of law for Lincoln. That's really what we're talking about when we use the word democracy.

[00:11:49.0] Jeffrey Rosen: Superb. You so powerfully sum up the basic tenets of Lincoln's democratic faith. I'm just gonna repeat them because they're so important. Sovereignty citizens possess equal standing consent free governments about elections, majority rule with respect for minority rights and the rule of law by reason rather than passion, he distilled these basic principles of the American idea, perhaps more concisely than anyone else. He attributed them to the Declaration of Independence, in the 1854 speech with its ideals of equality, liberty, and government by consent. And then in the Springfield speech, as you just told us, he warned of the dangers of mobs and the need for reason rather than passion. What was going on when Lincoln gave the Springfield speech? Talk about his both embrace of democracy and fear of demagogues, and what was his relationship with Andrew Jackson which both embraced Jackson's Democratic majoritarianism, but feared the degree to which he might become a demagogue.

[00:12:51.0] Allen Guelzo: I can sum up his view of Andrew Jackson in one word, bad. Lincoln had no use whatsoever for Andrew Jackson. Partly this is because Lincoln from his earliest political activity in the 1830s, Lincoln belongs to the party that we call the Whigs. The Whigs arose as a protest movement against Andrew Jackson and the Democratic party of Jackson's Day, of which Jackson was the figurehead. And the Whigs insisted that what Jackson represented was dictatorship. They called him the military chieftain 'cause of course, he'd won his popular reputation in the war of 1812 as a commander of an army victorious of the battle of New Orleans in January of 1815. And the Whigs said that what this man is doing is he's using the popularity that he has won on the battlefield as a mechanism for making himself politically into a dictator. And they looked at the two terms in office that Jackson served from 1828 up through 1836.

[00:14:02.7] Allen Guelzo: And they say, this is, as one Whig put it. This is as close to the reign of Julius Caesar as the American Republic has ever experienced. And Lincoln shares that he has a very dim view of Jackson and why Jackson seems to him to capture entirely the image of the demagogue. This is a man who thrives on power, on control, on rule over others and who exploits fear, who exploits opportunism and uses those things to crush people in his path. Jackson Was a ruthless general. He was also a ruthless slave owner.

[00:14:50.8] Allen Guelzo: He was a ruthless politician. And as president once again, he exercised the powers of the presidency with, well, ruthlessness. Lincoln is extremely critical of that. And the speech that Lincoln gives in January of 1838 in Springfield. Now this is part of what was then called the Young Men's Lyceum of Springfield, speaks directly to that, and he connects it. Jeffrey, at that point with mob action too, because the year before the United States had suffered a series of mob actions, largely they grew out of economic dislocation. Jackson leaves the presidency in 1837 and no sooner has he left, It's about two months into the presidency of his successor, Martin Van Buren, his handpicked successor, the United States goes into a major recession. And when I say recession, that sounds almost too gentle.

[00:15:53.8] Allen Guelzo: It was a serious economic dislocation. And in response to that, there were mob attacks all across the country. And some of the mob attacks are economic in nature. Some of the mob attacks have to do with opposition to slavery. In this case, people who opposed slavery were being attacked by mobs, because the mobs reasoned if we're going to eliminate slavery. While all that we're really gonna do is we're gonna create more competition for the existing jobs. And the number of those jobs is getting smaller because of this recession. So Lincoln looks at what's gone on in the previous year. He says, "Look at all these mob actions. How are we gonna perpetuate our political institutions as a democracy? When people are taking the law in their own hands this way when they're lynching people when they're pursuing people they think are parasites on the community and either throwing them aside forcing them out or perhaps even murdering them. Then there are mob actions of other sorts."

[00:17:06.5] Allen Guelzo: And he lists some examples of this that were fairly close to his own experience in Springfield, Illinois. But there was really no part of the country that was exempt from these kinds of actions. Lincoln says, "This is incompatible with a democracy. What are we becoming?" He says, "We used to remember that we were, whether we were Americans and the heirs of the American Revolution." But look, he says "It's 1838. It's been a long time since the American Revolution." He says, "The silent artillery of time has silenced the voices of those who were present in 1776 and who would otherwise be available to remind us of what our principles are." He says, "Now we are looking at a situation where people are ignoring completely what this democracy is supposed to be about."

[00:18:02.1] Allen Guelzo: Alright, how do we recover that? How do we recover a sense of it? 'cause if we don't recover a sense of it, what will happen will be exactly what I described before. There will be an Alexander, a Caesar, a Napoleon, what he calls a towering genius. And it's hard not to think that when Lincoln's talking about a towering genius, he's got Andrew Jackson in view. How do we avoid that? The way we avoid it, he says, is by reverence for the laws, by committing ourselves. He says almost as though it was a civic religion to keep abiding by supporting, observing the laws. We should make it the kind of thing that mothers teach their children on their laps.

[00:18:48.2] Allen Guelzo: That we should teach in schools. We should teach in colleges that every one of us should swear that we will in no way and in no wise tolerate, disregard the laws. That is as that is the way to keep us on the straight and narrow. And if that does in fact take place, then he's confident that that will preserve the balance of American democracy. Be fearful, he warns. Be fearful of the mob. Be fearful of unreason. Be fearful of the demagogue that in 1838, well we can read that now. And it sometimes sounds very academic. And it wasn't in 1838, he had seen enough of it quite close to home in Springfield.

[00:19:33.0] Jeffrey Rosen: The warnings of the lawless and mobocratic spirit arguably don't seem academic today as we fear mobs online and throughout our republic and you so powerfully say that Jackson was the first example of what Madison feared, a weakness for demagogues who play to anger, fear and contempt and persuade Americans to put more faith in power than in liberty. Using that definition of demagogues, what were the demagogues who Lincoln saw before and during the Civil War? Was this the secessionists and Douglas or Alexander Hamilton

Stephens? And how did Lincoln's determination to teach the rule of law and resist demagogues play into his relationship with civil liberties in wartime?

[00:20:18.5] Allen Guelzo: Well, for him, the demagogue that he has to deal with most directly, and he doesn't want to exactly use the word demagogue, is Stephen A. Douglas. He doesn't want to exactly use the word demagogue because Douglas is an Illinoisan like himself. He has known Douglas for many, many years and yet he is convinced that Douglas, whatever talents Douglas possessed, and he did, he possessed great talents as a politician. Nevertheless, Lincoln believed that Douglas represented a perversion of those principles and what you get in Stephen A. Douglas, he said, is a man who will tell a lie to 5,000 people one day and the next day will tell the exact opposite to 10,000 people, always counting on the fact that the original 5,000 aren't going to go and check up on what he says the day after.

[00:21:14.9] Allen Guelzo: There are moments in Douglas' career which Lincoln simply finds awful to think about, but the worst of all was the way Douglas talked about slavery. Douglas talked about slavery as though this was like making a choice between flavors of ice cream. That if you wanted to have slavery and you wanted to legalize slavery in your state, you should be perfectly free to do it, if you have a 51% majority that will approve that, and especially this alarmed Lincoln because Lincoln had grown up believing that slavery in America was really doomed by the progress of democracy. That yes, of course, the federal government doesn't have the authority to intervene in those states where slavery has been legalized by those states, but certainly the federal government has the authority to prevent slavery from spreading outside those states, spreading into the new territories of the West, of the old Louisiana Purchase.

[00:22:19.3] Allen Guelzo: And if that would be the case, then Lincoln could foresee that those territories would be taken over by slave interests. They would soon become a majority, and then they would use that slave majority, to undo all the free state statutes, and the entire country would find itself swallowed up in the maw of legalized slavery. Lincoln sees, and this is what brings him in fact out of a kind of semi-retirement from politics in 1854, Lincoln sees that Douglas is providing what he calls a lullaby. He is saying to Illinois voters that, well, we really should, in fact, leave it up to the ordinary people in the territories to decide whether they want to legalize slavery or not, that we shouldn't feel ourselves restricted by the Missouri Compromise of 1820, or by the Great Compromise of 1850, both of which touch on the territories. Rather, we should simply open the territories of anybody there who wants to vote in favor of slavery, and if you've got a majority voting in favor of slavery, fine, legalize it.

[00:23:33.9] Allen Guelzo: Douglas says, and he says this on the floor of the Senate, I don't care whether slavery is voted up or voted down, so long as the people get to decide, and a 51% majority approves of it. Lincoln says, this is not what a democracy is about. Democracy is not about two wolves and a lamb, taking a vote about what to have for dinner. There are certain things that even in a democracy, you can't meddle with, and those things are what are outlined in the Declaration of Independence, those inalienable rights, life, liberty, the pursuit of happiness. There's no such thing as having a referendum on life, on liberty, and the pursuit of happiness. Those are rights that are hardwired into every human being from the hands of their creator. For Douglas to get up and say, oh, well, all it's going to take is, let's take a straw poll, let's have a referendum on whether we should legalize the enslavement of other human beings, to Lincoln,

this is an abomination. This is a perversion of democracy, not an example of it. This is a descent into mob rule, because mob rule always succeeds, alas, when you have a large enough number of people who will use power to get their way.

[00:24:53.7] Allen Guelzo: Again, democracy is not about power. Democracy is about reason. It is about deliberation. It is about law. Lincoln says, you simply cannot make things up. You cannot deprive people of their natural rights simply by saying, well, we're going to have a vote on it. No, it doesn't work that way. So Douglas looks plausible, because, of course, what isn't plausible about saying, oh, well, let's put this up to a vote, and whoever gets the 51%, oh, well, they get to have their way? That sounds so plausible. No, Lincoln says, that's a lullaby. That's not democracy. That is a sham of democracy.

[00:25:34.8] Allen Guelzo: And that is what leads Lincoln into collision with Douglas over and over again. It will lead him into the great debates of 1858, and then it will lead Lincoln into competition with Douglas for the presidency in 1860. In the end, Lincoln wins. Douglas goes down to defeat. And I will say this about Stephen A. Douglas. At least there is one redeeming moment for the man. It's on the platform for Lincoln's inauguration on the 4th of March, 1861. Lincoln is going to deliver his inaugural address. He takes his hat off, that stovepipe hat so famously associated with Lincoln. He realizes he's got nowhere to put it. Stephen Douglas steps forward, takes the hat and holds it for him. So at least at the very end, Douglas is able to make one gesture of recognition of decency. But in many other cases between Lincoln and Douglas, Lincoln believed that Douglas represented a perversion of democracy, not the real article.

[00:26:42.9] Jeffrey Rosen: Such a powerful example of Lincoln's vision of democracy. I love your notion that his great complaint against Douglas was that Douglas cared entirely too much for public opinion and had no inner moral gyroscope. And in that sense, Lincoln insisted that slavery violated natural rights. Before we talk about slavery, I want to introduce Lincoln's economics. You have two chapters on his embrace of Henry Clay's American system and note that he was quite a good political economist. I learned from you that he was inspired by John Stuart Mill more than anyone else. Tell us about the core of his economic vision rooted in internal improvements, a tariff and a national bank, which he got from Clay. And what was the relationship between his politics and his economics?

[00:27:29.9] Allen Guelzo: Let me take you back to Lincoln's identity as a Whig. The Whig Party was really founded by Henry Clay in the 1830s, just when Lincoln was getting active politically in his own life. And Clay founds the Whig Party on three basic premises. One is internal improvements. Today we would call that infrastructure. Also, protective tariffs for American manufacturing, for American industry. And I can expand this just for a moment. When the American Republic is founded, we are overwhelmingly an agricultural republic. That's not an accident. That's because that's the way the British intended us to serve as colonies. We were going to be the breadbasket for British industry. And so, all those regulations and taxes that were at the very foundation of the American Revolution and our resistance to them, they're really designed by British imperial planners to keep the American colonists in a very subordinate position, feeding the workers in Britain.

[00:28:35.2] Allen Guelzo: So we embark on independence, but we embark purely as an agricultural nation. And that has its limitations. Something we discovered the hard way in the War of 1812. Again, a war with Britain, but we didn't have the wherewithal to clothe our soldiers, to arm our soldiers. And if it had not been for the distraction Napoleon Bonaparte afforded to the British Empire, well, the American Republic might have had a very short life and we might have gone back to being colonies. And today we'd be talking about having a governor general in America and other things like that. The Whigs look at this and say, this is a terrible situation to be in. We can't be in a situation of vulnerability like this forever. We need to develop American manufacturing.

[00:29:23.7] Allen Guelzo: But how do we do that in competition against British manufacturing? They've got the advantage of us. They can swamp us with cheaply made goods. So protection, tariffs, that becomes an important part of Clay's policy. The third part is a national banking system. And a national banking system is what's going to establish a uniform currency, a uniform means of exchange, all throughout the United States. Jeffrey, this surprises people when I pose this question, but I ask people, what was the most popular magazine circulated in America before the Civil War? And people will sometimes say things like, oh, maybe Harper's, maybe Frank Leslie's Illustrated, maybe the North American Review. The answer is none of the above. The most popular magazine circular in the country was the currency circular. The currency circular listed the notes issued by banks all across the country and what those circular, what that printed, that paper currency of those banks, what it was really worth. Because there was no paper money issued by the federal government. It was all issued by banks.

[00:30:43.3] Allen Guelzo: And some of it, some of it might be good. And some of it, well, some of it might be worthless. And if somebody walked into your store and your store was located in Illinois and this was a person from Maine wanting to hand you bank notes from a bank in Maine, could you really trust them? No, you had to go to the currency circular to find out if that bank was still in operation. Well, what did this create? It created a situation of terrible, terrible consequences for the American economy. Because from place to place to place, you could never be entirely sure of who was buying what with what.

[00:31:20.5] Allen Guelzo: So, a national bank that will issue some form of dependable circulating medium as Lincoln used the term. Those become the three most important parts of the Whig agenda. The Whig Party itself, founders, fell apart by 1856. But from out of the Whig Party emerges a new party whose identity is really wrapped around opposition to slavery. That's the Republican Party. And Lincoln, like many northern Whigs, joins the Republicans. He's elected as a Republican as president in 1860. But he will always describe himself to his friends afterwards as what he calls an old Henry Clay Whig. And what he wants to do as president, is to put in place exactly that economic agenda. Internal improvements, protective tariffs, a national banking system. And he'll do it because as he described Henry Clay, Henry Clay was his ideal of a statesman.

[00:32:26.9] Allen Guelzo: Now, we often think of Lincoln as the wartime president, and he is. Jim McPherson made the comment on one occasion that Lincoln is our only president whose virtually his entire presidency is consumed by war. And war makes noise, and we pay attention to the noise. It's called the Civil War. So, we think that the Civil War was the only thing going on

during Lincoln's presidency. It wasn't. At the same time as Lincoln is conducting this Civil War, this terrible campaign, He is also pushing through an economic agenda, and it's the old Whig agenda. He's pushing through, for instance, internal improvements, infrastructure. In fact, he signs the single biggest infrastructure bill in American history, and that is the bill authorizing the Transcontinental Railroad. Now, we sometimes romanticize the Transcontinental Railroad, and we think of it as something apart from Lincoln or the Civil War, but the truth is, the projects for the Transcontinental Railroad had been routinely stymied for years before Lincoln's presidency. It's Lincoln and his old Henry Clay Whig friends who are going to make that a reality.

[00:33:45.3] Allen Guelzo: And that's a transforming moment for the American economy, because that means that the settlers who are moving into the western territories, they're now gonna have a means of marketing their goods, getting them from great distances in the west to eastern marketplaces. That's a vital economic fact. So, infrastructure. Tariffs. Lincoln is determined to protect American industry. The Civil War Congresses at Lincoln's promotion enacted the highest tariff rates, protective tariff rates in American history. And then a national banking system. He doesn't quite get a national bank itself, like the model of Alexander Hamilton. We won't get something like that until we get the Federal Reserve Bank in the 20th century. But he does get a national banking system, and it's a system which is committed to creating a uniform paper currency for the entire United States. So, at the same time as the Civil War is going on, a Civil War that rightly takes so much of our attention, Grant and Sherman and Lee and Jackson and all the great battles, at the same time as that's going on, Lincoln is laying down the project of a great economic process. And it's a process which for him is bound up with democracy, because every part of that old Whig agenda is about enablement.

[00:35:14.6] Allen Guelzo: It's about people transforming themselves. It's about what Lincoln called the right to rise in life. His idea of a democratic economy is an economy in which everyone gets to start from the same starting line and after that, you make of yourself what your talents and your abilities and your energy dictates. But everybody gets to start from that same place, and then people can rise on their own. Not because of some hereditary inheritance of dukedoms or other kinds of aristocratic nonsense, rather because they can do it as Lincoln did himself. They can make themselves something new and transformed. That, he says, is democracy in economic exercise. So, he has a very definite economic agenda. It has those three aspects. But he loves that in particular. He wants to promote that in particular, because that is what he sees as the economic counterpart of democracy and politics.

[00:36:21.7] Jeffrey Rosen: So powerful to remind us of those three pillars of Lincoln's economic program, which of course date back to Hamilton, as you mentioned. And the bank and tariffs and internal improvements were all Hamiltonian. And yet Lincoln embraces Jefferson as his model because he wants to win. Jefferson is a more salient political figure, and both in attacking the immorality of slavery as violating natural law and also defending Congress's power to ban it, Lincoln invokes Jefferson. Tell us now about his approach to slavery and the evolution of his views, beginning with his insistence that slavery violated the natural rights enumerated in the Declaration of Independence.

[00:37:07.7] Allen Guelzo: Lincoln once said, I have always hated slavery. I've always been opposed to slavery. He tells a Kentucky newspaper editor and a former governor of Kentucky, he

has them in his office in the White House. And he tells them, very frankly, I've never had a thought, I can never recollect a thought that pointed in any other direction except hatred of slavery. Because he assumed, first of all, that this is a flat-out violation of a natural right to liberty that's articulated in the Declaration of Independence. And he says, very frankly, in 1859 about Jefferson and the Declaration, that Jefferson and what Jefferson laid down in the Declaration, these, he said, are the axioms, the principles of a free society.

[00:38:01.0] Allen Guelzo: It's interesting he uses the word axiom. And as soon as you say that, you think of geometry. I loved geometry in 10th grade, I have to admit. Mathematics was never my long suit, but I loved geometry. Why? Because it was about logical relations. Lincoln is a man of logic. Lincoln is a man of reason. And a lot of the times when you hear him talk, when you hear him work through problems, it almost sounds like he's laying out a geometrical proof. In this case, for him, Jefferson and the Declaration of Independence is laying out the axioms of a free society. And two years later, when he's en route to his inauguration in Washington, DC, he will stop in Philadelphia.

[00:38:46.6] Allen Guelzo: He'll give a speech inside Independence Hall and then outside as well. And he says there, "I have never had a thought politically that did not stem from, that did not rest upon the Declaration of Independence." For him, that's simply the fundamental on which the American democracy is built. He has, in that respect, a reverence for Jefferson. Now, there's another side to this. And it's the side that his law partner, William Herndon, reminds us of in a number of Herndon's letters, recollecting his interactions over the years with Lincoln. And that Lincoln was very dicey about Jefferson as a person. Jefferson is a thinker. Jefferson is the man who articulates those propositions about democracy. Yes, Lincoln loved that. He was much more worried, though, about Jefferson who at the same time, as he talks about all men being created equal, holds people in bondage.

[00:39:52.4] Allen Guelzo: And there was an element of hypocrisy that Lincoln discerned in Jefferson and criticized. And Lincoln knew all about the stories about Sally Hemings and Jefferson's behavior towards her. And we think sometimes we only just discovered that a few years ago. No, actually that was fairly well known even in Jefferson's lifetime. And Herndon said that Lincoln just despised that aspect of Jefferson. How could the man who articulates these axioms of free society, at the same time behave in a fashion which seemed to contradict them?

[00:40:31.7] Allen Guelzo: Well, Lincoln didn't have an explanation for that, but he did distinguish between the two Jeffersons. The Jefferson of personal practice that he reprobated. Jefferson who articulates the ideas that he, as he says, are the axioms of a free and democratic society. When he has to deal with the legacy of Jefferson, this is a dicey thing for him. But he has at least the Declaration of Independence to lay out before people. And the Declaration and its principles become the thing he is constantly bringing people back to. And perhaps the most dramatic form in which he does that is in the Gettysburg Address.

[00:41:10.6] Allen Guelzo: Because you remember how the Gettysburg Address begins. Four score and seven years ago, our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal. Four score and seven years ago. Do the math, Jeffrey. Do the math. He's talking about 1776. And he's saying what

really lies at the foundation of American life and American politics is a proposition. Think about how wild that is. How wild it is, especially in the context of Lincoln's 19th century.

[00:41:50.2] Allen Guelzo: When the United States declared its independence in 1776, and we made that Declaration of Independence, the instrument of declaring our separation from Great Britain, it looked like the kind of republic that we were founding was the wave of the future. And in 1789, the French seemed to ratify that. Our former allies in the revolution, now they overturn monarchical government. They're going to establish a republic. Looks good. Well, it didn't turn out terribly well in France. And there, the revolution degenerates into the reign of terror. The reign of terror into the dictatorship of Bonaparte. And from there, the monarchies of Europe reestablish their control.

[00:42:37.0] Allen Guelzo: They suppress revolutionary movements, especially in 1848. And after a while, it begins to look like the American experiment was a one-off affair. That it was peculiar to American life and American geography. And when in 1861, the American republic convulses itself in civil war, all the monarchs all around us are rejoicing because they're saying, see, democracy doesn't work. They say to their restless populations, don't look to the Americans for an example to supplant monarchy, because look, they can't even keep their own house in order. And in fact, the thing which is inducing disorder in their house is the fact that half of this so-called democracy is holding people in bondage.

[00:43:31.2] Allen Guelzo: The aristocrats roared with laughter and joy at the prospect of American democracy, blowing its own brains out over this issue of slavery and disunion. So when Lincoln stands up at Gettysburg, that's the background against which he's speaking. A background in which every monarch is on the edge of their chair, waiting, hoping, praying for the collapse of the United States into fragments. And he says, no. No, what has happened here at Gettysburg is a sign that democracy is more durable than that. The people who fought here, and especially those who died here, saw something extraordinary in democracy. And they were willing to make the ultimate sacrifice for it. So what should we do?

[00:44:22.7] Allen Guelzo: We should, all right, yes, dedicate a cemetery. But sure, let's remember that the people who fought here have actually already dedicated it by their sacrifice. Rather, let's dedicate ourselves to this great project. Let's dedicate ourselves to this idea of government, of the people, by the people, for the people. And if we do that, if we will perform that act of rededication, then indeed we will experience a new birth of freedom. We will reappropriate the principles of 1776, of that proposition. And that will bring life back into what we are doing, and it will accompany us to victory in this Civil War.

[00:45:08.6] Allen Guelzo: This is the great task, he says, that's remaining before us. Now, he's speaking to his audience there in November of 1863. But I like to think in the larger sense, Jeffrey, that when he talks about the great task remaining before us, he's talking to every subsequent generation of Americans, and including our own. That the great task to which we have to be dedicated, that great task lies before us, too. And how are we going to respond to its challenge?

[00:45:41.0] Allen Guelzo: We have challenges today. We have anxieties. We have a sense of crisis today. I think Lincoln's proposition, Lincoln's challenge to us, are we willing, are we ready, are we able, do we have enough confidence in this democratic experiment to dedicate ourselves to it? That question hangs in the air for our generation fully as much as it did for Lincoln and his generation there at Gettysburg in 1863.

[00:46:15.9] Jeffrey Rosen: You mentioned Lincoln's recognition of Jefferson's hypocrisy and denouncing slavery, and yet himself being an enslave. And you also in your powerful chapter on democracy and emancipation note Lincoln's own hypocrisies, that he had judged by dishonor that he expressed toward, black people. There are pluses and minuses, including his condescension, his vocabulary, and his strange enthusiasm for minstrelsy. If the test is enmity or dislike of black people, his record is substantially more impressive you say, and yet at this, and he always championed colonization and thought that black people in the end would have to leave America. Tell us about Lincoln's complicated record on race.

[00:47:07.3] Allen Guelzo: Jeffrey, I can't disguise the fact that yes, I admire Lincoln and, I would like to invite others to admire Lincoln. And yet I also understand that Lincoln himself is simply a man. He did not walk on the Potomac. He was not perfect. And he brings into this struggle for the preservation of democracy and the Civil War. Many of the prejudices of his own day, I would like to discount them and say, well, you have to look at the context of the 1860s. And yet I'm also aware that if I make an appeal to context, if I yield to that temptation, then what I've done is I've effectively erased an irrelevance of Lincoln to ourselves today. Because if he is only a product of his context, then he has nothing to say to us, and I don't think that's true. I think what we have to understand in looking at Lincoln is he makes mistakes.

[00:48:11.8] Allen Guelzo: He has misperceptions. Sometimes he's yielding to the misperceptions, especially on race of his own day. Sometimes he's yielding to necessity. He is a politician. He's begging for votes and he's begging for votes from people who sometimes entertain in embarrassing degrees, the most vile of prejudices on the subject of race. And he's also someone who is feeling his way through a crisis. We look back on the civil War, we look back on emancipation and we say, oh, well, yes, of course that was inevitable. It was gonna happen that way. He should have known better. Perhaps. On the other hand, the United States had never had a civil war before. The United States had never seriously considered as a nation the question of emancipation. Sometimes it was because the situation had never forced itself on us. Sometimes it was because we didn't wanna think about it until it did force itself on us.

[00:49:18.5] Allen Guelzo: There is no civil war for dummies that he could buy at the bookstore. There's no emancipation for dummies. There's no template. So a lot of the time, what you're seeing in Lincoln as half-heartedness, lack of interest, indifference, sometimes it's because he's not sure where he's at. He's not sure where the country's at. He's not sure where the way forward is, and there's no one to tell him. We have the benefit of hindsight. Now, of course, if we take that very same attitude and apply it to ourselves, I'm sure that 50 years from now someone will be looking back at us and saying, "Well, they should have known to do X, Y, and Z." And it will seem very easy and obvious 50 years from now, we don't experience it that way. We experience anxiety. Well, we experienced uncertainty. Now, Lincoln experienced uncertainty

that what was race, what was going to be the future of those who had been enslaved, who were not going to be now going to be free?

[00:50:23.2] Allen Guelzo: What do you do with the population that a large majority of the rest of the population holds in contempt? How do you reconcile these things and how do you do it in the middle of fighting a war? All these get sometimes an answer from Lincoln that we scratch our heads about and say, "What was he thinking? It should have been obvious," except that it wasn't obvious. It was not obvious to people then obvious to some, but not to many.

[00:50:54.9] Allen Guelzo: So he struggles with this. And in our ancient faith, I have to say, frankly, he doesn't always struggle and come up with the right conclusion. He doesn't struggle his way through these questions with perfect adeptness. You mentioned colonization. He's willing to dabble with the idea of colonization, and what colonization meant, just to translate it was, alright, yes, we're going to emancipate the slaves, but we're then going to take all the slaves and we're gonna deport them. Where to? Well, maybe Central America, maybe somewhere in the Caribbean, maybe West Africa. There were a variety of competing theories. But you take one step back from that and you're gonna say to former slaves who have now been emancipated, many of whom, whose ancestors had been in the United States longer than most of the white people who were living in the United States. But you were gonna say, "No, we're gonna ship you somewhere else."

[00:52:04.5] Allen Guelzo: And Lincoln appears for a while at least to play along with this. And there's one particularly damaging moment in August of 1862 when he speaks to a delegation of black leaders in the White House where he urges them, "I want you to consider colonization."

[00:52:22.6] Allen Guelzo: Why does he do that? Well, partly, as I say, it's because he's feeling his way through the thicket of these problems, feeling his way, because he doesn't know where the ultimate path or the ultimate answer lies. Okay? That's one thing.

[00:52:35.3] Allen Guelzo: Second thing is, why is he talking about colonization? What good would that do? Well, certainly it wouldn't do any good for the freed slaves. What it might do though, is to persuade reluctant white people to go along with emancipation. You see, if you're gonna get to emancipation, you've got to convince a lot of white people in Lincoln's day that that's not going to pose some kind of economic or political threat to them. How do you make the pill of emancipation go down easier?

[00:53:08.5] Allen Guelzo: You can make it go down a lot easier by telling white people in Lincoln's day, once we emancipate black people, you won't have to worry about it. There's a way out, there's a back door. At which point, reluctant white people say, "Oh, all right, we'll go along with emancipation then."

[00:53:30.7] Allen Guelzo: And there were a number of people, both black and white, who thought that they discerned exactly that strategy in Lincoln's talk about colonization. In the event, does he really carry out colonization? He sanctions one small scale experiment to an island off the coast of Haiti. It lasts for six months. He sends a boat, brings everybody back, and as his secretary, John Hayes said, slews off this humbug of colonization. Why was he doing it? I

strongly suspect he was doing it to be seen talking about it, to damp down opposition to the bigger project, which is emancipation.

[00:54:12.1] Allen Guelzo: After that point. Lincoln never looks back to it. After that, that's when he starts talking about voting rights for the freed slaves. And at that point, he's on the high road at last, but he does take his time getting there. That is a fault in Lincoln. So I will not put a halo around his head. I think he's impressive. I think he's admirable in so many ways, but he has his faults, which is to say he's like you and me.

[00:54:42.3] Jeffrey Rosen: Your last chapter is powerfully called What if Lincoln Had Lived? You imagine that he might have taken on the question of the increasingly problematic role of the federal judiciary. And in fact it was Roger Taney who embraced a version of judicial supremacy that was antithetical to Jefferson's far more restrained role. And you think that Lincoln might have taken that on as well as helping us to recover consent, embracing inequality in which privileged groups don't claim sanction for power and also help us recreate a democracy of citizens? Tell us in some final thoughts what might have happened if Lincoln had lived.

[00:55:29.6] Allen Guelzo: Jeffrey, you know better than almost all of us, that when we talk about the balance of powers in the Constitution, the balance of powers between the three branches, executive, judiciary, and legislative, we know that there are many times and many long stretches in American history where there hasn't been a balance at all where one has outstripped the others in terms of power and grabs for power and administrative authority.

[00:55:57.9] Allen Guelzo: The judicial branch performed a grab like that in 1857 with the infamous Dred Scott decision, which was a single-handed attempt on the part of Chief Justice Roger Taney to settle the whole slavery question. His feeling was the legislative branch had failed, the executive branch had failed. Ah, we, the US Supreme Court, we are gonna settle it. Look, of course he didn't settle anything. It only made it worse. Now this put a bad taste in Lincoln's mouth because for years before this, Lincoln had always talked about the judicial branch as having the last word in passing on the constitutionality of American laws.

[00:56:38.0] Allen Guelzo: And he talked about that specifically on the issue of a national banking system. But after Dred Scott, he becomes much more hesitant about handing any kind of blank check to the judicial branch or to any of the three branches as having superior authority to the others. In fact, at the very beginning of the Civil War, he suspends the writ of habeas corpus.

[00:57:02.7] Allen Guelzo: Now of course, Chief Justice Taney has a fit over this, issues his own opinion in Ex Parte Merryman denouncing what Lincoln has done is unconstitutional and hoping then that Lincoln would appeal what he had written to the entire Supreme Court, in which case Taney would hope to get a full court decision striking down the suspension of the writ of habeas corpus. Lincoln doesn't appeal it. He simply lets his suspension of the writ of habeas corpus stand and that through most of the Civil War pretty well hobbles the activity of the Supreme Court and Roger Taney in it.

[00:57:45.1] Allen Guelzo: And I have to think that that in large measure is because Lincoln has simply decided he doesn't want to give Taney some kind of veto over the decisions he has to

make as the executive branch. Now, after Lincoln's death and after the end of the Civil War, all this changes yet again. What we will see in reconstruction is once again, a struggle among the three branches. Not balance, but a struggle between the three branches as to who is going to have the real authority and dictating the settlement that we call reconstruction.

[00:58:17.9] Allen Guelzo: But that's another story that's out beyond Lincoln. Lincoln is trying himself to deal with this struggle between the branches. And especially that's true for him as the head of the executive branch when he deals with the legislative branch, it's not always easy outcomes and he also has to deal with the judiciary. So Lincoln shows us that in our constitutional system, yes, we have these three branches. We also have to keep an eye on any one of them, completely upsetting that balance as the balance is there for a reason.

[00:58:52.7] Jeffrey Rosen: Allen Guelzo for writing and discussing with us our ancient faith, Lincoln democracy and the American Experiment. Thank you so much.

[00:59:04.6] Allen Guelzo: You are very welcome, Jeffrey. And a shout out to all those who are lovers of the Constitution and especially the National Constitution Center, which I love for its work. And also love for being a Philadelphia boy, just like the Constitution Center is itself.

[00:59:21.3] Jeffrey Rosen: Wonderful. Such an honor to have you. Thanks so much.

[00:59:26.7] Jeffrey Rosen: Today's episode was produced by Lana Ulrich, Samson Mostashari and Bill Pollock. It was engineered by Bill Pollock. Research was provided by Samson Mostashari, Cooper Smith and Yara Daraiseh.

[00:59:37.0] Jeffrey Rosen: Dear We the People friends, I so appreciate your emails and requests for book plates for the pursuit of happiness. Thank you so much for asking. I am honored to send one to anyone who would like. It's jrosen@constitutioncenter.org. And I also so appreciate your wonderful notes sharing what the book and the podcast mean to you. And I'm so glad that many of you're finding the podcast illuminating and Educational.

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[01:00:44.3] Jeffrey Rosen: On behalf of the National Constitution Center, I'm Jeffrey Rosen.