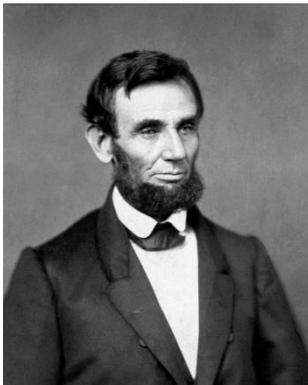


## Lincoln's First Annual Message to Congress

On January 20 President Donald J. Trump presented his first State of the Union Address (or Speech, commonly referred to as SOTUS). On December 3, 1861, President Abraham Lincoln presented his first. They have changed substantially over that intervening time. Article II, Section 3 of the Constitution states, “[The President] shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient...” That language notwithstanding, it wasn't called a “State of the Union” speech back then; it was an “Annual Message”. It wouldn't obtain the State of the Union moniker until President Franklin D. Roosevelt called it that in 1934. It wasn't a speech either, it was a written report to Congress submitted rather than delivered personally. (President Woodrow Wilson was the first to present it orally to Congress in 1913. It has been delivered orally ever since, with the one exception of President Jimmy Carter in 1981.) Commensurate with the language in the Constitution, it wasn't so much a report card on the nation (as it has come to be today) as it was a summary report of what had transpired over the previous year, with thoughts and recommendations on things to do in the coming year.

A lot had happened in 1861, all of which contributed to the state of the Union that year. Abraham Lincoln had been elected President back on November 6, 1860, which immediately triggered South Carolina's secession. By the time of Lincoln's inauguration as the 16<sup>th</sup> President of the United States on March 4, 1861, the Confederate States had been formed, with Jefferson Davis as its president. At that point it consisted of seven states. By the time of President Lincoln's First Annual Message, those states would be joined by four more, with strong secessionist influence in another four border states. Fighting had begun with the Confederacy's attack on and capture of Ft. Sumter in Charleston Harbor, South Carolina on April 12. Several major battles had ensued during the year. None were decisive but taken together it was clear that it would be a long war. Moreover, the Confederacy was actively seeking recognition by Great Britain and France. By December 3, one would surmise that the state of the Union, if not bad, certainly was not very good; nor was it reassuring. These were difficult times, to be sure.



In reading President Lincoln's first annual message to Congress, I was struck by its lack of eloquence of the kind we see in several of his public speeches. Presumably this is because it was a *written* report. These can be pedantic and tedious, lacking the fire and personal contact of deeply felt oratory, much like reading from a teleprompter today often doesn't have the same intensity as “off script” comments delivered spontaneously. And when I say it was *submitted* to the Congress, I mean it was sent up the street from the WH, so to speak, and was simply read and entered into the record by a clerk. Hard to capture President Lincoln's fire and passion in that venue.

Moreover, there were no cameras, applause lines, pontificating for the polls, or party members leaping to their feet ad nauseam as have become the norm these days. Back then, it was pretty much just business. But, importantly, it did reflect President Lincoln's social perspective relative to the human forces involved in this national conflict.

The report starts off on a positive note: *“In the midst of unprecedented political troubles we have cause of great gratitude to God for unusual good health and most abundant harvests.”* Vague, is it referring to the American people on a personal level or to the nation as a whole? Perhaps it was little more than a “gettin’ on sentence” – just a way to get started. (Note that all direct quotes from the Annual Report are set off by “quotation marks” and are in *Italic* font; underlined portions are my emphasis added.)

From there President Lincoln jumps into the state of foreign relations, admonishing *“disloyal citizens of the United States who have offered the ruin of our country in return for the aid and comfort which they have invoked abroad...”* and a warning to those nations (aimed particularly at Great Britain) to not take advantage of the situation. Those that *“would act solely and selfishly for the most speedy restoration of commerce, including especially the acquisition of cotton”* would be better advised to work with the United States than against it. He recommended *“adequate and ample measures be adopted for maintaining the public defenses on every side [and] in the same connection ask the attention of Congress to our great lakes and rivers... that some fortifications and depots of arms and munitions, with harbor and navigation improvements, all at well-selected points upon these...”* If placement means anything, note that this is the first substantive topic he addresses.

President Lincoln then proceeded with a lengthy list of suggestions and needs for the coming year. Among them—

- That *“the loyal regions of east Tennessee and western North Carolina should be connected with Kentucky and other faithful parts of the Union by railroad.”*
- Recommendations regarding possible resolution of the Trent Affair.
- Reporting on a balanced budget and further advising, *“It is gratifying to know that the expenditures made necessary by the rebellion are not beyond the resources of the loyal people, and to believe that the same patriotism which has thus far sustained the Government will continue to sustain it till peace and union shall again bless the land.”* A warning to the Confederacy.
- Referring Congress *“to the report of the Secretary of War for information respecting the numerical strength of the Army and for recommendations having in view an increase of its efficiency and the well-being of the various branches of the service intrusted to his care. It is gratifying to know that the patriotism of the people has proved equal to the occasion, and that the number of troops tendered greatly exceeds the force which Congress authorized me to call into the field.”* Another message to the Confederacy.
- Several recommendations regarding improvements to the Army and to the Navy.
- Proposed improvements in the system of circuit courts, which varied widely from one state to another, and a scrub of US statutes to eliminate redundant and outdated laws. *“...the statute laws should be made as plain and intelligible as possible, and be reduced to as small a compass as may consist with the fullness and precision of the will of the Legislature and the perspicuity of its language...that all the acts of Congress now in force and of a permanent and general nature*

*might be revised and rewritten so as to be embraced in one volume (or at most two volumes) of ordinary and convenient size...*" Apparently a never-ending problem that persists today.

- Asked Congress to devise *"for the administration of justice in all such parts of the insurgent States and Territories as may be under the control of this Government, whether by a voluntary return to allegiance and order or by the power of our arms..."*
- Discussed the financial condition of – the impact of secession on – the Post Office Department, the Department of the Interior's Patent and General Land Offices, and the Pension Office. He also touched on the state of relations with the Indian tribes impacted by the rebellion, as well as the success of efforts *"which have been made for the suppression of this inhuman traffic [the African slave trade] have been recently attended with unusual success."*
- Proposed that a Department of Agriculture be created, to represent *"the largest interest of the nation"*.
- Voiced sympathy for a plan by which recently freed slaves would form a colony, perhaps in a newly acquired territory.

I invite you to read the entire message to get a feel for the various issues President Lincoln was addressed. The list does go on.

President Lincoln then switched tone and dealt with broader considerations of the war itself. *"The war continues. In considering the policy to be adopted for suppressing the insurrection I have been anxious and careful that the inevitable conflict for this purpose shall not degenerate into a violent and remorseless revolutionary struggle. I have therefore in every case thought it proper to keep the integrity of the Union prominent as the primary object of the contest on our part, leaving all questions which are not of vital military importance to the more deliberate action of the Legislature."*

There had been concern that the announcement (on April 21, 1861) of a blockade could be construed as *de facto* recognition of the Confederacy as an independent national entity since countries do not *blockade* their own ports, but rather *close* them. Under international and maritime law, nations had the right to stop and search neutral ships in international waters if they were suspected of violating a blockade, something port closures apparently would not allow. To avoid conflict between the United States and Great Britain over the searching of British merchant vessels thought to be trading with the Confederacy, the Union needed the privileges that came with the declaration of a blockade. *"In the exercise of my best discretion I have adhered to the blockade of the ports held by the insurgents, instead of putting in force by proclamation the law of Congress enacted at the late session for closing those ports."* This reaffirmed the blockade of Southern ports. (Kent Wright may delve into this in more detail during his presentation at our April meeting.)

The first Confiscation Act (August 6, 1861) authorized Union seizure of rebel property. It established that all persons *"claimed to be held to labor or service [including slaves] under the law or any forced to*

fight with or work for the Confederate military services” were freed of further obligations to their masters. President Lincoln was concerned that this might push border states (particularly Missouri and Kentucky) into secession in order to protect slavery. By December, his concerns apparently were lessening. *“So also, obeying the dictates of prudence, as well as the obligations of law, instead of transcending I have adhered to the act of Congress to confiscate property used for insurrectionary purposes. If a new law upon the same subject shall be proposed, its propriety will be duly considered.”*

President Lincoln then goes into a *“general review of what has occurred since”* the war began at Ft. Sumter. This is not a general chronology of events, but rather a summary of Union successes. *“These things demonstrate that the cause of the Union is advancing steadily and certainly southward.”*

President Lincoln recognized Lieutenant General Winfield Scott’s recent retirement in November and recommended Congress consider *“what further mark of recognition is due to him, and to ourselves as a grateful people.”* He goes on to report unanimous concurrence with his decision to appoint Major General George B. McClellan as the new General in Chief of the Army. Interestingly, he added, *“It has been said that one bad general is better than two good ones, and the saying is true if taken to mean no more than that an army is better directed by a single mind, though inferior, than by two superior ones at variance and cross-purposes with each other.”* Another interesting message, this time surely directed at General McClellan. And then, in this vein, *“And the same is true in all joint operations wherein those engaged can have none but a common end in view and can differ only as to the choice of means. In a storm at sea no one on board can wish the ship to sink, and yet not unfrequently all go down together because too many will direct and no single mind can be allowed to control.”* Go Navy! (I can’t help but wonder what Jefferson Davis and his senior commanders thought about these messages, as well.)

Then we come to the passage that many believe is one of President Lincoln’s most important. Coming at the end of the Annual Message, it captures his political and social philosophy regarding the relationship between labor and capital, and Constitutional liberties. Quoted in part—

*“In my present position I could scarcely be justified were I to omit raising a warning voice against this approach of returning despotism...”*

*“Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between labor and capital producing mutual benefits. The error is in assuming that the whole labor of community exists within that relation. A few men own capital, and that few avoid labor themselves, and with their capital hire or buy another few to labor for them. A large majority belong to neither class--neither work for others nor have others working for them. In most of the Southern States a majority of the whole people of all colors are neither slaves nor masters, while in the Northern a large majority are neither hirers nor hired. Men, with their families--wives, sons, and daughters--work for themselves on their farms, in their houses, and in their shops, taking the whole product to themselves, and asking no favors of capital on the one hand nor of hired*

*laborers or slaves on the other. It is not forgotten that a considerable number of persons mingle their own labor with capital; that is, they labor with their own hands and also buy or hire others to labor for them; but this is only a mixed and not a distinct class. No principle stated is disturbed by the existence of this mixed class.*

*"...No men living are more worthy to be trusted than those who toil up from poverty; none less inclined to take or touch aught which they have not honestly earned. Let them beware of surrendering a political power which they already possess, and which if surrendered will surely be used to close the door of advancement against such as they and to fix new disabilities and burdens upon them till all of liberty shall be lost.*

*"From the first taking of our national census to the last are seventy years, and we find our population at the end of the period eight times as great as it was at the beginning. The increase of those other things which men deem desirable has been even greater. We thus have at one view what the popular principle, applied to Government through the machinery, of the States and the Union, has produced in a given time, and also what if firmly maintained it promises for the future. There are already among us those who if the Union be preserved will live to see it contain 250,000,000. [We would reach this mark in about 1953.] The struggle of to-day is not altogether for to-day; it is for a vast future also. With a reliance on Providence all the more firm and earnest, let us proceed in the great task which events have devolved upon us."*

So, with this one as an example, we can see that the Annual Message to Congress back then was a formal, in parts tedious, written report. In recent decades it's become more of a show business-based public affairs romp for the president and the party he represents – not without substantive content, but at the same time something akin to a political pep rally.

This is not meant as a contrast to what the current and recent presidents talked about, as important as those issues may be. This is about what President Lincoln was dealing with and what he was reporting to Congress – not a reflection on today, but a testament to yesterday.

Here was a man struggling to keep the country together, to maintain the Union, dealing with existential issues that were right up front, in his face. A nation that was grappling with rebellion; a social system that repelled him; an uncertain future. He addressed several wartime-specific problems, but he also addressed mundane issues that were necessary to the everyday functioning of government. He was grappling with a mega-crisis, but also had to go about the nation's day-by-day business. It is amazing that he was able to focus on such issues at the same time he was focusing on the war, and he did so without the benefit of the preponderant machinery of government available to presidents today. What that says about him as a man, as a leader, and as a president is amazing.