

# H-Net Reviews

in the Humanities & Social Sciences

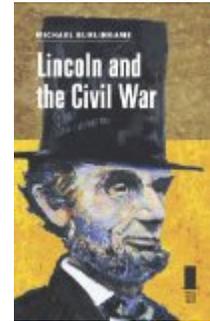
Michael Burlingame. *Lincoln and the Civil War*. Carbondale: Southern Illinois University Press, 2011. 165 pp. \$19.95 (cloth), ISBN 978-0-8093-3053-9.

Mark E. Neely. *Lincoln and the Triumph of the Nation: Constitutional Conflict in the American Civil War*. Chapel Hill: University of North Carolina Press, 2011. 400 pp. \$35.00 (cloth), ISBN 978-0-8078-3518-0.

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Published on H-CivWar (August, 2013)

Commissioned by Martin P. Johnson



## The Lincoln Theme in the Twenty-First Century

These two books serve as a reminder that the Lincoln theme, far from being exhausted, continues to be explored in new ways by historians. Pure biography remains a subject of lively interest, but so do efforts to connect Lincoln to issues related to antislavery and the Civil War. Additionally, several works are but marginally connected to history, and instead examine the ongoing impact Lincoln had, and continues to have, on American culture. Moreover, as these two volumes suggest, academic historians continue to widen the parameters of our understanding of Lincoln.

Mark Neely and Michael Burlingame have written widely not only about Lincoln, but Civil War America as well. Their approach in these volumes is different, yet similar. Neely presents a constitutional and legal history of the Civil War which, despite the title, is only partly about Lincoln. Burlingame has written a compressed history of Lincoln's presidency and its influence on the Civil War. Both works reveal these historians' impressive scholarship and wide reading in manuscript sources; both provide insight into the subject. It takes courage to try and do something different and provocative, and both men are to be commended for seeking new approaches.

*Lincoln and the Triumph of the Nation* is an attempt by Neely to come to terms with the constitutional legacy

of the Civil War. It consists of three distinct elements: an examination of Lincoln's policies as president, a discussion of the role of Northern courts, and the importance of Confederate constitutionalism. There is no overarching thesis for the text that seeks to unify the various approaches. Within chapters, Neely indulges in lengthy asides which seem to detract from the larger point he seeks to make. The chapter on the formation of the Confederate constitution thus becomes overwhelmed by Neely's comparison of it with the creation of the American Constitution in the 1780s. It would seem that such observations ought to be reserved for the footnotes, or perhaps placed in a separate chapter on constitutional historiography. The consequence is to detract from the important observations that Neely does make about constitutional developments during the period.

The chapters on Lincoln, while interesting, are really too brief to provide a coherent picture of constitutional issues during the Lincoln administration. Most of Neely's focus is on issues related to the suspension of the writ of habeas corpus; this he places within a wider political context. Neely takes seriously the constitutional views of Democrats who criticized the war effort and sees their opposition to the Lincoln administration as motivated by a genuine fear of how political changes were transforming the constitutional order. It was more than simply

racism or fear of economic change that led Democrats to question the policies of the government in Washington.

The text is perhaps at its most interesting when Neely analyzes the individuals who became ensnared by the Union or Confederate governments. One of Neely's real strengths is demonstrated in his discussion of hundreds of these cases. Additionally, Neely's discussion of *Ex parte Merryman* (1861) makes that case much more than simply a constitutional disagreement between President Lincoln and Chief Justice Roger Taney. He makes it clear that *Ex parte Merryman* was but part of a much wider campaign to challenge the constitutional validity of government policy. By placing these court cases within the historical context, Neely also allows us to see constitutional development as an evolving process in which administration critics and the administration itself engaged in a lengthy pamphlet war to convince the wider public of the correctness of their position.

Neely's approach, connecting the political with legal and constitutional arguments, is in many ways interesting. In this process he presents a dynamic picture of Northern politics during the war. Nonetheless, his discussion of Democrats' critiques of the Lincoln administration's economic policy could have been expanded. A more informed discussion of race and the Democrats' opposition to antislavery constitutionalism also seems warranted. Neely has omitted any mention of slavery, race, and antislavery constitutionalism, and is essentially uninterested in Republican constitutional thought. Similarly, Neely's analysis of Southern Unionists in the Confederacy could be improved. Moreover, the nature of opposition within the Confederacy to the Davis administration's policies could be expanded. While he offers a brief discussion of the *Charleston Mercury*, and of Governors Joseph E. Brown of Georgia and Zeb Vance of North Carolina, the opposition to the Confederate policies of suspending the writ of habeas corpus, conscription, and confiscation was much broader than Neely suggests.

These criticisms should not detract from what is an important volume, and one that merits close scrutiny. Historians interested in law and constitutionalism during the Civil War will need to pay close attention to Neely's account.

*Lincoln and the Civil War* is part of the Concise Lincoln Library in which historians write about subjects related to Lincoln briefly. The subject here is an examination of Lincoln's presidency in a scant 129 pages of text.

Similar to Neely, Burlingame does not seek to answer

every possible question that the reader might pose about Lincoln. Instead his study of Lincoln uses a very tight compass, focusing on a few critical subjects: Lincoln's election to the presidency, his presidency in the era of the Civil War, and related military and political issues that attracted national attention. The challenge of such a work is writing concisely. Burlingame shows remarkable skill in discussing complex subjects quickly and in effectively transitioning to the next subject.

The advantage of this approach is that the end result is a stripped-down Lincoln and the Civil War. Burlingame's volume thus retains only the core part of the argument, with everything that could be considered superfluous removed. This makes *Lincoln and the Civil War* a perfect book for not only classroom use, but also for those who are looking for a brief introduction to the issues of the war and Lincoln's leadership. The work is ideal as a one-volume study of Lincoln that covers the basics.

Nonetheless, such a concise work limits one's ability to explore the historical context. For example, one of the issues Burlingame covers briefly is the defeat of the Crittenden Compromise, a failed effort by Congress to construct a compromise between North and South. Burlingame's analysis of this episode is quite good, but it is only a page in length. It allows him to accurately describe what happened over anxious months, but the true enormity of crisis and the challenge posed for Republican leadership is missing.

Numerous examples like this can be cited. Lincoln's Reconstruction policy was a subject of considerable national debate, especially after 1863. However, Burlingame is again limited to one page and he mainly discusses the dispute between Lincoln and Congress over the Wade-Davis Bill. Similarly, only a few pages are given to the evolution of Lincoln's policy on emancipation, with limited information on how military commanders influenced these important changes. Economics, foreign policy, and social changes wrought by the war are also subjects that are either neglected, or noted only in passing.

The result is to create a Lincoln who is at the center of events, removed from his historical context. Military and political decisions made by Lincoln drive Burlingame's account, but the larger social milieu is missing. The condensing process partly explains why that occurs here, but the tendency to isolate Lincoln from the political environment is a frequent problem in Lincoln biography. In making the story almost completely about Lincoln,

it is difficult to appreciate the interaction between the president and a wider Republican political culture. Conversely, the focus tends to turn Democrats into stock villains whose purpose is mainly to illustrate Lincoln's greatness.

Some of the same difficulties are present in Burlingame's analysis of Lincoln's leadership as commander-in-chief. Military issues are sprinkled throughout his account and in a lively manner he explains the way the president exerted an influence on the conduct of the war. One of Burlingame's real strengths is his ability to briefly describe military events to the general reader. Nonetheless, the significance of the civilian-military relationship could be expanded.

One might wish for more content on military strategy as well, though the subject is not completely ignored. Burlingame usually discusses the larger purpose of Union military strategy in terms of a specific campaign. There are also occasional references to Lincoln's involvement in military decision making in descriptions of conflict with individual generals. How military policy was developed during the war and Lincoln's involvement in that process

could be explained in greater depth. Similarly, the generals' role in the occupation process as they dealt with the issues of Reconstruction could have been more fully developed.

These criticisms should not detract from the fact that Burlingame has written an important volume. It is likely to become a work to be consulted for years to come. Certainly, it is the finest brief discussion of the Lincoln presidency that we now have in print. However, the very nature of a compressed examination of the complex issues of the Civil War impairs the usefulness of Burlingame's account. When reading Burlingame, readers should keep in mind the space limitations that the author had to overcome.

Both Neely and Burlingame have written important new studies of the Lincoln presidency. They have found new ways to examine and think about both the leadership of President Lincoln and larger issues related to the war. Their accounts are worthy of a wide audience. Historians of both Lincoln and the Civil War will want to pay close attention to these new volumes.

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**Citation:** Lewie Reece. Review of Burlingame, Michael, *Lincoln and the Civil War* and Neely, Mark E., *Lincoln and the Triumph of the Nation: Constitutional Conflict in the American Civil War*. H-CivWar, H-Net Reviews. August, 2013.

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