Title: Liberty Is a Slow Fruit: Lincoln the deliberate emancipator

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William Lloyd Garrison, the fiery abolitionist editor of the *Liberator* , had struggled for decades to see slavery abolished, but when Abraham Lincoln issued the preliminary Emancipation Proclamation on September 22, 1862, the long-awaited action came as a disappointment. Garrison was furious. Lincoln's decree would free the slaves in rebel-controlled areas in the seceded states on January 1,1863, a hundred days away. The delay was intended to give the Confederate states a chance to return to the Union and thus prevent the proclamation from applying to them. Lincoln also believed that the public needed time to digest this unprecedented development. "The President can do nothing for *freedom* in a direct manner, but only by circumlocution and delay," lamented Garrison, who on an earlier occasion declared, "If he is 6 feet 4 inches high, he is only a dwarf in mind."

What was taking Lincoln so long? Did he not understand that slavery caused the rebellion and that to end it he must immediately attack the institution? In a speech delivered on October 1, 1861, nearly a year before the preliminary Emancipation Proclamation, U.S. Senator Charles Sumner had thundered, "It is often said that war will make an end of Slavery. This is probable. But it is surer still that the overthrow of Slavery will at once make an end of the war" Sumner kept steady pressure on the president, visiting the White House not once but twice on July 4, 1862, to implore Lincoln to sanctify the day by emancipating the slaves. Yet Lincoln did nothing more than try to placate Sumner--the Massachusetts senator, he said, was only a month or six weeks ahead of him in his thinking.

The timing of the final proclamation was part of the withering criticism it faced, and the decree has never fully escaped allegations cast by commentators across the political spectrum: that it was unconstitutional, that it could not be enforced, that it would lead to racial warfare, and that it hardly liberated anyone. The soulless language of the document has seemed especially galling to some. In 1948, Columbia historian Richard Hofstadter quipped that the Emancipation Proclamation had "all the moral grandeur of a bill of lading," and the censure has stuck. In recent decades, a shift in scholarly focus to those outside traditional channels of power suggested that Lincoln did not free the slaves, but rather, the slaves, by running away, freed themselves. Lincoln the emancipator was reduced to Lincoln the procrastinator.

It is lamentable that we have distanced ourselves from the proclamation and have allowed it to be diminished by criticisms of its timing, prose, and perceived efficacy. Lincoln was a cautious politician, and he would not be pressured. He once told the story of a man with a mill, located at the top of a hill, whose water supply came from a lake. The man "opened the sluice a trifle & the water rushed out, widening the passage until its volume swept off mill & miller." If not handled with care, emancipation could have been the torrent that drowned one and all. Lincoln took every precaution to make certain that would not happen; freedom hurried could be freedom lost. His deliberate decision making may have driven radicals to despair, but it assured the triumph of the final Emancipation Proclamation.

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"I AM NATURALLY ANTI-SLAVERY," Lincoln wrote in 1864. "If slavery is not wrong, nothing is wrong. I can not remember when I did not so think, and feel. And yet I have never understood that the Presidency conferred upon me an unrestricted right to act officially upon this judgment and feeling." The inconvenient fact was that the states controlled the disposition of slavery within their borders, and under the Constitution, Lincoln could not interfere. The president could implore, encourage, and cajole, and he tried repeatedly to persuade the four slave states that remained in the Union--Delaware, Maryland, Kentucky, and Missouri--to adopt plans for gradual emancipation. But as long as he treated secession as a domestic insurrection, a course he took in hopes of preventing European nations from recognizing the Confederacy, the rebellious states were still entitled to constitutional protection as if they had never left.

"The occasion is piled high with difficulty," Lincoln observed in December 1862, and indeed it was. It took the doctrine of military necessity, which gave the commander-in-chief power to act in time of war, to cut through the constitutional obstacles to emancipation. The notion that Congress and the executive had such powers in regard to slavery had been addressed as early as 1836, when the former president John Quincy Adams proclaimed, "from the instant your slaveholding states become the theatre of war, civil, servile, or foreign, from that instant the war powers of Congress extend to interference with the institution of slavery in every way by which it can be interfered with."

With the start of the Civil War, opponents of slavery pressed the doctrine upon the president. They despaired in May 1862, when Lincoln overturned General David Hunter's general order that declared slaves in his Department of the South, comprising South Carolina, Georgia, and Florida, "forever free," but took hope from a line in the veto message that announced "whether it be competent for me, as Commander-in-Chief of the Army and Navy, to declare the Slaves of any state or states, free, and whether at any time, in any case, it shall have become a necessity indispensable to the maintainance of the government, to exercise such supposed power, are questions which, under my responsibility, I reserve to myself." If anyone were to act, it would be the president, not his generals.

The clinching argument came from War Department Solicitor William Whiting's *The War Powers of the President* , published in early 1862. Whiting confirmed that the president had the constitutional authority to impose the measures of confiscation and emancipation, that he could lawfully exercise executive power to attack slavery as a "*means* of terminating the rebellion." So important was the work that while living in the White House in 1864 and painting his *First Reading of the Emancipation Proclamation* , Francis Carpenter borrowed the book to include its portrait on the canvas. It took time to solve the constitutional problem of how the federal government could abolish slavery in the rebellious states. By July 22, 1862, when he announced to the cabinet his intentions to issue an emancipation proclamation, Lincoln had done so. In the final proclamation, the president justified the action as "a fit and necessary war measure," but he also added that he "sincerely believed" it to "be an act of justice."

A thornier issue than his power to act was the political consequences of doing so. Lincoln feared that if he attacked slavery, he would alienate the slave states that remained in the Union and perhaps even compel them to join the Confederacy. "I hope to have God on my side, but I must have Kentucky" is a quotation often attributed to Lincoln, who never said it but certainly thought some version of it. Lincoln's preoccupation with the Border States, and with holding on to the approval of northern Democrats who supported the war but opposed emancipation, rankled antislavery advocates, one of whom, Orestes Brownson, called it "the bugbear of the administration, and its chief embarrassment."

Time and again Lincoln appealed to Border State representatives to press their respective states to endorse plans of gradual emancipation. He hoped that by attacking slavery first in the states that remained in the Union, he would dash Confederate hopes that these states would join them, while taking a decisive step toward expunging the institution. In March 1862, Lincoln asked Congress to pass a resolution to provide "pecuniary aid" to any Border State that would "adopt gradual abolishment of slavery." The individual states could use the money as they wished. Lincoln talked in terms of "initiation of emancipation" because "in my judgment, gradual, and not sudden emancipation, is better for all." He assured the states that accepting money from the federal government "sets up no claim of a right, by federal authority, to interfere with slavery within state limits."

Opponents of slavery recognized the importance of the message--"the first time lisping from the seat of government the word *Emancipation* ," as one writer noted. The abolitionist and former slave Frederick Douglass remarked, "that I should live to see the President of the United States deliberately advocating Emancipation was more than I ever ventured to hope." Douglass went on to argue that the various qualifications included in the proposal should not dishearten opponents of slavery. "There are spots on the Sun," Douglass observed, but "a blind man can see where the President's heart is. I read the spaces as well as the lines of that message. I see in them a brave man trying against great odds, to do right."

Little came of this or any of Lincoln's other attempts to persuade the legislatures of Delaware, Maryland, Kentucky, or Missouri to act. In July 1862 Lincoln met again with representatives and senators from the Border States. Knowing that the adjournment of Congress was imminent, he read an address in which he appealed to them to lobby for plans for compensated, gradual emancipation. He bluntly declared that had they voted for the resolution Lincoln proposed in March, "the war would now be substantially ended." He threatened the delegation that "the incidents of the war can not be avoided. If the war continue long, as it must, if the object be not sooner attained, the institution in your states will be extinguished by mere friction and abrasion--by the mere incidents of the war. It will be gone, and you will have nothing valuable in lieu of it." Why not, he asked, take a step that would undoubtedly shorten the war, hasten restoration of the Union, and provide compensation for slave property that otherwise would certainly be lost? He implored them to relieve him and the country by merely stating that they would begin a process that would gradually lead to emancipation.

The president's plea was rebuffed, and 10 days later an exasperated Lincoln announced to the cabinet his intention to issue an emancipation proclamation. He had long believed that the abolition of slavery in the Border States would help end the rebellion and lead to emancipation in the Confederacy. He now realized that, if anything, it would have to be the other way around. Attack slavery in the rebellious states first, which he now was convinced his war power as commander in chief of the armed forces gave him constitutional warrant to do, and let emancipation filter up to the Border States. Lincoln had given the Union's slave states every opportunity to take the lead on emancipation. They had refused to act, so he did. The preliminary Emancipation Proclamation exempted the Border States, but Lincoln now understood that with slavery destroyed in the Confederacy, the institution could not survive for long outside it. Charles Sumner spoke for many when he quoted Alexander Pope's "Essay on Man": "Whatever link you strike, / Tenth or ten thousandth, breaks the chain alike."

The military situation seemed to demand it. The momentum created by a string of victories in the winter had been offset by the stalled Peninsula Campaign in the spring and early summer, which culminated in a series of savage engagements, known collectively as the Seven Days Battles, fought between June 26 and July 1. The sixth and final confrontation took place at Malvern Hill, Virginia, where General Robert E. Lee attacked an entrenched Union position and paid for it with heavy casualties. "It was not war--it was murder," agonized one Confederate general. Despite the Union victory in this battle, the Army of the Potomac withdrew; Richmond, the Confederate capital, was no longer threatened.

Lincoln knew he had to do something. Two years later he confided to Francis Carpenter that "I felt that we had reached the end of our rope on the plan of operations we had been pursuing; that we had about played our last card, and must change our tactics, or lose the game." Although he had made up his mind on July 22, he waited for victory on the battlefield before issuing the preliminary decree because he did not want it to appear as a desperate act. The strategic success at Antietam on September 17 provided the occasion for him to move forward.

The president had overcome his constitutional and political objections to an emancipation proclamation, but he continued to share the social anxiety of most Americans over the meaning of freedom. It was one matter to believe slavery wrong and want it abolished; it was another to know what to do with some four million freed slaves. Most whites adhered to racial stereotypes that viewed slaves as docile and childlike or savage and uncivilized--either way, they didn't want them as freedmen anywhere near them. Racism permeated the North: most states did not allow blacks to vote or serve on a jury. Identifying the imperative question of the day, one minister in upstate New York asked in a sermon, "What Shall Be Done With the People of Color?"

An answer seemed to be voluntary colonization (the settlement of blacks to Africa or other countries), and the preliminary Emancipation Proclamation included a provision to continue efforts "to colonize persons of African descent." Lincoln was a longtime supporter of colonization, a doctrine that had won support from various advocates for any number of reasons: racial hatred, the belief that freed blacks and whites could not live peaceably together, opposition to social and political equality, anxiety over competition for labor. The American Colonization Society dated from 1816, and Henry Clay, Lincoln's political hero, had proposed various colonization schemes. Lincoln even reminded Congress, "I cannot make it better known than it already is, that I strongly favor colonization."

In August 1862, Lincoln met with five black leaders to encourage them to embrace colonization. He argued that blacks should leave the country because "you and we are different races. We have between us a broader difference than exists between almost any other two races.... I think your race suffer very greatly, many of them by living among us, while ours suffer from your presence.... Even when you cease to be slaves" he said to these freemen, "you are yet far removed from being placed on an equality with the white race." Lincoln lamented the evil effects of slavery on the white race, effects that could be seen in the bloodshed poured out on the battlefield. "But for your race among us," he said, "there could not be war.... It is better for us both" he concluded, "to be separated."

None of the myriad colonization schemes came to anything: they were impracticable, expensive, and dubious. Most important of all, blacks did not want to leave the United States. Frederick Douglass excoriated Lincoln: to say that blacks caused the war was like a horse thief's pleading that the existence of the horse was the reason for his theft; in other countries distinct races lived peaceably together; racial prejudice was the result of slavery, and if blacks had come as free immigrants, "they never would have become the objects of aversion and bitter persecution, nor would there ever have been divulged and propagated the arrogant and malignant nonsense about natural repellency and the incompatibility of races."

Douglass had already anticipated the issue in an editorial titled "What Shall Be Done With the Slaves If Emancipated?" His answer: "Do nothing with them; mind your business, and let them mind theirs. Your *doing* with them is their greatest misfortune. They have been undone by your doings, and all they now ask, and really have need of at your hands, is to just let them alone."

Between September 22, 1862, when he issued the preliminary decree with its call for continued colonization efforts, and January 1, 1863, when he signed the final Emancipation Proclamation, Lincoln changed his mind. The final proclamation was silent about colonization, and he would never again mention it in public. Perhaps he did so because he had come to see the impossibility of the scheme (although as late as December 31 he followed through on a contract for a colonization scheme at Île à Vache, an island off the coast of Haiti). In all likelihood, he had included colonization in the preliminary Emancipation Proclamation not only because he favored it in principle, but also as an inducement to encourage the Border States to adopt plans for abolition. With no states taking him up on his offer or responding to his threat to issue a final proclamation on January 1, there was no longer a need for the incentive, certainly not as an official policy of an administration that was moving away from gradualist measures.

Perhaps he had also included it initially to soften the harsh reaction of northern Democrats who supported the Union war effort but were hostile to any emancipation plan. Lincoln may have thought the colonization proposal would keep the War Democrats in his fold, but he learned differently from the fall 1862 congressional and state elections, when the Republican Party took a pounding: Republicans had a net loss of 28 seats in the House of Representatives; Pennsylvania, Illinois, Indiana, Ohio, and New York all sent majority Democratic delegations to Congress; Democrats captured the state legislatures in Indiana and Illinois and elected governors in New Jersey and New York. It was clear that emancipation, with or without colonization, would not sit well with Democrats. Lincoln decided to read the election results not as a repudiation of his policies but as a call for more vigorous prosecution of the war.

Out of this determination emerged a bold war measure included as a provision in the final Emancipation Proclamation: blacks would be enrolled in the army. As with every other major decision, Lincoln took his time reaching the conclusion that black men's fighting for the Union would serve the dual purpose of depleting the resources of the Confederacy and augmenting the strength of Union forces. Here again, a book inched him along. Sumner had sent George Livermore's *An Historical Research Respecting the Opinions of the Founders of the Republic on Negroes as Slaves, as Citizens and as Soldiers* (1862) and called Lincoln's "especial attention to the last half," which focused on the use of blacks as soldiers. By war's end, nearly 180,000 black men served in the Union army; well over half came from Confederate states. Their service was critical not only to winning the war but also to postwar claims for equal rights. The provision supported the abandonment of colonization: it would be cruel to allow blacks to serve their country and then expect them to leave the land of their birth.

The Emancipation Proclamation and black military participation transformed the thinking of many white soldiers. Charles Wills, who enlisted as a private with the 8th Illinois and rose to be a lieutenant colonel with the 103rd Illinois, marveled at his own transformation. In summer 1863, Wills confessed, "I never thought I would, but I am getting strongly in favor of arming them [blacks], and am becoming so blind that I can't see why they will not make soldiers. How queer. A year ago last January I didn't like to hear anything of emancipation. Last fall accepted confiscation of rebel's negroes quietly. In January took to emancipation readily, and now believe in arming the negroes." Another soldier, Silas Shearer of the 23rd Iowa, had a similar experience. "My principles have changed since I last saw you," he informed his wife. "When I was at home I was opposed to the medling of Slavery where it then Existed but since the Rebls got to such a pitch and it became us as a Military needsisity ... to abolish Slavery and I say Amen to it and I believe the Best thing that has been done Since the War broke out is the Emancipation Proclimation."

Wills's letters illustrate what Lincoln and all Americans experienced: the war was a teacher. No one articulated this truth more than Ralph Waldo Emerson, the Concord philosopher. The outbreak of the war changed Emerson, who had disdained political parties, mistrusted philanthropic efforts, and once called himself "a seeing eye, not a helping hand." He labeled the war "a new glass to see all our old things through." It was "instructor," "searcher" "magnetizer" and "reconciler." Emerson the individualist and idealist may have bristled at the churning power of the machinery of war, but Emerson the patriot and realist welcomed the struggle for the birth of a new social order. "The War," Emerson realized, "is serving many good purposes .... War shatters everything flimsy and shifty, sets aside all false issues, and breaks through all that is not real as itself."

On February 2, 1862, Emerson was in Washington, where Sumner introduced him to Lincoln. "The President impressed me more favorably than I had hoped," Emerson confided in his journal. "A frank, sincere, well-meaning man, with a lawyer's habit of mind, good clear statement of his fact, correct enough, not vulgar, as described, but with a sort of boyish cheerfulness, or that kind of sincerity and jolly good meaning that our class meetings on Commencement Days show, in telling our old stories over. When he has made his remark, he looks up at you with great satisfaction, and shows all his white teeth, and laughs"

In September, when the preliminary Emancipation Proclamation appeared, Emerson sang its praises. "Great is the virtue of the Proclamation," Emerson observed, because "it works when men are sleeping when the Army goes into winter quarters, when generals are treacherous or imbecile." Emerson's thoughts appeared in *The Atlantic Monthly* in November. The Concord sage marveled how "a poetic act and record occur" once in a century. "Liberty," he observed, "is a slow fruit. It comes, like religion, for short periods, and in rare conditions, as if awaiting a culture of the race which shall make it organic and permanent."

Emerson regarded the Emancipation Proclamation as such an act, delivered by Lincoln in a carefully calibrated manner: "The extreme moderation with which the President advanced to his design,--his long-avowed expectant policy, as if he chose to be strictly the executive of the best public sentiment of the country, waiting only till it should be unmistakably pronounced.... He has been permitted to do more for America than any other American man."

Now, Emerson reasoned, all the bad days of the war mattered less. Perhaps he was referring to the decision Lincoln had made on July 22, when he noted, "The acts of good governors work at a geometrical ratio, as one midsummer day seems to repair the damage of a year of war." Emerson's prose soared as he looked forward to that auspicious January day: "A day which most of us dared not hope to see, an event worth the dreadful war, worth its costs and uncertainties, seems now to be close before us. October, November, December will have passed over beating hearts and plotting brains: then the hour will strike." He could hardly contain his anticipation: "Do not let the dying die: hold them back to this world, until you have charged their ear and heart with this message to other spiritual societies, announcing the melioration of our planet."

Lincoln, in reflecting on the timing of the Emancipation Proclamation, also used fruit as a metaphor for his action: "A man watches his pear-tree day after day, impatient for the ripening of the fruit. Let him attempt to force the process, and he may spoil both fruit and tree. But let him patiently *wait* , and the ripe pear at length falls into his lap!"

On January 1, 1863, the fruit of emancipation ripened. The moment mattered. Lincoln both led and responded to a transformation in public sentiment that made the Emancipation Proclamation sustainable when he issued it. That he did so in wartime, under the most intense pressure any American president has ever faced, makes his actions all the more remarkable. He was later quoted as saying, "It is my conviction that, had the proclamation been issued even six months earlier than it was, public sentiment would not have sustained it." The same was true with enlisting black men: "The step, taken sooner, could not, in my judgment, have been carried out."

Even William Lloyd Garrison, that most exasperated of the president's critics, came to see the wisdom of Lincoln's way of proceeding. In the summer of 1864, he confessed that he had been mistaken to have expected the president to act on abolitionist principles: "[T]he people do not elect a president to play the part of reformer or philanthropist, nor to enforce upon the nation his own peculiar ethical or humanitarian ideas, without regard to his oath or their will." The president's responsibility was to maintain the Union and defend the Constitution to the best of his ability.

Garrison also recanted his earlier accusation that Lincoln was "exceedingly slow." It was not for the restless activist to say; "it was for him to follow his own convictions, not mine. I may have been mistaken; he may have been more intelligent and accurate as to his possibilities. At the worst, it was wiser to be slow and sure, than premature and rash." As a result of Lincoln's patient yet persistent approach, "what long strides he has taken in the right direction, and never a backward step!"

Freedom had come to fruition. Frederick Douglass rejoiced: "The fourth of July was great, but the first of January, when we consider it in all its relations and bearing, is incomparably greater." A century later, on August 28, 1963, Martin Luther King Jr. stood before the Lincoln Memorial. In his "I Have a Dream" speech, he declared, "Five score years ago, a great American, in whose symbolic shadow we stand, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity."

The Emancipation Proclamation provided freedom, but no document could determine its meaning. King, like Lincoln, understood that social change took time. "How long?" he was once asked, and he famously answered, "Not long because the arc of the moral universe is long, but it bends toward justice. How long? Not long." It had been a decade since *Brown v. Board of Education* , a little more than 15 years since Jackie Robinson broke baseball's color line, and more than 50 years since the NAACP had been founded. But even the patient minister could not comprehend that

one hundred years later, we must face the tragic fact that the Negro is

still not free. One hundred years later, the life of the Negro is still

sadly crippled by the manacles of segregation and the chains of

discrimination. One hundred years later, the Negro lives on a lonely

island of poverty in the midst of a vast ocean of material prosperity.

One hundred years later, the Negro is still languishing in the corners of

American society and finds himself an exile in his own land. So we have

come here today to dramatize an appalling condition.

With the sesquicentennial of the Emancipation Proclamation, we may wonder anew at the progress of freedom. When it falls to ripen, the slow fruit of liberty is left to rot.

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