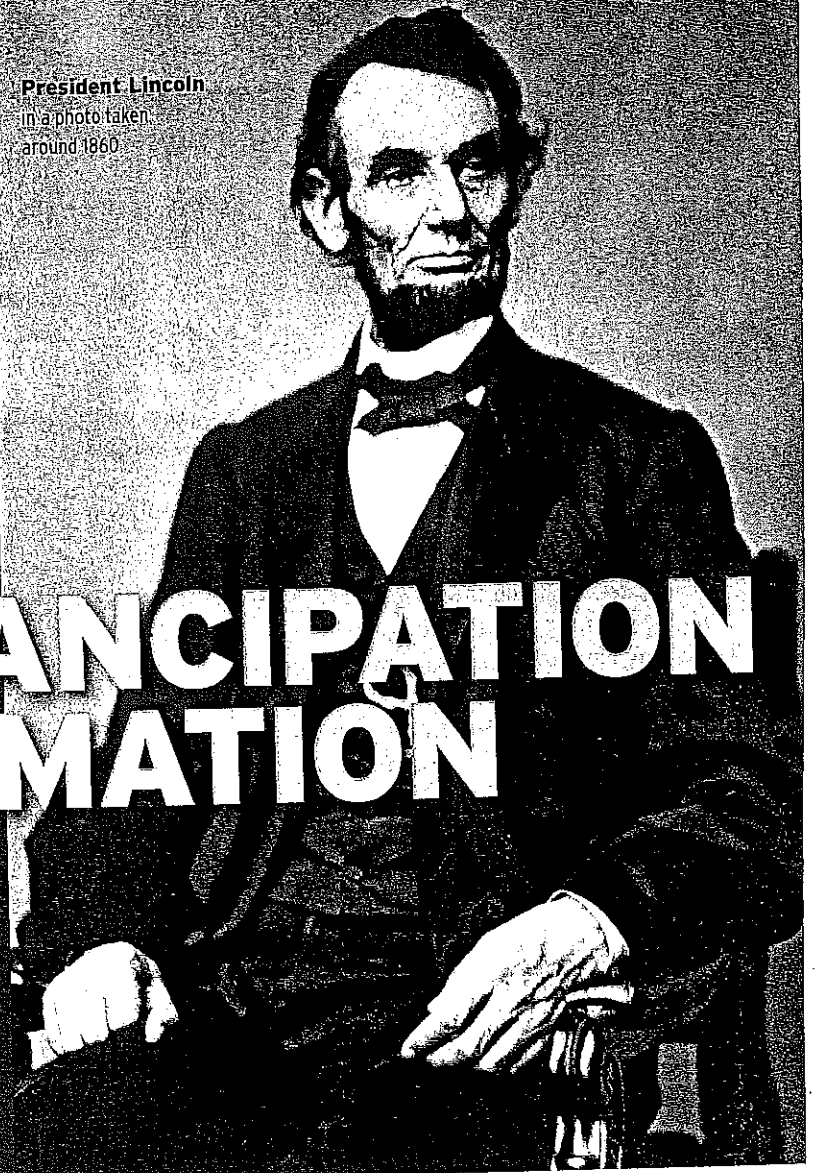


By the President of the United States of America

A Proclamation

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States,

President Lincoln in a photo taken around 1860



TIMES PAST

1863

THE EMANCIPATION PROCLAMATION

Was Abraham Lincoln a reluctant emancipator or a political genius?

BY VERONICA MAJEROL

Abraham Lincoln spent mid-day greeting visitors at the annual New Year's reception at the Executive Mansion in Washington, D.C.—what we now call the White House. By the time the festivities ended, the president was exhausted, but he had no time to rest. He wanted to take one last look at the final version of the proclamation he was about to sign.

His hands wobbly from all the hands he'd shaken, Lincoln put his unsteady signature on the Emancipation Proclamation and it was released to the world. It was Jan. 1, 1863, the Union was at war with the Confederacy, and the president had just declared that all slaves in the rebel states were "forever free."

Long recognized as the defining act of Lincoln's presidency, the Emancipation Proclamation didn't end slavery outright. But it transformed the nature of the Civil War, helped the Union secure victory, and was a crucial turning point in America's long struggle with race.

A lawyer from Kentucky who'd served four terms in the Illinois legislature and

one in the U.S. Congress, Lincoln had always hated slavery. But it wasn't until the 1850s that he committed himself publicly to an antislavery platform. It was during that decade that federal laws like the Kansas-Nebraska Act, and court rulings like the Dred Scott decision, escalated tensions over the issue of slavery.

Secession & Civil War

Lincoln endorsed an antislavery stance that became the rallying cry of the new Republican Party. Its platform called for banning slavery in all federal territories and in Washington, D.C., withdrawing federal protection of slavery on the high seas, and relieving federal officials of their duty to return fugitive slaves to their masters under the Fugitive Slave Act of 1850.

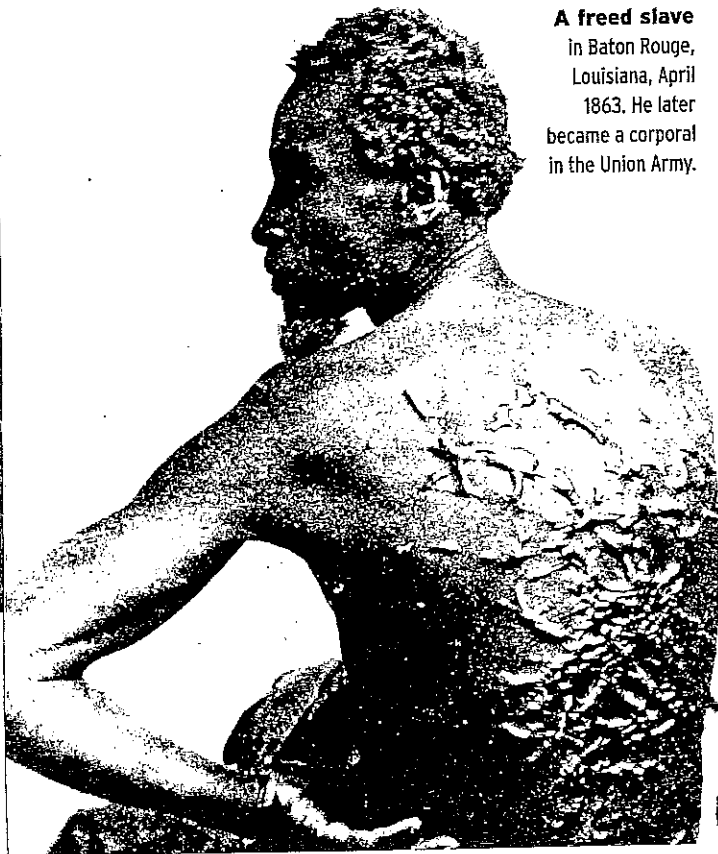
Lincoln won the presidency in November 1860 without the support of any Southern states. Within a few weeks of his victory, South Carolina seceded from the Union. And by the time Lincoln was inaugurated on

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Black soldiers from the 107th U.S. Colored Infantry Regiment in Virginia

A freed slave in Baton Rouge, Louisiana, April 1863. He later became a corporal in the Union Army.



so he proceeded cautiously. He also felt constrained by the Constitution, which deliberately avoided using the term slavery but contained clauses that implicitly protected slavery in the states where it already existed.

In August 1861, Lincoln signed the First Confiscation Act. It said any slaves being used to support the rebellion who came within Union lines would be emancipated. But Union soldiers in the South were forbidden to entice slaves working on farms and plantations to leave.

A year later, in July 1862, Lincoln signed an even stronger Second Confiscation Act. It authorized him to issue an order freeing slaves in Confederate territory. Sometime over the following weekend, Lincoln drafted the Emancipation Proclamation and read it to his cabinet on July 22.

William Seward, the secretary of state, urged Lincoln to wait before issuing it. The Union Army had recently suffered a humiliating setback in Virginia, where it had failed to capture the Confederate capital of Richmond. If you release an Emancipation Proclamation now, Seward told Lincoln, "it may be viewed as the last measure of an exhausted government—a cry for help." Wait, Seward urged the president, and release it after the Union achieves a clear military victory. That way emancipation will look like a sign of the Union's strength and superior moral principles.

Lincoln agreed. He put the proclamation in his drawer and waited.

Some people began to wonder what was taking him so long. In an open letter to the president published in *The New York Tribune* in August 1862, Horace Greeley, an abolitionist and the editor of the newspaper, wrote how "sorely disappointed and deeply pained" he was by Lincoln's failure to act more decisively on slavery.

Lincoln's response, also published in *The Tribune* that month, suggested that his interest in ending slavery hinged on preserving the Union.

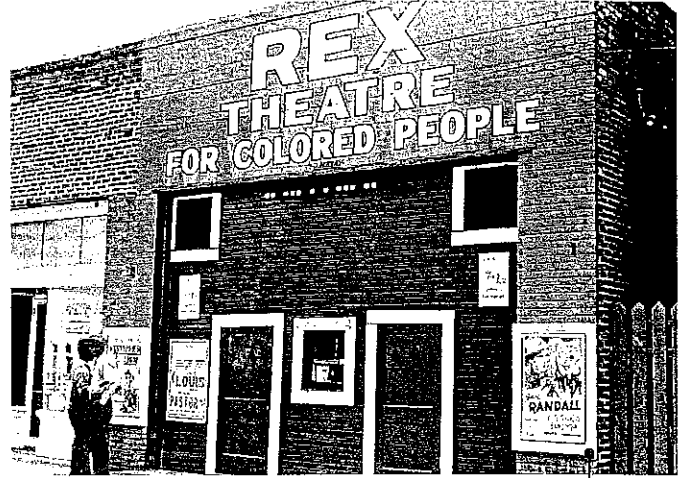
"If I could save the Union without freeing any slave,

March 4, 1861, six other states had seceded and four more threatened to leave. These 11 states would eventually become the Confederacy under President Jefferson Davis. On April 12, the Confederate bombardment of Fort Sumter in Charleston, South Carolina, marked the beginning of the Civil War.

Lincoln had run for president promising to contain the spread of slavery. But he believed the Union couldn't survive without the loyalty of the slave-holding border states (Delaware, Maryland, Kentucky, and Missouri),

Abolitionists were 'sorely disappointed' by Lincoln's failure to end slavery more quickly.

TIMELINE LEGAL MILESTONES FOR AFRICAN-AMERICANS



1863 Emancipation Proclamation

1865 The 13th Amendment

Abolishes slavery throughout the United States.

1868 The 14th Amendment

Establishes that blacks are U.S. citizens entitled to equal legal protections.

1870 The 15th Amendment

Grants black men the right to vote. (The 19th Amendment, ratified in 1920, gave all women the right to vote.)

1876-1965 Southern Backlash

"Jim Crow" laws in the South limit black civil liberties and voting rights. (Above, a theater in Leland, Mississippi, 1939)

I would do it," he wrote. "And if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would do that."

Freedom for Some

A month later, at the Battle of Antietam in Maryland on Sept. 17, 1862, Union troops turned back the first major Confederate invasion of the North. It was a bloody, costly victory for the Union, but it was the win Lincoln had been waiting for. He issued a "preliminary" Emancipation Proclamation, giving the rebel states until the end of the year to lay down their arms and rejoin the Union. If they refused, he would emancipate their slaves on the first day of the new year.

On Jan. 1, 1863, with the war still raging, Lincoln signed the Emancipation Proclamation, which declared all slaves in rebel states free. *The New York Times* called it an act that "marks an era in the history, not only of this war, but of this country and the world. . . . Whatever may be its immediate results, it changes entirely the relations of the National Government to the institution of Slavery."

Because it applied only to slaves in Confederate territories—which Lincoln did not control—the Emancipation Proclamation didn't immediately end slavery. Still, it accomplished several important things:

- First, it authorized the enlistment of free blacks for "armed service" in the Union Army. By the last year of the war, blacks

made up about 20 percent of the Union Army, tipping the balance of military power decisively in favor of the Union.

- The Proclamation also lifted the ban on enticement. Union soldiers were now authorized to go onto Southern farms and plantations and entice slaves away from their owners to work for the Union, not only depriving the South of slave labor but adding strength to the Union's efforts.

- It also put tremendous pressure on the slave-holding border states loyal to the Union. Lincoln always believed that the best way to abolish slavery was for the states to do it themselves, with the encouragement of the federal government. When Union authorities began recruiting black soldiers from loyal states that were technically exempted from emancipation, the institution of slavery was weakened in those states as well.

- Most importantly, perhaps, the Proclamation gave the war an added meaning: It was no longer just about preserving the Union; it was now also about ending slavery. The Union had been concerned throughout the war that France and Britain, which relied on the South for cotton, would come to the aid of the Confederacy. But those countries were morally opposed to slavery, and therefore were much less likely to side with the Confederacy after the Proclamation was issued.

By the end of the war, on May 9, 1865, more than half a million slaves had been emancipated, and six states—West

TIMELINE, LEFT TO RIGHT: HULTON ARCHIVE/BETTY IMAGES; MARION POST WOLCOTT/BETTY IMAGES; BETTMANN/CORBIS; CHUCK SAVAGE/CORBIS.



1954 *Brown v. Board of Education*

The Supreme Court rules segregation in public schools unconstitutional.

(Above, a newly desegregated Virginia classroom, 1954)

1964 Civil Rights Act

Prohibits discrimination in public places such as restaurants and movie theaters.

1965 Voting Rights Act

Outlaws practices used to disenfranchise black voters in the South.

1978 Affirmative Action

In *Regents v. Bakke*, the Supreme Court rules that race may be considered in college admissions.

2013 TODAY

The Supreme Court will revisit affirmative action and consider whether part of the Voting Rights Act of 1965 is still necessary.

Virginia, Maryland, Tennessee, Louisiana, Arkansas, and Missouri—had abolished slavery on their own.

But the Emancipation Proclamation was not enough to destroy slavery. There were 4 million slaves and 15 slave states in 1860. By early 1864, Lincoln and the Republicans realized that to permanently end slavery, they would have to amend the Constitution. The 13th Amendment was narrowly passed by Congress in January 1865 and ratified in December—eight months after the end of the Civil War and Lincoln's assassination.

Reconstruction & Beyond

The amendment marked the start of a new struggle to fulfill the promise of emancipation. After the Civil War, during the era of Reconstruction (1865-1877), Congress passed the 14th and 15th amendments (*see Timeline*), which recognized blacks, including former slaves, as U.S. citizens and granted black men the right to vote. For a time, blacks achieved a measure of political power in the South, and were elected to the House and Senate from a number of states.

But Reconstruction also provoked a backlash. White lawmakers in the South later amended their state constitutions and pushed through local "Jim Crow" laws to severely narrow the scope of black citizenship. The laws also enforced

strict racial segregation in schools and other public places, and by the early 20th century had effectively destroyed black voting in much of the South.

It would take another 50 years for real change to begin to take place. After World War II, the civil rights movement began to gather steam. In the 1960s, another wave of landmark federal legislation, including the Civil Rights Act of 1964 and the Voting Rights Act of 1965 (*see p. 10*), restored civil and political rights to African-Americans.

Even as we commemorate the 150th anniversary of the Emancipation Proclamation, questions about Lincoln and his reasons for issuing his wartime order remain. Some historians see him as a reluctant emancipator, a president who for a long time was unwilling to transform a war for the Union into a war to abolish slavery. Others think of Lincoln as a political genius who was biding his time until

public opinion caught up to his views. There are those, too, who find both explanations inadequate, seeing them as failing to capture the complex nature of who Lincoln was as a politician and a man.

Either way, most historians agree that Lincoln not only managed to keep the Union together at a time when its survival was in great doubt but also succeeded in moving the nation into its next stage of moral development. •

'If I could save the Union without freeing any slave, I would do it.'