Review Essay

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Two decades ago Don E. Fehrenbacher wrote in these pages of “an anti-Lincoln tradition, attenuated but persistent, that had its sturdy roots in the years of the Civil War.”¹ Since then Lincoln’s reputation has further been called into question by critics who, in ironic tribute to his historical significance, measure him in relation to fundamental issues in American political life that assumed recognizably modern form as a result of Lincoln’s statesmanship. Foremost among those issues are national civil rights policy, race relations, and the nature and scope of national government power, including the relationship between majority rule and minority rights.

Two new books dealing with the economic dimension of the Civil War suggest that the ranks of Lincoln detractors have been augmented by libertarian economists. A generation ago this would have seemed an unlikely source of anti-Lincoln opinion. On the face of it, hostility toward Lincoln would appear as counterintuitive for market-minded economists as for emancipation-minded African Americans. By any reasonable standard, the defeat of the Confederacy and abolition of slavery, for which Lincoln was primarily responsible, signified the expansion of liberty in the form of free labor and entrepreneurial capitalism, as well as racially impartial civil rights guarantees.

In today’s hyper-pluralistic society, however, economic liberty is as politically contentious as civil rights and liberties. If the contours

of economic policy disputes can be traced to the Civil War, there is an incentive to use—or abuse—the historical record for ideological purposes. More precisely, with respect to the books under review, there is a temptation for writers oblivious to the requirements of historical scholarship to treat Lincoln’s speeches and writings as a polemical grab bag from which to select materials, abstracted from their historical context, that can be used to present Lincoln in an unfavorable light. Thomas J. DiLorenzo and Charles Adams, writing from the point of view that in academic economics is labeled anarcho-capitalist libertarianism, scavenge the documentary record in an attempt to show Lincoln as a revolutionary centralizer who used national sovereignty to establish corporate-mercantilist hegemony at the expense of genuine economic liberty.

No one has ever denied that Lincoln was a vigorous supporter of free-market capitalism as defined by the policies of the Whig party. DiLorenzo and Adams go far beyond the evidence, however, in equating the nineteenth-century American system of central banking, protective tariff, and internal improvements with late-twentieth-century “corporate welfare” policies. Assuming a narrow conception of economic motivation, their approach is even more reductionist than the quasi-Marxian theory of economic materialism that inspired progressive historians in the early twentieth century. In Charles A. Beard’s famous phrase, the Civil War was the Second American Revolution, which saw northern business interests seize national power from the proslavery planter class. Critical of the laissez faire ideology of their day, progressives blamed this economic development on the Radical Republicans, not on Lincoln, who in their reformist outlook was a sympathetic figure.

DiLorenzo and Adams, by contrast, write from a hard-edge libertarian perspective that is considered politically conservative because it is critical of the mixed economy of modern corporate capitalism. They attack Lincoln as the “great centralizer” who paved the way for the twentieth-century liberal regulatory welfare state. In this view Lincoln used the sectional conflict over slavery as a pretext for destroying the voluntary, states-rights Union of the founding fathers as well as the decentralized system of private property and agrarian-commercial liberty that was its economic corollary.

The problem with the two books is not their focus on economic change as a key factor in the assessment of Civil War politics. It is rather their authors’ simple-minded understanding of the relationship between politics and economics, between moral ends and pro-
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ductive entrepreneurial activity. DiLorenzo and Adams regard Lincoln, like Alexander Hamilton, Henry Clay, and Daniel Webster before him, as a one-dimensional politician whose “real agenda” was to create a mercantilist economic order of central banking, discriminatory taxation for the protection of northern industry, and corporate-welfare subsidies (internal improvements). In this interpretation Lincoln was a mythical “great emancipator,” a racist white supremacist who did not really care about the well being of Negro slaves. His abiding ambition was “the consolidation of state power” (DiLorenzo, 53).

It is not that a case cannot be made analyzing Lincoln’s career from a public choice perspective that views the exercise of political power through the lens of economic calculation. It is that the dogmatic, undiscriminating libertarianism of these authors precludes any realistic consideration of the complexity of political life as it manifestly appears in the historical record. Methodologically, this takes the form of substituting mere assertion for documentary evidence. DiLorenzo, for example, describing Lincoln’s “real agenda,” writes: “In virtually every one of the Lincoln-Douglas debates, Lincoln made it a point to champion the nationalization of money and to demonize Jackson and the Democrats for their opposition to it” (68). This will come as a surprise to anyone familiar with the debates, which were primarily concerned with the slavery question and matters related to it.

Perhaps the clearest illustration of the kind of reasoning upon which these accounts depend can be seen in the discussion of the secession crisis. Both authors claim that Lincoln provoked the South into war in order to adopt a protective tariff policy favoring northern business interests. Proof of his motivation is found in a statement from Lincoln’s first inaugural address, that “The power confided to me, will be used to hold, occupy, and possess the property, and places belonging to the government, and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion—no using of force against, or among, the people anywhere.” According to DiLorenzo, this means that “To Lincoln, slavery was just another political issue subject to compromise. But protectionist tariffs—the keystone of the Republican Party—were nonnegotiable” (237).

To be sure, the tariff laws were profoundly significant, and not simply because of the economic significance of tax revenues for the support of government. Rather law enforcement was an essential attribute of the struggle over national sovereignty, which was the
underlying issue in the slavery controversy. Secession elevated that conflict into public view as the paramount issue in American politics. Secession forced a showdown, and neither side was willing to compromise. The stand-off can be regarded from a neutral perspective that accords moral equivalence to the rival claims of Union and Confederate nationality. It is a strangely ahistorical kind of libertarianism, however, as illustrated in these books, which judges enforcement of the law of a slave-based society to be morally superior to that of a free-labor society.

Perhaps the most economical as well as charitable explanation of the inability of these two libertarian writers to see the forest of freedom for the trees of proslavery secessionism is their lack of understanding—indeed their doctrinaire rejection—of politics.Posing a counter-factual, DiLorenzo asks why Lincoln, if he was the master politician that his hagiographers say he was, “failed to use his legendary political skills and his rhetorical gifts to do what every other country of the world where slavery once existed had done: end it peacefully, without resort to warfare.” DiLorenzo says “most Americans would likely have chosen compensated emancipation. . . . Lincoln never seriously offered the nation the opportunity”(52). And why not? Because Lincoln “was not particularly supportive of emancipation” and needed a war to transform America into a centralized imperial nation!

Without belaboring the obvious, it is fair to ask what historical value these accounts of Lincoln may have. That confessing libertarians can contort the documentary record into an attack on Lincoln for emancipation under false pretenses, tells us more about contemporary academic life than it does about slavery and the Civil War. Much as they might wish to deny it, these supposedly tough-minded libertarians are cut from the same utopian cloth as left-liberal historians who fault Lincoln for being insufficiently egalitarian.

To put this in historical terms, the scholarly value of these not very scholarly books lies in their reflection of recent trends in Civil War historiography. Two developments stand out. The first is radicalization of the interrelated issues of slavery, civil rights, and race relations. The second development is a revival of interest in secession as a solution to the problem of government centralization. DiLorenzo and Adams appeal indirectly to the former current in historical writing and directly to the latter.

Radicalization of slavery, emancipation, and civil rights refers to the way in which the study of these issues is increasingly subsumed under the rubric of racism. In view of the fact that emancipation
occurred as a result of the war, the assumption is made that slavery could and would have been eliminated in any case, without a war. The “discovery” is made that although slaves were emancipated, race relations did not essentially change. In this interpretation, slavery becomes the dependent variable in the historical equation. Racism is the independent variable, the enduring value in American politics and society.

From this perspective, the motives of the free soil and antislavery movements are questioned on the ground of self-interest and denied genuine moral standing. Defense of the Union is divorced from the antebellum controversy over the extension of slavery into the territories. Abstracted from the ideology and aims of the Republican Party, the goal of preserving the Union is viewed simply as a project for aggrandizing national power—a project that includes permanent defense of existing slavery. Meaningful antislavery motives are attributed only to slaves, who in recent accounts are viewed as principally responsible for initiating the process of emancipation. Lincoln and the Union high command, their vision clouded by racial conservatism, stand in need of instruction in the ways of genuinely higher moral purpose by the slaves themselves, whose flight to freedom transformed the war for the Union into an abolitionist crusade.

The second scholarly trend reflected in these accounts is renewed interest in secession as a form of political action. In the most general sense the impetus for this intellectual interest has been the collapse of communism and the breakup of the Soviet empire into ethnic national states. In American historiography the study of secession has, of course, never disappeared. But it now has appeal not only for unreconstructed Confederate sympathizers, who perhaps have never lost hope in the lost cause, but also for anarcho-capitalist libertarians who view it as a means of resisting what they perceive as the centralized tyranny of the regulatory welfare state.

American neosecessionist writers advance two major claims. First, they contend that in the United States, as elsewhere, slavery was doomed to extinction by the laws of historical progress that made free-market capitalism a superior system of labor and economic production. The second and more novel libertarian assertion is that the American political tradition is based on the right of secession, not the right of revolution as proclaimed in the Declaration of Independence.

Discussing what he calls “the myth of secession as ‘treason,’” DiLorenzo states: “In the eyes of the American founding fathers,
the most fundamental principle of political philosophy was the right of secession. The Declaration of Independence was first and foremost, a declaration of secession from the British government of King George III." The United States were founded by secessionists “and began with a document, the Declaration, that justified the secession of the American states. That is the language of the Declaration”(85–86).

DiLorenzo is mistaken. Secession based on state sovereignty is neither the language nor the theory of American nationality in the Declaration of Independence. DiLorenzo’s assertions are, however, a reasonable facsimile of the reasoning that supported Southern secession. In a speech in the Senate, on January 10, 1861, for example, Jefferson Davis attempted to justify disunion in the name of “an inalienable right” of the people in each community giving them “the power . . . to abrogate and modify their form of Government.” Like Davis, today’s neosecessionists distort the right of revolution by treating it is a constitutionally protected right to overthrow their government. Moreover they err in regarding the Union as a compact between sovereign state-nations that, notwithstanding ratification of the Constitution, were never under a legal obligation to obey the laws of the Union, except insofar as they voluntarily chose to do so. This was never the nature of the relationship between political authority and the rights of individuals in social contract communities, including the federal republic of the United States.

Properly understood—and the way southern politicians themselves understood and exercised national authority in the federal system from 1789 to 1860—government sovereignty was divided between the states and the federal Union. The essential principle of the system—the end and reason of its existence—was that neither government could reduce the other to itself or otherwise destroy it. Fundamental to the system was the conjunct sovereignty of the American people, constitutionally established in the states and the government of the Union.

The Declaration of Independence asserted the natural right of revolution as a principle of American nationality. This was a moral and political right, to be exercised prudentially, that justified resistance to oppressive government. It was not a claim of legal immunity imposing duty and obligation on others not to interfere. Starting with the South Carolina nullification crisis, however, extreme state sovereignty advocates, by a kind of political alchemy, attempted to transform the right of revolution into a legally privi-
leged immunity to overthrow government by nullification and se-
cession. Audacious as it was, this was a strategy of desperation
driven by the desire to protect a slave-based society against the
democratizing force of a liberal republican government. Latter-day
secessionists deny this fact, and point to threats of disunion ema-
nating from the New England states in the period 1803 to 1815 as
proof that a constitutional right of secession existed in the United
States. This reading distorts the historical record and misconstrues
the nature of federal republican politics.

Control of the government of the Union was the paramount ob-
jective of federal-system politics. States’ rights was a default posi-
tion, a defensive strategy for resisting national policies that might
be objectionable on partisan and ideological grounds. Disputing the
contention that the South fought not to defend slavery, but to up-
hold the constitutional right of secession, a northern writer ob-
served after the Civil War: “In a federal system one weapon of the
minority is sure to be the menace of withdrawal or disunion.” This
was not a claim of constitutional right, however, but an assertion
of revolutionary resistance. “Secession was revolution, and the one
vital point was whether it was possible, not whether it was legal.”
The question in 1860, as in earlier disunionist crises, was whether
certain states, or the people of certain states, had “sufficient rea-
son and sufficient power to revolutionize the existing government
and substitute something else in its place.”

In his January 1861 Senate speech, Jefferson Davis asked: “Are
we, in this age of civilization and political progress . . . to roll back
the whole current of human thought, and again return to the mere
brute force which prevails between beasts of prey, as the only
method of settling questions between men?” The Confederate
president-to-be was confident that “the power of the people to ab-
rogate and modify their form of Government” would be admitted
without bloodshed, as the founding fathers understood the inalien-
able right of revolution. For a time Davis’s prediction appeared
prophetic as a kind of moral disarmament settled over a large por-
tion of the northern public. Had the Confederate high command
been more patient, it might have placed the Lincoln administra-
tion in an untenable political situation.

The Confederate states, however, according to DiLorenzo,
“would no more tolerate a Federal fort within their borders than

the Colonials would have tolerated a British fort in Boston, or New York harbor”(119). What neosecessionist libertarians fail to consider is the moral difference between the American Revolution for liberty and the Confederate revolution for slavery. Standing on the claim of constitutional immunity to destroy the government, the South resolved the crisis of the Union by firing on Fort Sumter. This action signified the “appeal to heaven” that was universally acknowledged as the ultimate means of exercising the right of revolution. It vindicated Lincoln’s understanding of the crisis of the Union, expressed in his argument that secession was the essence of anarchy and must be treated as unjustified rebellion.