Reconstruction as an incomplete revolution has been the widely accepted narrative of the post-Civil War years since the publication of Eric Foner’s seminal *Reconstruction: America’s Unfinished Revolution 1863-1877* in 1988. Indeed, the unique language of the Reconstruction amendments (Thirteenth, Fourteenth, and Fifteenth), which granted unprecedented enforcement powers to Congress to forever alter American society, have led scholars to increasingly see this era as a second founding. Amid this progress, however, are numerous reversals well known to historians who have analyzed the postwar era from a variety of angles, including that of politics, society, labor, and military history, to name but a few. If there was one person through which one can explore these consequential yet notoriously misunderstood years, there is perhaps none better than the complex and contradictory senator from Illinois, Lyman Trumbull. In *Lyman Trumbull and the Second Founding of the United States*, Paul M. Rego provides an accessible, compelling, and timely new biography on the man who helped secure the Union and embodied both the successes and missed opportunities of Reconstruction.

In the first biography on Trumbull in over fifty years, Rego uniquely frames his account around the vital political and constitutional questions of the late nineteenth century. This approach places Trumbull at the center of prewar debates over the expansion of slavery and right of secession; wartime concerns over who wields war powers and the limits of freedom of expression; and finally postwar questions related to the status of freedpeople, as well as the definition of civil rights and national citizenship, including their relation to the privileges and immunities clause. Through an analysis of his congressional speeches and debates, extensive family papers, and official correspondence, Trumbull emerges from obscurity as an amalgam of conservative, moderate, and radical but, perhaps most important, as a staunch defender of federalism, a value that shaped his views on the freedom of African Americans, the powers of the national government with respect to the states, civil liberties, and executive-legislative
relations. Rego argues that while the war led Trumbull to embrace an expansion of federal power for the purpose of defeating the Confederacy and destroying slavery, in the postwar years, his determination to maintain the balance inherent in federalism “was stronger than his commitment to the rights of Black people,” and for Rego, this explains why Trumbull inexplicably abandoned his early support for Reconstruction (p. 5).

Rego’s narrative is broken down into nine chapters with the first providing family background and detailing Trumbull’s rise into politics in Illinois during the 1840s as a moderate anti-slavery and pro-Union legislator. Born a New Englander in 1813, Trumbull attended Connecticut’s prestigious Bacon Academy at the behest of his father. After graduating and teaching in Connecticut, New Jersey, and Georgia, he studied for and passed the bar in Georgia in 1837 and promptly set out for southern Illinois to make a name for himself. In Illinois, he partnered with John Reynolds, a former Democratic governor and member of Congress, who assisted Trumbull’s growing political ambitions. Trumbull won his first election as a Democrat in 1840 and at just twenty-seven years old, was the youngest member elected to the Illinois House of Representatives. Stymied from his national political ambitions by the late 1840s, Trumbull was at a crossroads until the Kansas-Nebraska Act of 1854 reignited his political career. With the demise of the Whig Party and splintering of the Democratic Party, Trumbull suddenly emerged on the national stage by winning a US Senate seat in 1855.

Chapters 2-4 focus on the Civil War years, with special attention given to Trumbull’s role as the principal author of the Confiscation Acts and later Thirteenth Amendment. Here Trumbull appears as an ardent opponent of slavery and key defender of foundational civil rights, including habeas corpus and freedom of expression. With the start of war, Trumbull, now serving as the chair of the powerful Senate Judiciary Committee, challenged President Abraham Lincoln over “war powers.” He believed “war powers” rested almost entirely with Congress, and he expressed disappointment with both Lincoln and the Union commanders in the field who failed to vigorously execute the Confiscation Acts of 1861 and 1862 he authored, which he viewed as having the power to end slavery and bring permanent safety to the republic. If Lincoln did not go far enough in executing the Confiscation Acts, he went too far in Trumbull’s opinion with the suspension of habeas corpus and the attack on the free press. In response to the former, Trumbull sponsored the Habeas Corpus Act of 1863 to regulate and limit lengthy detentions. In relation to the latter, he defended the anti-administration Chicago Times when military authorities suspended publication. Both stances alienated Trumbull from some of the president’s staunchest supporters in Congress.

The final half of the book details Trumbull’s postwar contributions, including his support for Congressional and Military Reconstruction as well as his authorship of key legislation directed toward securing freedpeople in their liberty, such as the extension to the Freedmen’s Bureau and the Civil Rights Act of 1866. Rego’s account concludes with Trumbull’s increasing disillusionment with Reconstruction and turn toward the Liberal Republicans. This was marked by his defense of readmission for Georgia and Mississippi, rejection of the Third Force Act (commonly referred to as the Ku Klux Klan Act), and support of Horace Greely in the 1872 presidential election. In the wake of President Lincoln’s assassination, Republicans expressed early optimism regarding Andrew Johnson, but those hopes completely evaporated by early 1866, when Johnson vetoed both Trumbull’s Freedmen’s Bureau extension bill and the Civil Rights Act. The Republican-dominated Congress increasingly viewed the chief executive as a hindrance to their legislative agenda and, when they won the 1866 midterms in a landslide, moved to take control of the course of Reconstruction. The constitutional ideology behind Congres-
sional and later Military Reconstruction fell in line with Trumbull’s thinking on the matter, as he had long maintained a belief that Congress held ultimate authority over the issue as part of its war-making power. Trumbull believed the cessation of hostilities did not necessarily mark the end of war and embraced a view that until the former slaves could live independently, including being “protected from lawless bands and prejudiced slaveholders,” Congress possessed the power to continue the war (p. 137). Dividing the South into military districts, extending the life of the Freedmen’s Bureau, and implementing the Civil Rights Act were all outgrowths of this view, which empowered military officials to maintain peace and secure African American liberty that Republicans defined as the right to equal opportunity.

Regarding this last point and in his analysis of Trumbull’s views on African Americans and record on civil rights legislation, Rego frames the discussion by first noting that while Trumbull considered slavery to be the nation’s greatest sin, he did not envision a future American society premised on inclusion and racial equality. This reality helps one reconcile Trumbull’s aggressive approach to ending slavery and securing African Americans’ fundamental rights with his lack of enthusiasm for racial integration and Black male suffrage. Indeed, the author of the revolutionary Confiscation Acts, Thirteenth Amendment, and Civil Rights Act of 1866 supported voluntary colonization as late as 1862; saw no need for the Enforcement Acts of the 1870s; and by 1880, when African American rights were being violated and violence against them was endemic across the South, claimed Blacks needed white oversight. Rego concludes that despite Trumbull’s championing of civil rights legislation during the 1860s, he personally “never managed to evolve beyond the pervasive racism of his time” (p. 88). However, Trumbull’s conservative ideology, which emerged most forcefully in the 1870s, should not have come as a complete surprise. In fact, evidence of it can be seen from his temporary vision for the Freedmen’s Bureau, his no vote during the impeachment trial of Johnson, and the limited number of civil rights he anticipated being covered by the Civil Rights Act of 1866. While these decisions have led some scholars to view Trumbull as a reluctant supporter of Reconstruction, Rego convincingly argues that Trumbull was a radical supporter of Reconstruction in the 1860s. However, his fears of forever altering federalism led him to abandon his prior and firm commitment to post-war transformation in the 1870s. Indeed, throughout his political career, Trumbull maintained an abiding concern for the traditional rights of states, and this emerged most forcefully in the 1870s through an impatience with Reconstruction and the threat it posed of “permanently weakening the established rights and responsibilities of the states” (p. 207).

Rego’s biography of Trumbull is a much-needed update on a man correctly identified as one of the most important legislators of the Civil War era. Important contributions to the field of Reconstruction historiography include Rego’s analysis of Trumbull’s views on African Americans and civil rights, as well as the connections made between Trumbull’s view of federalism and the end of Reconstruction. Regarding the former, while Rego emphasizes Trumbull’s authorship of the Thirteenth Amendment and support for both the Fourteenth and Fifteenth Amendments, his acknowledgment that Trumbull was not an enthusiastic supporter of Black male suffrage invites further analysis from the author on this key topic. In addition, while Trumbull’s effort to maintain federalism provides some clarity to the senator’s seemingly contradictory political career, his ideology was no doubt influenced by the political climate. And, as a savvy politician, he most assuredly acclimated himself to the changing times of the 1870s as Republican power waned before sweeping Democratic victories in the 1874 midterms. These observations, however, should not detract from the work’s overall importance.
Lyman Trumbull and the Second Founding of the United States is a meticulously researched, appropriately nuanced, and deeply persuasive account of arguably the most important legislator of the second founding. Rego presents a complex Trumbull whose commitment to federalism during one of the most tumultuous periods of American history led him to pursue radical means to save and transform the Union but conservative ones to restore it. In the end, Rego convincingly reveals Trumbull as “a creator [of the second founding] who ultimately abandoned his own creation” (p. 233). While this well-written and accessible book will appeal to general readers and historians alike, scholars interested in understanding the political debates and revolutionary legislation of the Civil War and Reconstruction years, including its successes and missed opportunities, will find it indispensable.

If there is additional discussion of this review, you may access it through the network, at https://networks.h-net.org/h-civwar


**URL:** https://www.h-net.org/reviews/showrev.php?id=58295

This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.