KATE MASUR
LINCOLN'S DILEMMA
KUNHARDT FILM FOUNDATION

Kate Masur
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Slavery's grip on the U.S.

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KATE MASUR:

So by 1860, the Southern states were deeply invested in slavery. The cotton economy was the central economic engine for prosperity, especially in the Deep South. And so white Southerners, particularly slave owners were tremendously invested in slave-holding. Enslaved people were considered property. That property was the source of enormous wealth. The other major source of wealth in the South was land ownership. And the combination of enslaved people as property and the ownership of land was what made the Southern economy go. This plantation agriculture, mostly in cotton, to some extent in sugar, rice, other crops, tobacco. But this system was not going away. It was, if anything, more profitable than it had been a couple decades earlier. The US South was the main provider of cotton globally to the entire world

economy. And so, yes, slavery was deeply, deeply entrenched in the Southern states.

KATE MASUR:

In the North, states that had had slavery at the time of the American revolution had gradually abolished slavery. And although some Northern states had racially discriminatory laws, there really was not human bondage, enslavement in North of the Southern tier of states. So these states varied, I mean, there's a lot of variation within what we would now consider to be the North and the South. But there was not ... essentially, slavery had been abolished where it had previously existed in the Northern states.

KATE MASUR:

One of the things that I think is hard to understand is how that system of slavery, first of all, had become so important in the United States government. A disproportionate number of American presidents, Supreme Court justices, all kind of up and down the federal government, there was a history of overwhelming support or overwhelming representation among slave owners. And that partly has to do with the Three-Fifths clause of the constitution in which enslaved people were counted as three-fifths of a person for representation. And that meant that slave states were in a sense overrepresented in the U.S. House of Representatives in the Electoral College. That's one area of dominance in the nation's politics of slavery and another important way to think about it is the investment of many Northerners in slavery as a system.

Slavery & capitalism

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KATE MASUR:

Enslaved people were valued at about $3 billion in 1860 dollars. There were about 4 million enslaved people in the United States, South, at the time of the Civil War and just averaging out how the market worked at the time. This was so you can see it was just, slavery was a source of enormous wealth for white Southerners. And this is part of the reason why they were so willing to fight to preserve it.

KATE MASUR:

And another important way to think about it is the investment of many Northerners in slavery as a system. And so slavery and cotton were a source of wealth for many people in New York. New York Merchants who were involved in purchasing cotton, sometimes bringing it North or shipping it overseas, particularly to England. Manufacturers in New England who were taking Southern cotton and spinning it into thread, into cloth, producing clothing. And so there were a lot of people in the North, as well as the South, who were making money off of the slave based economy and did not particularly want to see that go away.

Slavery in a country founded on principles of freedom

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KATE MASUR:

The United States was very contradictory from the beginning. For example, you have the Declaration of Independence which declares that all men are created equal and entitled to life, liberty, and the pursuit of happiness. On the other hand, you have a constitution, the blueprint for government in the United States that permits slavery to continue. So the Constitution is a little bit ambivalent about slavery. But the bottom line is, slavery already existed in many of the states and actually in almost all of the states at the time the Constitution was written. And the Constitution leaves it up to the states, whether they want to continue it or not. Now, these states are governed by white people, many of whom are invested in slavery. So that's where you see the divergence between Southern states that ended up keeping slavery and doubling down on it and Northern states that gradually abolish it.

KATE MASUR:

So all along in the period from the beginning of the United States until the Civil War, many Americans are grappling with these contradictions. Some more than others. I mean, some white Americans were completely comfortable with the idea that those promises of liberty and equality were really only intended for white people. And that the natural order of things was supposed to be, white people on top, white supremacy. But there were certainly Black Americans who had very critical things to say about that idea who were fighting against racism, fighting to create communities and create families and be safe and prosper. Particularly in the North, but also in the slave-holding states where there were a growing free Black population after the American revolution.

KATE MASUR:

And there were white Americans too, who in a variety of ways, for different reasons, decided that the promises of equality and liberty that seemed to also emanate from the founding of the nation were more important to them than preserving slavery and preserving racism. And so that's where you get- white abolitionists are the most well-known, but a broad and somewhat diverse group of white Northerners in particular, who are very, very critical of the United States as it's developing, up until the time of Lincoln's election.

Northern abolitionists - Black and white

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KATE MASUR:

So, the most famous white abolitionists is probably William Lloyd Garrison who is very well known for being what's called an immediatist abolitionist. He was a moral crusader who believed that slavery was 100% wrong. And also though, generally and increasingly during the 1830s and 1840s thought that the whole American political system was so tainted that what abolitionists and people who truly opposed slavery should do is just withdraw from politics, not involve themselves in it, probably not even vote because it was a tainted system. In some ways, he wanted the South to separate from the free states. He didn't mind, he wanted no union with slave owners and didn't mind if the Union was destroyed over that. And there were a lot of white Americans and many Black Americans who were part of what's called the Garrisonian wing of abolitionists. But there were other white Northerners as well who I think were just as morally opposed to slavery, but believed that they should work through politics to change American politics.

KATE MASUR:

They didn't agree that the whole political world was so tainted that they should just stay away from it, they wanted to run for office. Many of them formed third-party movements. So there was a party called the Liberty Party, which was an explicitly anti-slavery, pro-racial-equality third party alternative to the two major political parties. They were active in the Free Soil movement in the end of 1840s. And many of them were part of the bedrock of the Republican party as well. And so their view was, we want to see slavery abolished. Many of them also supported racial equality measures in the free states, but they wanted to be engaged in the political world. They wanted to change their state legislatures, they wanted to change national politics, they wanted to use their votes in ways that would help bring their goals forward. And so they had a different strategy, I would say.

KATE MASUR:

And I just want to point out that women were involved in all of these movements. So too were African-Americans. So in every case, whether it was the political anti-slavery people or the Garrisonian abolitionists, we have to imagine that these were social movements that women played a part in. Women were active in petitioning, in writing opinion pieces and talking to their neighbors, even if they couldn't vote, which they couldn't do. And also, both branches of these movements were probably ... I would say with a few exceptions, white people were more visible, white people had more resources and so they're more visible to us in a way because there they are in the newspapers, or publishing pamphlets. But African-Americans were tremendously involved.

KATE MASUR:

The first Black led newspaper, *Freedom's Journal*, was founded in 1829 in New York City. And it was very political, very forward about African-American citizenship, about slavery's abolition, about bringing people together, Black Northerners together from many different areas and seeing what they could do as a movement. And so that's just one example of the many ways that this was ... it was a ground swell of activity around these issues. And the question is, how did they shape ... I mean, there are a lot of questions we could ask, but one of the questions is, how did they shape politics or public life? Whose minds did they change? How did these ideas enter into the public discussion in this period?

Frances Watkins Harper

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KATE MASUR:

Frances Watkins Harper was one of the most visible African-American women in the abolitionist movement. She was from Baltimore originally. She had moved to Pennsylvania, and then to Ohio, and was a poet. She was a published poet. She had also worked as a teacher, and she was a speaker, a lecturer even before the Civil War.

KATE MASUR:

It's hard for us maybe now to imagine how innovative it was for any woman, first of all, to take to the stump and give public lectures to male and female audiences, to mixed audiences. That in and of itself was already controversial

at that time, when people thought women should be more retiring, outside of public life. People made all kinds of assumptions about women in public, women lecturing in public, that they were promiscuous, that they weren't really moral. And if you add to that being an African-American woman, about whom all kinds of racial stereotypes would have already applied, she was tremendously brave and innovative just by going out there and lecturing, and giving these anti-slavery lectures.

KATE MASUR:

She becomes, during the Civil War, she's active in Freedman's relief efforts, and then she continues to be a lecturer, and she's involved in the women's rights movement after the war. So she's a really innovative figure, and we're so fortunate actually that we still have as much of her writing and published works as we do, to learn from.

Frances Watkins Harper's essay in *The Christian Recorder*

"Heavy is the guilt that hangs upon the neck of this nation, and where is the first sign of national repentance? The least signs of contrition for the wrongs of the Indian and the negro? As this nation has had glorious opportunities for standing as an example to the nations leading the van of the world's progress, and inviting the groaning millions to a higher destiny; but instead of that she has dwarfed herself to slavery's base and ignoble ends, and now, smitten of God and conquered by her crimes, she has become a mournful warning, a sad exemplification of the close connexion between national crimes and national judgments." -Francis Watkins Harper, Christian Recorder, September 27, 1862

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KATE MASUR:

Frances Harper in that essay, she's talking about the guilt of the United States as a nation and the kinds of things that this nation had sanctioned. And she's talking not only about slavery and the fate and future of African-Americans, but also about Native Americans. She's combining these two aspects of American life, both of which were completely central to the earliest years of the first decades of American history as a nation. The forcing of native people off their land through warfare, through treaties that were abrogated. Which, as you can see from that quote, I mean, people were well aware. It's not just now that people look back and say, how could the United States have taken shape like this, people knew at the time the injustice of that.

KATE MASUR:

And she's looking at both of those together. And at this moment, I think it's really significant that the quote is from 1862. It's a really pivotal moment in American history where you could talk about those issues and really say, what are we going to do now? In some moments in American history, you don't think that you're at a moment of transition where anything major is necessarily going to change or change for the better. But in 1862, people could really wonder, and with some optimism, that you might be at a turning point where maybe the nation would atone for these sins, maybe it would turn in a new direction, maybe it would begin to do things a little bit differently.

'Black Republican' and political caricatures of Lincoln during his presidency

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KATE MASUR:

I mean, Lincoln in particular was called a "Black Republican" and some caricatures of him that were very anti-Lincoln would liken him to an ape or the same types of racist caricatures that people used with African-Americans. Lincoln was not a radical Republican, but many of the radical Republicans were also called "Black Republicans" by their opponents or Republicans in general. And it was certainly a racial pejorative. It was a term that associated the Republicans with racial equality, which their opponents, the Democrats, adamantly opposed. The Democrats also liked to say that the minute you start talking about racial equality in what they called at the time, civil rights, you're immediately going to have interracial marriage, interracial sex. And so they constantly demagogued, the Democrats constantly demagogued the issue of interracial sex and marriage to scare white people into thinking that the Republican agenda was even more radical than it really was.

KATE MASUR:

So if you put yourself in the mind frame of back then, and honestly, in American history until not that long ago, where interracial sex, the prospect of interracial sex, particularly between Black men and white women is considered the worst thing you could imagine. You have the Democrats out there saying, these Black Republicans, first they're going to say there shouldn't be slavery, and next thing you know, they're going to be advocating miscegenation, interracial sex. So I think all of that is part of the package. When you hear the Democrats saying, "Oh, the 'Black Republicans,' this is what they're really going to do."

Rise of Republican power in the North

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KATE MASUR:

So one of the things that the Republican party and the anti-slavery people in the North had going for them was that the population of the North, the free states was growing a lot faster than the population of the Southern states. And so Northerners recognized this, Southerners recognized this. That, because of primarily immigration into the United States, which was tremendous in the period before the Civil War, the Northern – and urbanization, right? So there are bigger cities, basically the way that the Northern states are developing economically leads to faster population growth than in the much more rural Southern states. So it's clear, the writing's on the wall for everyone that if things continue this way, pretty soon the Northern states are going to be more powerful as a group of states if you combine the Northeast and the Midwest, then the Southern states in the House of Representatives and in the Electoral College.

KATE MASUR:

And that's one of the reasons that white Southerners, slaveholders are so worried about the rise of the Republican party in the second half of the 1850s. Previous to that, both major political parties, the Whigs and the Democrats, had drawn strength from both regions. So what white Southern slaveholders feared above all was the development of a regional party that would have strength only in the Northern states where that party would not

owe any allegiance to slave-holding interest because they would have enough power on their own as free states to win the House of Representatives or win the presidency. And so that's – part of what's shifting in the end of the 1850s, is this demographic shift that sets the table for the rise of the Republican party.

KATE MASUR:

So you have ideological shifts. You have increasing numbers of people in the North saying, we've had it with the expansion of slavery, this has got to stop, we're tired of the domination by the government of slaveholders. And you also have their actual capacity now to outvote the slaveholders because the free states are growing so fast. I would say that's the big picture on politics, which is what makes the rise of the Republicans so scary to Southern slaveholders. And makes it so that when Lincoln's elected in 1860, they're really freaking out. Because they know that this party owes nothing to the slave states, they owe nothing to slavery and they can keep winning based on this Northern only coalition.

Freedom suits

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KATE MASUR:

So in a lot of places, and it's a little bit surprising, I think even to a lot of historians these days, how often or how frequently enslaved people and people who were also illegally held as slaves made use of the courts to try to secure their freedom. And I think these freedom suits, the records of them

are housed oftentimes in local court houses. And some of them are still in the courthouses themselves, in county courthouses. They haven't made their way to big repositories. And so, you have to do a certain amount of detective work and be an enterprising historian to find the record of these suits. But it turns out that in many, many places in slave-holding areas, including in Missouri, in the District of Columbia, which I'm most familiar with, many African-Americans went to court to sue for their freedom.

KATE MASUR:

And they made all different kinds of arguments. They argued that they were illegally enslaved. At some points they argued that an ancestor of theirs, usually a woman, had been a free woman. And because of that, they should also be free because the status of the person is supposed to follow the status of the mother. They argued that their putative owner had done something illegal. There were locals and state laws that said enslaved people couldn't be transferred across certain jurisdictional lines. And if you did, let's say, move from Virginia into the District of Columbia, you would have to register your existence and your enslaved person. So people actually tracked this and they would go to court and say, my owner did not register me, so I am entitled to my freedom. So there are all kinds of different types of legal actions that people take.

KATE MASUR:

And sometimes they win in court. And it's really interesting to see there are judges who, even if they're pro-slavery, even if they're slaveholders themselves, they're willing to follow the law. They're willing to look at the law and say, well yeah, by rights you should be free.

The Fugitive Slave Act of 1850 & Northern public opinion

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KATE MASUR:

The other really important thing about enslaved people as a force in politics is the people who escaped into the North– the people who escaped from slave-holding jurisdictions into free states, and that was happening from the beginning. People just seeking freedom, trying to escape. Obviously it's a lot more possible to do that if you were in a place like Maryland, where Pennsylvania is right across the border, than if you're in like Louisiana where it's much further to get to a free state. But that doesn't mean people didn't escape from those places too.

KATE MASUR:

And the presence of people who had escaped from slavery in the free states was actually a really political issue. And it became especially political with the 1850 Fugitive Slave Act, which put the force of the federal government really behind the slave owners. And there are lots and lots of accounts of white Northerners who may have been indifferent to the whole issue of slavery or not taught that much about it. But when they saw in their community somebody who had escaped from slavery who was just trying to be free being pursued and grabbed and put through a really unfair legal process by slave catchers or by U.S. Marshals, for some white Northerners, it was a really radicalizing experience. It was sort of like, look, I might not care that much

what somebody in Tennessee is doing, but I don't want slave catchers in my community.

KATE MASUR:

And this is just a tremendous violation of individual rights, to see this happening in my State of Illinois or Pennsylvania, or what have you. So the escape of enslaved people into free territory really is a hot button issue. It's an issue that really pushes some more apolitical people into politics and into caring about the larger issues of slavery during the 1850s.

The Dred Scott decision

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KATE MASUR:

So Dred Scott and Harriet Scott and their two daughters sued for their freedom, filed a freedom suit in St. Louis. And there's a lot of legal complexity to what they were claiming, but it's basically the principle that they had lived in the free territory of Illinois, Minnesota territory, and I think Wisconsin. And the principle that many courts had already upheld was, if you're enslaved, once you have set foot in free territory, you become free, and your owner no longer has a claim on you. So both Dred and Harriet Scott had spent time in free territory and they had ended up back in St. Louis, where their owner still was claiming them as slaves.

KATE MASUR:

And so they went to court like so many people did and said, we are being illegally held in bondage. We are entitled to be free because we've spent time

in free territory. And this should have been a no-brainer for the St. Louis Court and the Missouri Supreme Court, because repeatedly, over and over again in Missouri, courts had decided that, yes indeed. If you had that story of having been brought to free territory then back to Missouri, you had a claim to freedom.

KATE MASUR:

But what was happening in the 1850s was growing polarization around questions of slavery. And the Missouri Supreme Court ended up reversing itself and saying, "You know what, no, after all, they are legitimately still enslaved. It doesn't matter that they ever set foot in Illinois or Minnesota territory. Their owners still can claim them as slaves." And then it goes up to the Supreme Court and the Supreme Court affirms the lower court that Missouri State Supreme Court. So the fact that the Missouri court decided against them is a symptom of the larger doubling down on slavery that's going on and reactionary politics that's going on in some places in the 1850s.

KATE MASUR:

The ins and outs of those freedom suits wouldn't have necessarily been affected by the *Dred Scott* decision, because those suits always would originate in county courts. And so just because the Supreme Court said Dred and Harriet Scott are still enslaved, doesn't mean that if you're in D.C., it has any applicability to you. So any kind of local County court, D.C. is not a good example, but let's just say some county in Maryland or what have you, they're not necessarily going to be impacted by the *Dred Scott* decision.

The *Dred Scott* decision is also really famous for Justice Taney, the chief justice of the Supreme Court having said basically, "African-Americans are not citizens of the United States. They cannot be considered citizens and they have no rights which white people are bound to respect." Right? That's the kind of what's become the most famous line from the decision, basically where you have the chief justice of the Supreme Court saying, "There's no hope for Black citizenship. You will never be treated as equals. You will never be citizens. You never can be under this Constitution." And that was a very devastating statement for the chief justice of the Supreme Court to make.

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KATE MASUR:

But one of the things that's interesting about the *Dred Scott* decision is first of all, a lot of people thought it was wrongly decided, including Abraham Lincoln. So a lot of Republicans generally speaking, just said, "This is really stupid, politicized decision. It's the Supreme Court acting in favor of the slaveholders and the Democrats. And it's really a bad decision according to law. It actually is a bad legal decision and it's a really partisan decision." So if you think about current day conversations about the Supreme Court: to what extent are they neutral arbiters of the law, to what extent are they very political? The *Dred Scott* decision, when Republicans in particular looked at it, they said, "This is just political. They're just trying to help President Buchanan here. This isn't good law." Meanwhile, the Democrats mostly embraced it, right? They said, "Oh, great, I'm glad you solved our problems about that and about the question of the extension of slavery into federal territories."

KATE MASUR:

So the other thing is that people didn't necessarily agree the way they do now that the Supreme Court has the final word on American law. And so, a lot of- some lower courts made decisions after the *Dred Scott* decision that contradicted the *Dred Scott* decision or tried to find their way around it. State legislatures in New England passed resolutions rejecting the decision and saying it was wrongly decided and they had no obligation to abide by it. It comes up in Lincoln's debates with Douglas at the end of the 1850s, with Stephen Douglas, where Lincoln's position has been, "This case is wrongly decided." And Stephen Douglas, of course, is saying, "This is a great decision. Go, Supreme Court." So it's a very, very political decision. It's a polarizing decision that comes in 1857.

Lincoln's opinion of the Dred Scott decision

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KATE MASUR:

It's just such a complicated decision. So one of the other reasons that Republicans didn't like it was because Justice Taney also said the Missouri Compromise had been unconstitutional and Congress couldn't bar slavery from the territories and basically giving the green light for the expansion of slavery into the territories. And in a way, that was actually the most important facet of the decision. And so, one of the reasons Republicans were opposed to the decision is because they believed, which a belief that was consistent with American history, that Congress did have the power to bar slavery from the territories. And in fact, it was part of the Republican

platform that they would go ahead and use Congress's power to bar slavery from the territories.

KATE MASUR:

And so I think Lincoln would have thought the *Dred Scott* decision was wrongly decided on the merits, right? That Congress was entirely within its rights to bar slavery from the territory. And also, there was plenty of historical evidence that African-Americans, free African-Americans in particular, had been considered citizens in a variety of different ways in the past. And so Justice Taney's run down that like, "Free Black people, or Black people in general were never citizens. This nation was designed in a way that just was for white people only." Lincoln disagreed with that as well. On a couple of different issues within the decision, he disagreed with it.

KATE MASUR:

Whether it was a turning point for him in terms of slavery, I don't necessarily think so. I think the Kansas-Nebraska Act of 1854 was definitely a turning point for him, and that had everything to do, again, with whether slavery would extend versus whether it would be confined to where it already is and gradually go away, as opposed to opening new venlues for slavery. And I think what really for Lincoln turning points come later, they come during the war, right? So he already knows he's morally opposed to slavery. He wants to constrain slavery as much as he can within what he and people like him considered to be the constitutional limits of what they could do in the period up until the Civil War. And so he's not really fluctuating on that. And where he really starts to change in terms of using presidential power, in terms of what is constitutional and what's not is during the Civil War itself.

The tension on the eve of the Civil War

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KATE MASUR:

So when Lincoln was inaugurated, I mean, to say that there was tension in the country would be an understatement. South Carolina had been the first state to declare itself out of the Union, and it did that immediately after Lincoln was elected in November of 1860. And several other states had quickly followed suit. So over the course of the winter of 1860 into 1861, I think it's seven, but I'm not 100% sure, states declare themselves out of the Union. Representatives of those states meet in Montgomery, Alabama, and form what they call the Confederacy, right? They're already saying, "We're not in the United States anymore."

KATE MASUR:

The war hasn't started yet, but there's a rush among some people, especially in Washington, D.C., to try to make this better, right? There are all these efforts to try to bring people back together. "Can we find a compromise? Can we stop this movement for secession?" Lincoln is one of the Republicans who's saying, "We're willing to talk about some kinds of compromise, but one thing we're not going to compromise on is the extension of slavery into new territories."

KATE MASUR:

And so between one thing and another, no compromise is arrived at by the time Lincoln is inaugurated. And so it's really unclear at that point of his inauguration what's going to happen, right? Is this movement for secession

and to form a Confederacy– are they going to be able to recruit more slave-holding states to their cause? Are they going to give it up because they realize this is actually a really bad idea? Is there going to be a compromise? Is this going to come to an armed conflict between the two sides? So it's a moment of tremendous tension and uncertainty.

Fort Sumter

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KATE MASUR:

So on March 4th when Lincoln was inaugurated, nobody could have foreseen what was going to happen within the next month or so, but a conflict was brewing over the question of these Americans – military men who were stationed at Fort Sumter and in Charleston Harbor. So over the course of that short span of time from early March until mid April of 1861, a crisis develops in Charleston and Charleston Harbor about sending provisions to the U.S. forces, who are just basically there to maintain the U.S. base in Charleston Harbor at Fort Sumter and Fort Moultrie. And this is a very, very delicate question.

KATE MASUR:

The Lincoln administration does not want to be seen as provoking war or firing the first shots, but they have these people. They don't want to surrender the federal forts that are in Charleston Harbor because that would be basically an acknowledgement of the legitimacy of secession and the legitimacy of the Confederacy as a project. And so, in the end, they declare, they publicly announced that they're going to just supply the men who are at

the Fort. And as those ships, the supply ships come into Charleston Harbor, that's when the South Carolinians allied with Confederacy fire on Fort Sumter. They end up firing the first shots, and that's when the war gets underway.

KATE MASUR:

And that leads to the secession of four additional states, so states in the upper South – North Carolina, Virginia, Arkansas, and Tennessee – which had been holding out and on the fence about whether to join the Confederacy. At that point, they joined the Confederacy. Interestingly to note, though, four slave-holding states also refuse to join the Confederacy, and that's enormously significant for the trajectory of the Civil War. So Maryland, Kentucky, Delaware, and Missouri, instead of going out with the Confederacy, which the Confederates would have sincerely appreciated, decide to stay in the Union, and that's really important as well for how things end up turning out.

The journey toward the Emancipation Proclamation

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KATE MASUR:

Lincoln comes into the White House or into the presidency both morally opposed to slavery. He hates slavery. I mean, he thinks slavery is unfair. It's unjust. It shouldn't exist. He wishes it didn't exist. But also, a sincere believer in the Constitution and the way that American federalism is set up so that it's not in the power of the president of the United States to somehow waive his magic wand and abolish slavery in wherever, Alabama or North Carolina or

what have you. It's just not something that the president has the power to do according to Lincoln and actually according to most people who lived at that time.

KATE MASUR:

As president, he believes he cannot abolish slavery in the states. And parenthetically, this is why it matters that they believe they could stop it in the federal territories, where the U.S. government has unmitigated jurisdiction. Okay. So that's where he is at the beginning of the war. And he wants the war to end. He wants the Confederacy to give it up. And so he's going to try some things in 1861 and 1862. He's going to try to persuade the border states that had stayed in the Union to voluntarily end slavery themselves. So he always has meetings with people from Kentucky and Maryland and says, "You guys should just at a state level start abolishing slavery. I can't abolish it for you, but you should start doing that." He hopes that that will encourage other states that are in the Confederacy to leave the Confederacy, but he feels he is constitutionally constrained in what he can do.

KATE MASUR:

In the meantime, we have to look at what's going on on the ground, in the war itself, so everywhere that U.S. forces came into slave holding territories. And that includes Maryland, that hadn't left the Union, right, that Maryland's in the United States. Everywhere that U.S. forces advance, enslaved people are escaping from slavery. They are making it clear that they don't want to be slaves. They fully understand that the presence of U.S. forces is like a counterforce to the force their owners have always used to keep them enslaved. So when you have military officials on the ground, you have soldiers

on the ground who are fighting your owners, your enslavers, you can understand full well that this is an opportunity. This may present an opportunity for you to escape from bondage. So sort of like the enemy of my enemy is my friend in a way is part of how they saw it.

KATE MASUR:

Many enslaved people, there's actually evidence that people in some places were following politics. And so they actually knew that a relatively anti-slavery administration had just come into office, that the secession was all about preserving slavery. So there was also a consciousness that Black people were fully implicated in the fighting that was going on, and people were just grabbing onto that and taking advantage of that moment to escape from slavery. So as early as May, June of 1861, escaping slaves coming into Union lines are posing a question essentially by their very presence, what is the policy toward them? Here are these people who want to be free. Here are people who slave owners are going to want to force to labor for the Confederacy, right? So as enslaved people, they can become valuable assets for the Confederacy as laborers who are going to work on fortifications, who are going to be forced to labor in the Confederate military effort.

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KATE MASUR:

So Union generals and this unfolds most famously at Fortress Monroe, Fort Monroe, in Coastal Virginia. Benjamin Butler is a Union general there who says, "It's clear as people are coming into Union lines and saying, 'We want to be free. We don't want to go, have to be forced to labor for the Confederacy,' these folks are thinking, 'Why should we give up these military assets back to

our enemies?'" Right? So even though the policy of the Union at that point was not yet to abolish slavery or to explicitly free people, enslaved people are making themselves a force in the war. They're making policymakers contend with their agency, with their actions, with what they seem to want. And so that's part of the dynamic.

KATE MASUR:

And as time passes, it's this kind of complicated dance where you have Lincoln, the president, you have Congress, that's making laws related to the war, you have the armed forces on the ground, and you have enslaved people taking action wherever they can. And all of these things have come together by the summer of 1862, if you want to train your attention on Lincoln, where Lincoln starts to think, "Really, I think we need to move ahead with a presidential proclamation for emancipation for all kinds of reasons, including that we need to... This will help us win the war." So it's a tremendously dynamic situation.

The term "contraband"

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KATE MASUR:

This is 1861, this is at the beginning of the Civil War, when it becomes clear that enslaved African-Americans are going to be ... They're going to see the presence of US forces in slave-holding territory as an opportunity to escape. And it is a confrontation about that at Fort Monroe, in coastal Virginia, near Norfolk, that gives rise to the term "contraband of war."

KATE MASUR:

It begins with three African-American men showing up at Fort Monroe, where General Benjamin Butler is in charge of the US forces, and they say, "We want shelter here. We're trying to get away from our owners. Our owners are planning to force us to labor for the Confederacy." And Butler is confronted with this question: Do I allow them to stay in Fort Monroe? And if the owners come after them, which they did, am I going to say, "No, you can't have them back." And if they do stay, are they free? Or what exactly is their status?

KATE MASUR:

And the solution that he comes up with on the fly is to say, "We're going to call them 'contraband' of war," which basically suggests that they're not free, and we're sort of confiscating them as a resource that the Confederacy would use in its own war effort, and so under the laws of war, we can legitimately take possession of them.

KATE MASUR:

Now, Butler did not think that he, by sort of saying that, was saying that he or the US Army now owned these people. He wasn't saying they were previously owned by white Virginians, and now we own them, but it was more of a kind of legal maneuver to find a way to explain why they weren't giving them back, why the Union forces weren't giving them back, while at the same time, the policy of the federal government was not emancipation at that time. Right? This is 1861, Lincoln had recently said in his inauguration that he wasn't going to interfere with slavery, right? And so he's just trying to find a way forward.

KATE MASUR:

And later that summer of 1861, Congress passes what's called the First Confiscation Act, where they don't use the term “contraband” in that act, but they basically say that any enslaved person who comes into Union lines, who says that their owner’s trying to get them to labor for the Confederacy, can stay in the Union lines and will not be given back if the owners come after them. That's kind of the first meaningful congressional federal law that's taken in the service of emancipation.

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KATE MASUR:

The side note, interesting thing is the whole confrontation at Fort Monroe and Benjamin Butler's declaration of “contraband” of war becomes a popular culture phenomenon. Even though it's not really that significant in policy, per se, there are all of these drawings and illustrations of “contrabands,” and in popular culture and common parlance, people begin to refer to African-Americans who are escaping from slavery and these early days of the war as “contrabands.” It's a strange thing, but if you now look in archives, at illustrations from the time period, at illustrated envelopes, at songs, sheet music, you see all of these pop culture representations of “contraband.” So if you had been alive during the Civil War, you would have been very aware of that.

KATE MASUR:

I think partly because it was a really important development in the war, right? It was a signature moment early in the war, when it became very clear that

African-Americans were going to be a force to be reckoned with in the Civil War.

Emancipation in Washington, DC

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KATE MASUR:

So if we're thinking about where people can and can't exercise power, so Washington, D.C. had been on abolitionists' agenda for a really long time. The Constitution gives Congress power, jurisdiction over pretty much everything in the District of Columbia. So abolitionists for a long time had been pushing to say, "One step Congress really can take right away is abolish slavery in Washington, D.C." And so in spring of 1862, the Republican-dominated Congress actually moves forward with emancipation in the District of Columbia. There is no doubt, as opposed to in a state where these kinds of federalism questions arise, there's no doubt that they have the power to do that in the District, but it is compensated emancipation. And so what that means is that slave owners are going to be compensated for the loss of their property as emancipation happens. And that means that the government sets up a commission that's going to assess the value of enslaved people and compensate slave owners accordingly.

KATE MASUR:

Well, it's basically almost the only instance of compensated emancipation in the United States. And with this, I mean, the explanation for why it's compensated is that people in Congress had enough doubts about the idea that the government would take people's property without compensation,

that that might actually be unconstitutional according to the original Bill of Rights, that to get it through and pass it in Congress, they believe they needed to have that compensation provision to avoid the charge that they were doing something unconstitutional. And so it's a strange kind of dynamic, but what it does reflect above all is the forward movement toward Republicans passing legislation, where they were able to, to end slavery.

KATE MASUR:

And what they do shortly after that is they repeal the Black Codes of the District of Columbia. And why this is important, I mean, is in part, because if you think about it, this is a place like many places in the slave states in particular that had an array of anti-Black Laws that applied not only to slaves, but also to free Black people. So if you abolish slavery in D.C. but you keep those laws up, you're going to have basically an apartheid system, a system of entrenched racial inequality by law, where some crimes, if you're Black and you commit a crime, you have a larger sentence than if you're white. Or you have a curfew, you can't stay out after a certain time at night if you're African-American. And so, when Congress moves ahead to repeal all those Black Laws, what they're also signaling is their investment in racial equality before the law, right? They're also saying, "We don't only want to abolish slavery. We also want to remove all of these laws that discriminate against free Bllack people as well."

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KATE MASUR:

The compensated emancipation in D.C. came out of Congress. So it wasn't a measure that came from the president, but he did sign the law. He said he

approved of it. He thought it was constitutional. He approved of the compensation part of it. And he also approved of the part that created an appropriation for colonization, which was a measure that was part of the Emancipation Act that said, "People who were freed by the act could leave the country if they so chose, and the U.S. government would help fund that." Lincoln had wished that the emancipation would take effect gradually and he said that publicly. So he wasn't 100% happy with the law, but he signed it anyway.

KATE MASUR:

As far as the repeal of the Black Laws in Washington, I don't think we know how Lincoln felt about it. I mean, he would have signed it into law, but there's no direct commentary from him that I'm aware of on that.

KATE MASUR:

I mean, I think one of the things that's worth thinking about here is what – is just the overall role of Congress, right? So a lot of this stuff is legislation, whether it's the Confiscation Act, which was passed in summer of 1861 or Second Confiscation Act. There's a lot that Congress is doing to help further the abolition of slavery that remains invisible if all we think about is Abraham Lincoln. And likewise, there's a lot that African-Americans themselves are doing. Both enslaved people and also, Black activists in the North, like Frederick Douglass, who are pushing, pushing for the Lincoln administration to take action more quickly against slavery.

Colonization

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KATE MASUR:

So colonization retrospectively, I think it's one of the things that's most strange and hard to understand in a way. But I think if we go back to the pre-Civil War period, there was an organization called the American Colonization Society that was led by, in many cases, prominent white people, who really could not imagine that the United States could ever be a multiracial democracy. They looked at questions of race and issues of inequality in the United States, and they thought, "There's not really a future for free African-Americans in this country." Some of them imagined that if they could convince, they might be able to convince a lot of slave owners to emancipate their slaves and send them out of the country. So for some people, the idea was to help diminish slavery itself.

KATE MASUR:

But going all the way back to the 18-teens and '20s, the American Colonization Society advocated for free African-Americans to leave the United States. And they established Liberia as a colony of the American Colonization Society as the destination for where people would go. And Black activists in the North had a long history of speaking out against the American Colonization Society. They saw it as a racist organization. They insisted that they were citizens of the United States. They belonged here. They were born here. They were just ahead of every right to be here just as much as any white person.

KATE MASUR:

So at the same time, during times in the Antebellum years, especially for example, after the passage of the Fugitive Slave Act in 1850, when things looked really grim for the future of African-Americans, including in the free states, Black people also talked about leaving the country. So that didn't mean they accepted the American Colonization Society, but they talked about like, "Well, maybe we actually should leave. Maybe we should go to Haiti. Maybe we should go to Liberia, because Liberia actually became an independent nation in 1847 governed by people of African descent."

KATE MASUR:

And so there's a complicated push and pull where the American Colonization Society is mostly rejected by African-Americans, but African-Americans themselves often are thinking about, "Should we leave? Should we immigrate out of this country? Maybe there's not really a good future for us here."

So when we put Lincoln into that story, so Lincoln in the 1850s was involved in the Illinois and Springfield branch of the American Colonization Society. So he was one of those people who couldn't imagine a future at that time, couldn't imagine a future for the United States where Black and white people lived together on terms of equality. And I think that's the main kind of premise of, why would you join the American Colonization Society if you're Lincoln? Because you see that as a way ... You imagine colonization as a way of solving this problem that you imagine the United States is going to have.

Lincoln's colonization meeting in 1862

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KATE MASUR:

Lincoln, in 1862, gathers a group of African-Americans together at the White House and says, "I think you should consider going to Chiriqui, this region of what's now Panama, and taking your people with you because your future really isn't here." He's coming out of a tradition of himself, and other white people who shared those beliefs, of just thinking we don't see how this future is going to work out any other way.

KATE MASUR:

Now, the timing of it is really interesting, because at that point in August of 1862, when Lincoln has the meeting and proposes colonization to this Black delegation, we know from other sources that he's already thinking about issuing an Emancipation Proclamation. People have often wondered, why did he have that meeting? Why did he make that proposal– because he's also going in a different direction of moving toward emancipation.

KATE MASUR:

The other thing that's interesting to notice about it is, neither he, nor anyone else in the government at that time actually imagined ... First of all, we're not talking about deporting people against their will. It was only people who wanted to go. And secondly, they could not have imagined that they would do this on a large scale. Everyone understood it was not a realistic proposition, that if slavery ended in the United States, all four and a half million African-Americans were going to leave the United States. It was not conceived

of, they would not have thought that was possible, and they also weren't willing to go so far as to forcibly deport people.

KATE MASUR:

And so what is he doing when he does that? It is partly publicity. He was showing that he is continuing to act on this more conservative strand of thought, even as privately he's preparing or thinking about an emancipation proclamation that would not involve colonization. But it's also partly, maybe just throwing a lot of things at the wall at once, right? He's pursuing something that he had believed in for a long time. And so why not have this meeting, even as you're also talking about emancipation? The idea of colonization in Chiriqui is not going to solve the larger problem, but it's something to do while also pursuing other plans.

KATE MASUR:

So it's an interesting moment, but what he's going to go ahead and do is in September of 1862, issue the preliminary Emancipation Proclamation, basically saying, come January 1st, in any area that has not decided to come back into the United States, we are going to declare slaves emancipated in areas that are in insurrection against the United States.

Lincoln's emancipation evolution

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KATE MASUR:

I think as president, Lincoln found himself in the position, vis-a-vis abolitionists, of often being like, "Okay, just wait, just wait." Sort of like, "I

know what you're saying, I know what you want me to do, but I can't do it right now, or I can't do it yet." And so when people like Frederick Douglass or Charles Sumner, or abolitionists from outside the government were pushing him to act faster against slavery, I think it was frustrating for him to be pushed by what you might call like his left flank, saying, "Hurry up, get on with it." We don't want to represent him as anything other than a mortal human being, right? He didn't know what was going to happen in the future, so you can't say he had a plan all along, but he was as president trying to make decisions that he thought made sense under the circumstances.

KATE MASUR:

And when he finally issued the Emancipation Proclamation in January, 1863 it really changed the war. It changed the meaning of the war. It changed the war because African-American men could now enlist in the US forces, and it was very controversial. And a lot of Northerners, obviously Democrats, the opposition party denounced it, said, "Oh, now you see what ... These were radicals all along. Now you see what they had up their sleeve." But some Republicans too were very worried that they were going to start losing elections, that this was going to be really controversial in the North.

KATE MASUR:

And at that point, he did not back down, but when he finally goes over to the other side on emancipation policy, abolitionists are suddenly his friends, right? They're suddenly applauding him and saying, "Finally. Yes, he was too slow. Yes, we wish he would have done something like this earlier." But now that the war has become more of a war for emancipation, he has on the one hand, more conservative Northerners are ginning up opposition based on this

new policy. On the other hand, abolitionists and their allies are his new best friends, and the people that he can count on to be in his corner. His relationship with those folks changes over time as his own policies change.

KATE MASUR:

I don't think Lincoln underwent a moral transformation around the issue of slavery. I think he morally opposed slavery from the beginning of his public life. He didn't approve of it. He thought it was a terrible system. He not only didn't approve of the ways that it oppressed Black people who were enslaved, denied them the fruits of their labor, denied them the ... Here they are laboring and they're getting nothing from it. He believed that was wrong. He also believed it had a negative impact on enslavers themselves, on the white people who had enslaved people doing the work for them, who were not working, who were just commanding labor. He likened slave owners to sort of old world aristocrats. Right? He sort of said, "This is not compatible with American ideas about being a Republic, being a democracy."

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KATE MASUR:

So when we see him turning to a policy of emancipation during the Civil War, it's not that he changed his mind about morality. It's that he changed his mind about what he could and should do as president of the United States. Why did he change his mind? Because he was trying to win the war. He was trying to not just win the war militarily, but change the terms of the war, turn it in ... He saw finally the merits of turning it into a war that had the moral force of abolition behind it. So he didn't see that that was a winning proposition until

summer of 1862 or so when he started to think about issuing a preliminary emancipation proclamation.

KATE MASUR:

So I hope that makes sense. You can be morally opposed to something, but not feel that you have the power to stop it. Even if you're president of the United States. We have limits, constitutional limits, to what presidents are able to do, and it's a good thing we have them. So it's not that he morally changed his mind, but he changed his mind about what he was willing to do in the service of ending the war. And then he stood by it, right? So even after the Emancipation Proclamation, when all these people were telling him to reverse it, to back off of it, he said, "No, we're sticking with it." So he really believed it and acted decisively when he finally did act.

The actions & resistance of the enslaved

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KATE MASUR:

So what African-Americans did to get free from slavery, and eventually to help the Union win the war could certainly be described as self-liberation. They are doing everything in their power to get free, or to make sure that the slave owners are defeated. Now, we have to keep in mind that the decisions that Black people were making were really complicated.

KATE MASUR:

Maybe one person, let's say in an area in Virginia, where there are Union forces nearby, one person might decide to try to escape, and it's risky. Your owner might come after you, but you might make it to Union lines, where you could get a job, you could be free. The soldiers might protect you from you're enslaver, who might come after you. Another person might decide not to try to escape, because it seems too risky, or you feel like you don't want to leave your family behind, right? Sometimes families would make these decisions together. Men and women together with children, extended families to try to all leave together, but of course that's harder than if you were let's say an able-bodied person on their own, trying to make that escape.

KATE MASUR:

So it's not to say that everyone who wanted to take action to defeat the slave owners and get free did the same thing, and not everyone felt like they could escape right then, and there were questions about family relationships that people contended with, and had to take on board all of the potential risks and rewards that they might face if they tried to escape.

KATE MASUR:

On the one hand, we can kind of hold up the people who fled and made their way into Union lines, became spies, reported on information from within the Confederacy. They knew where, they could tell the Northern soldiers, here are the paths through the forest. Here's the prices of corn and meat inside the Confederacy. Here's the level of morale among civilians within the Confederacy. So they're delivering valuable information to the Union forces, but even the people who did not escape, and didn't do that overt self-activity that we can see in the sources, it's not that they weren't thinking about their

possibilities in that moment, but you have to think about the different ways that women particularly, who had responsibilities toward children, and children had to make decisions in that time period.

KATE MASUR:

So with the presence of Union forces, in some instances, enslaved people slowed down work or refused to work. Again, this has to do with understanding that the power of enslavers is diminished when there's a war going on, and there are these forces present, the US Army, the US Navy, who aren't on the side of the enslavers. So people began to say, "I'm not going to do what you're asking me to do. I might not be escaping, but I'm not going to perform the labor that I have traditionally done, or I want to get paid."

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KATE MASUR:

That happened particularly in southern Louisiana amid the Union occupation, where enslaved people begin to say ... They're not formally free yet, but they say, "Well, if we're going to keep working, we want to get paid for our labor." They're kind of trying to enter into negotiations with their owners, or soon-to-be former owners. So there's all kinds of ways, that even without escaping, people begin to break down the power relations that had characterized slavery.

The politics of free Blacks and the White House

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KATE MASUR:

Okay, so I'll start with the Antebellum North. In the Antebellum North, there were opportunities for African-Americans to have some measure of upward mobility. Many Black people living in the Antebellum North were pretty poor. The job market was kind of ... They faced rampant, racial discrimination in employment, but for some people were able to make a decent living, and from there, able to dress and comport themselves as middle-class people.

Those people, upwardly mobile African-Americans in the Antebellum North, also had access to education, sometimes in public schools, sometimes in private schools, through high school, and even occasionally through college.

KATE MASUR:

People were editing newspapers, some few people were professionals, people were teachers. What you find among some white Northerners in the Antebellum period is a tremendous reaction against that. This is visible in caricatures that we see from starting in the 18-teens through 1830s and 40s, where Black people who are wearing middle-class clothes and acting the part of respectable middle-class people, are brutally ridiculed in these caricatures.

KATE MASUR:

It's almost as if the very idea that someone who was African-American could aspire to be a middle-class respectable person was so offensive and impossible for some white people that they just wanted to shut it down by completely making fun of it. And that is a representation, I think, of a really raw racism, right? Where it shows that no matter how you act, no matter how you dress, you could do all the things in the world that a white person would

do to telegraph respectability, and middle-class or upper middle-class status, and you still wouldn't be able to have it, exclusively and simply because you're Black. That kind of thing was going on in the Antebellum North.

KATE MASUR:

Although, to kind of change perspectives for a second, there were also white Northerners, particularly people in the anti-slavery or abolitionist movement, who fully accepted that upward mobility of African-Americans, indeed encouraged it, tried to cultivate social relationships across racial lines. It wasn't the universal sentiment in the North, but it was very prevalent, and you can see it a lot in popular culture.

KATE MASUR:

Lincoln was the first American president to really recognize African-Americans as constituents in the first place, and so a number of African-Americans visited the Lincoln White House kind of as diplomats or emissaries, lobbyists. One of them is Frederick Douglass, Sojourner Truth as well. By the end of the Lincoln administration, Lincoln had received visits from an African-American delegation from North Carolina, who came to argue for a progressive reconstruction policy, including Black men's right to vote. He had met in the White House with several Black ministers, of course the delegation around colonization.

KATE MASUR:

And so all of that is to say that unlike any previous president, Lincoln took Black people and Black people's politics seriously, and understood that just like a lot of other Americans visited the White House and tried to get the

president to do things that they wanted him to do, so too did African-Americans.

KATE MASUR:

But it was quite a different story when it came to social occasions in the Lincoln White House. This is interesting. We often see accounts of Lincoln as a very down-to-earth president. Obviously, he had humble beginnings. And there are many accounts in the press of the time of these open houses – they were called levees – that the Lincolns would hold on New Year's Day and during the winter social season, where they would open the doors of the White House to the general public. You see commentary about how "everyone" would come. Elite people would come in their fancy dresses with their calling cards, but laborers would come in their work clothes, and this was a vision of a democratic, small-D democracy. Lincoln opens the door to everyone.

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KATE MASUR:

But it seems as if from sources, that when African-Americans tried to include themselves in that everyone, in that general public, they encountered a fair amount of resistance. You begin to see in 1864 and 1865, African-Americans attending these parties at the White House, and it's controversial. Democratic newspapers are very interested in covering these efforts. And by 1865, New Year's Day, a whole big group of African-Americans just get in line to enter the White House and pay respects to the Lincolns just like white people were accustomed to doing, and find that they're basically shut out.

KATE MASUR:

Guards come and say, "No, no, no. You can't be here." There are reports that Mary Lincoln says, "We need to shut this down. Can you please come back later at the end?" So there's this sort of proposal that the Lincolns would be happy to entertain visits from African-Americans, but in a segregated fashion, right? So after the white people get done coming through, then the Black people can come. There are other incidents that happened throughout the winter and spring of 1865 that suggest that the Lincolns were not comfortable with African- at least with large numbers of African-Americans coming to these parties, even if somebody like Frederick Douglass found that yes, he could enter and be received by Lincoln.

KATE MASUR:

And to me, what that suggests is the limits of Lincoln and many white Republicans thinking about racial equality. That they're willing to recognize and push for certain aspects of equal rights for African-Americans, including basic civil rights, eventually in the right to vote, willing to see African-Americans as Americans, as citizens, as constituents, but they're much more nervous and uncomfortable with the idea of socializing across racial lines, and this idea of friendship, of social equality, what they called social equality at the time. The idea that Black people who had all the attributes of respectability were just completely equal to and the same as, and deserved the same kind of respect and admiration as white people of the same stature. That was much harder to come by, much harder for those white folks to wrap their minds around.

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KATE MASUR:

I think Frederick Douglass was a little bit of an exception. He was so famous, and he was so prominent, and Lincoln had met with him in the White House a few times before the famous incident in around the inauguration of 1865, Lincoln's second inauguration, when Frederick Douglass famously writes about it later that the guards tried to keep him out of this White House reception, but Lincoln said, "Oh, come on in. Oh, it's so nice to see you." It's not that Lincoln ... I don't think it's that Lincoln had a problem shaking hands with Frederick Douglass as a Black man with recognizing his humanity with recognizing his intelligence and insight. It's more that in the broader sense, people like Lincoln just couldn't quite get there in terms of the broader generalization that we're going to have racial equality in every area of life. Right?

KATE MASUR:

So you can have the exceptional sort of Black person who has entrée into a variety of areas that are elite white spaces, but that doesn't necessarily contradict the broader principle that we're not really that comfortable with this broader idea of equality. So I think you can have both at the same time, both Lincoln's recognition of Frederick Douglass' real humanity and genius, while at the same time a lack of comfort with the broader principle.

KATE MASUR:

It's hard to know from the sources available the extent to which these efforts to go to White House parties were organized, but they look pretty organized. So for example, the first big attempt to go to a New Year's party was in 1864 and newspaper reports indicate that a few African-American men tried to go

to the party and they were very respectable. Then the reports say they were in a group. Right? Well, they probably didn't show up in a group by accident, right? They probably got together and said, "Let's see if we can do this. Let's see what happens."

KATE MASUR:

There's another episode in 1864, where two African-American doctors go to a White House reception, Alexander Augusta and Anderson Abbott are their names, and they go in their army uniforms. Clearly they're not – Anderson Abbott wrote about it later – it wouldn't have been that they just thought they were going to go and no big deal. Right? They're making a statement by going and seeing what happens. So again, I would think we don't have evidence, at least not that's come to light so far, of correspondence between them saying, "Hey, let's go to the White House and see how it goes." But look, they show up there. They know it's going to make a big splash and they go ahead and do it anyway. So by the time you get to 1865, when you have a large group of people going, there probably was a certain amount of coordination behind that and it speaks to … I mean, Washington D.C. then, as now, was a very political place. Right? And African-Americans during the Civil War were already doing things like protesting against segregation on the street cars in Washington, demanding access to public education, going to listen to sessions of the House and the Senate when they hadn't been allowed to go before that.

KATE MASUR:

So there's a lot of just politicized action among African-Americans in Washington and that helps add to the sense that, yeah, no, these weren't

coincidences, these were people getting together and saying, "Let's push the envelope." Right? "Let's see what the next frontier is on pushing for racial equality," and seeking that recognition.

Mary Todd Lincoln and Elizabeth Keckley

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KATE MASUR:

So Elizabeth Keckley was a skilled seamstress and dress designer and if you've ever ... A few of her dresses have survived. I think one is in the Smithsonian. They're amazing. Right? So she was a high fashion dress designer who had moved to Washington right before the Civil War started and Mary Lincoln cared about clothes. She cared about fashion and she had gone to Elizabeth Keckley as somebody who could design dresses for her that would make her look great as the First Lady of the United States. Eventually they do become sort of ... I don't know if friends is the right word to describe it. I mean, they have a lot to do with each other and Mary Lincoln comes to confide in Elizabeth Keckley about some things. Elizabeth Keckley clearly sees the Lincolns as an ally. So for example, early on in the Civil War, Elizabeth Keckley was ... she was actually a prominent member of the Washington Black community and went to the most elite Black church in Washington, 15th Street Presbyterian Church, and through her church organization, Elizabeth Keckley and other women, other Black women, found a Contraband Relief Society, which is basically they're raising money to get food and clothing for the people who are escaping from slavery and coming into Washington DC.

KATE MASUR:

We have documentation that Keckley asked Mary Lincoln for donation for the society to help support the society and Mary Lincoln delivered on that and supported Keckley organizing the Contraband Relief Society. Keckley goes on a fundraising tour up to ... I believe it's Boston and Mary Lincoln allowed Elizabeth Keckley to use her name in that. It would help your fundraising activities if you're able to say, "One of our supporters is the First Lady of the United States."

KATE MASUR:

So Mary Lincoln also let Elizabeth Keckley and the Contraband Relief Association use her name as a sponsor of the organization, because, of course, when you're fundraising, it's helpful to be able to say that the First Lady is one of your supporters and vouches for your organization. So over the course of the next few years, they maintained a relationship. Elizabeth Keckley continued to sew dresses for Mary Lincoln and had a certain amount of access to the White House. So what we know is that they led very separate lives in many ways, but that they were in constant contact. And Mary Lincoln, who was pretty isolated in a lot of ways, did turn to Elizabeth Keckley as a sort of supporter.

KATE MASUR:

After Abraham Lincoln's assassination, the two women end up going to New York together and they're going to sell off Mary Lincoln's clothes for money, basically because she needs money, and this becomes a scandal that leads to a huge rift between Elizabeth Keckley and Mary Lincoln and the rest of the Lincoln family. So that story ends very badly, including with the publication of Elizabeth Keckley's book, *Behind the Scenes*, in 1868, which the Lincoln

family, especially Robert Lincoln, the son of Abraham and Mary Lincoln, considered to be in terrible taste, and Elizabeth Keckley shouldn't have told the story of her life in proximity to the Lincolns and certainly shouldn't have divulged the story about Mary Lincoln in her lowest days trying to sell her clothing for money.

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KATE MASUR:

So Elizabeth Keckley ends up ... After that period of her life, for a while she taught at Wilberforce, a historically Black college in Ohio, and then she ends up back in Washington, D.C., living in a home for elderly women in Washington. She gave a couple of interviews late in life where she really laments how her relationship with Mary Lincoln had ended and talks about that sense of betrayal that she ... Mary Lincoln had felt betrayed, but Keckley herself felt betrayed by some of the aspects of the publication of her book.

Elizabeth Keckley myths

01:18:19:00

KATE MASUR:

So Elizabeth Keckley's book came out in 1868, was very controversial because people thought a Black woman who had worked in the White House had no business telling ... Even though nothing that she said was all that controversial about life inside the Lincoln White House, but that she really should have kept all of that private and really shouldn't have written this book. Then least of all that there shouldn't have been these letters at the end

about selling off Mary Lincoln's clothes. So the book was not regularly reprinted and faded out from most people's memories. It was hard to find copies of it for a very long time.

KATE MASUR:

In the 1930s, there was a new awareness of Elizabeth Keckley's book and at that point, a kind of controversy where it was asserted that she hadn't written the book, that it, that no Black woman could actually have written this book and that some people even said she didn't exist. There might've been a person named Elizabeth Keckley, but she wasn't a skilled seamstress and she didn't know Mary Lincoln and it was a white woman who ghost-authored this book. It's sort of ironic because at the time that these allegations were published in 1935, there were people living in Washington, D.C. who had known Elizabeth Keckley. It wasn't actually even that long ago. She died, I believe it was in 1908 and so her pastor of the church that she had attended when she was elderly was still alive.

KATE MASUR:

There were other people who remembered her, who knew the real story, the true story, that yes, Keckley had been this seamstress, she had known Mary Lincoln and so on. People just knew that from experience and from having known Elizabeth Keckley.

Lincoln's plans for reunion

01:20:15:00

KATE MASUR:

So Lincoln was already thinking about Reconstruction during the Civil War itself and in December, 1863, he issued a plan for Reconstruction and pardon and amnesty basically. The plan was how are you going to decide how to bring back the states that had seceded and on what terms? What happens to the white Southerners who helped out in forming the Confederacy? Are you going to punish them? Are you going to punish all of them? Are you going to punish everyday soldiers who just were conscripted but didn't necessarily do anything besides doing what the government of the Confederacy wanted them to do? Are you going to insist on the abolition of slavery in these states? Are you going to insist that Black men have the right to vote?

KATE MASUR:

So in the Proclamation of Amnesty and Pardon in 1863, he set up ... Sometimes it's called the 10% Plan. I mean, it basically said when 10% of the white population of a state is willing to take an oath of loyalty to the Union and, renounce slavery was part of it, so that was a deal breaker. You had to be willing to say that slavery was over. Then that smallish number of the white population in the state could form a government that's loyal to the Union and seek readmission to the Union and begin the process of coming back into the Union.

KATE MASUR:

That's what we know about what Lincoln had in mind for reconstruction. So by the time the Civil War is coming to an end when Lincoln was assassinated, he was in the process of talking to and corresponding, particularly about the reconstruction of Louisiana, where some of his plan had gotten the furthest.

That's where talking to the loyal governor of Louisiana in 1864 and into 1865, he begins to suggest by 1865 that maybe you also should make sure that Black men who are educated or who have served in the military on the Union side should also be able to vote. Because one of the questions that's clearly going to be on the table in reconstruction and Lincoln knew it already was beyond abolishing slavery, beyond civil rights, are Black men going to be able to vote? Are they going to be full members of the body politic?

KATE MASUR:

This is where Lincoln's story is tragically cut short in this moment where we can see that he is evolving on the question of Black men's right to vote. He's encouraging the unionist governor of Louisiana in this rump state government to consider enfranchising Black men who had served the Union or were well educated. But he's not at that point saying the federal government is going to insist that Black men are enfranchised. Right? He's not at that point. That's kind of what we know. I mean, his policy about reconstruction was very state-by-state so it wasn't going to be like the Congress is going to insist that every state go through a particular process. He was saying every state is going to apply for readmission and develop a loyal government individually and under these terms, and it didn't have ... Other than the abolition of slavery, which was not debatable, it didn't have a lot of imposing, from Washington, certain conditions of racial equality or Black men's right to vote.

01:23:45:00

KATE MASUR:

So people often wonder what would have happened going into the post Civil War period if Lincoln had lived, right? Would he have stuck with that relatively lenient policy toward white Southerners? Would he have, upon seeing what white Southerners were actually willing to do to African-Americans in the South in terms of trying to all but re-enslave them, denying rights, rejecting Black men's right to vote, would he have tightened up his policy? Would he have supported something different? I mean, those are questions that we can't know the answer to.

Reconstruction if Lincoln had not been assassinated

01:24:26:00

KATE MASUR:

In the context of people still thinking that Reconstruction was one of the worst things that ever happened to the United States, where the old version of the story of reconstruction was, "Oh, it was a period of tremendous conflict. It was so divisive. These radicals in Congress took over the policy and inflicted these oppressive policies on white Southerners." In the context of that narrative, there's a story or a fantasy, and you see it in a lot of places and that's why I'm talking about it, because you see it ... I remember Hillary Clinton, when she was running for president in 2008, said this explicitly … or was it…. Actually, I don't remember. The idea is if Lincoln had lived. Everything would've gone smoothly during Reconstruction. That's the fantasy, right?

KATE MASUR:

That Lincoln was such a great president and he was so savvy and he knew how to handle things and he was so good at navigating all of these different pressures that if only he had lived, somehow magically all of the problems that the country faced during Reconstruction ... and afterwards, right? Dealing with the legacies of slavery, which is a huge problem in American life, right? That Lincoln would have solved all of those problems because he was just so fabulous. It's easy to have that fantasy because we can never know what he would have done. Right? So you can stick to that because there's just no answer to the question.

KATE MASUR:

But having spent a lot of time studying Reconstruction, I think ... First of all, my guess is that Lincoln would not have stuck with his very lenient policies toward white Southerners, that he showed himself to be capable of changing and evolving and responding to pressures, and that he had spent so much time thinking about how to win that war and put down the rebellion of the slave owners that the last thing he was interested in doing was actually letting them surge back with the same kinds of absolutely racist repressive policies that they had started out with.

01:26:35:00

KATE MASUR:

And also, however, that anything Lincoln could have done would not have saved this country from having to reckon with the legacies of slavery, right? That no matter how great a president you would have had in those post-Civil War years, they were going to be violent, they were going to be controversial, they were going to be contentious, they were going to be fraught with every

kind of venomous, violent, terroristic policy that white Southerners were willing to unleash on Black Southerners that they in fact did during those years. So I don't think we should rest easy with some sort of fantasy that having a great man like Lincoln in charge of the country at that time would have saved us from that reckoning.

KATE MASUR:

We can never know what Lincoln would have done if he had lived through his second term. And it's true that he was not one of the most forward-thinking white Americans of his era on issues of racial equality. He had reservations, he had doubts about the future of the United States as a multiracial nation, he had doubts about Black men's right to vote and whether, either on the state level or eventually on the federal level, should Black men have the same right to vote as white men did. He was not by any means a full advocate for that and only gradually at the very end of his life before his life was cut short did he begin to say, "Yes, I think maybe in some situations African-American men should have the right to vote."

KATE MASUR:

So he's definitely not a white American like Thaddeus Stevens of that era, who had an unabashed commitment to racial equality in every area.

I mean, I would only add to that that at every turn, and I think the historian Eric Foner has really shown this, in every turn during the Civil War Lincoln eventually came to the position that radical Republicans were advocating earlier. So he wasn't taking the lead, but they were calling for abolition, he eventually comes to that position. They're calling for Black men to be enlisted, he comes to that position. They're calling for Black men's

enfranchisement, he's gradually coming to that position when his life is cut short. So, again, he's not on the vanguard, but there's some evidence that he was persuadable that when conditions seemed to demand that he push ahead with a policy that Black activists and the more radical white activists believed in, he eventually did come around. I mean, it's a mystery. We can't know, but you can see both sides of the picture. Either he never was going to get there, that's possible. Or maybe he would have, depending on what was thrown at him had he lived.

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