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Why Enemies of Liberty Love Lincoln

by Tom DiLorenzo

The following is a transcript of a speech given at The Future of Freedom Foundation's June 2007 conference, "Restoring the Republic: Foreign Policy & Civil Liberties" held in Reston, Virginia.

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Tom DiLorenzo: Thank you. I'd like to thank, what's your name? Jacob? I heard someone call you that this morning for the first time, for inviting me. My topic, "Why Enemies of Liberty Love Lincoln," I wouldn't say all enemies of liberty, but seems to be most. And to understand this, I think I'll start by paraphrasing something of David Donald's. David Donald is the Pulitzer Prize winning biographer of Lincoln, and he retired from Harvard a couple years ago, and he's my favorite mainstream author on Lincoln; the rest I don't really care for much. But David Donald is a pretty straight shooter.

And he remarked in one of his books that after Lincoln's death, every political party almost of any kind began trying to attach themselves and their agenda, whatever it was, to Lincoln's martyrdom. He also mentioned that during his own lifetime, Lincoln was not very well liked. And you could imagine that, after all, he did imprison tens of thousands of Northern civilians during the war and instituted conscription, and so forth. So he was not well liked, and even despised by his own people during his lifetime. It was after his death that he was turned into a

saint. And so it's not unusual. David Donald mentioned that even the Communist Party U.S.A. used to hold Lincoln-Lenin Day rallies in New York City and had gigantic pictures of Lincoln and Lenin in their offices there.

So it's not just the enemies of liberty who love Lincoln, it's politicians of all kinds. But I would argue especially the enemies of liberty. And why is that? Well one of the things you have to keep in mind about Lincoln, I think, is that on the day he was inaugurated, he very clearly announced his intentions. And in the weeks to follow, he announced his reasons for the war, once the war came, as did the United States Congress. And of course, the reasons that he gave were saving the Union. In his first inaugural address, which any of you can read online, he endorsed something that was known then as the Corwin Amendment to the Constitution. It had been already past the House and the Senate. And this amendment would have prohibited the federal government from ever interfering in Southern slavery. And Lincoln, his exact words, in his first inaugural address, were, he said his belief is that it is already constitutional, that slavery is already constitutional, he said, but that he had no objection to making it "express and irrevocable."

And not only did he endorse this amendment to make slavery last forever, as far as he knew, his whole lifetime, but he actually orchestrated the amendment. The plagiarist Doris Kearns Goodwin mentions this in her book. She wrote a big thousand page book on Lincoln last year called *Team of Rivals*. And she praises him for this amendment, because it was such a slick political maneuver. I guess to people like that, slick political maneuvering is all that counts. But she tells the story that I've known about, but most of you have never heard of because you went to public school. Or if you went to private school, your teachers were trained by public school, so of course you never heard of this. But she tells the story that historians all know that after Lincoln was elected, but before he was inaugurated, he instructed William Seward to get this through the Senate, which he did. He got this Corwin Amendment through the Senate. And so Lincoln was actually the string puller, he was actually the originator of this amendment. Not only did he endorse it in his first inaugural, but it was all his doing.

In that same first inaugural address, though, as I argue in my latest book, if you read his words, he literally threatened a military invasion over tax collection. He said, "It's my duty to collect the imposts and duties, but beyond that, there will be no invasion of any states." And so in terms of slavery, he was willing to see it last long beyond his own lifetime. But with regard to secession, which meant no more federal taxes being paid by the Southern states, he literally threatened war. And of course, once the war began, that was the official reason that he and the Congress gave for the war, was "saving the Union." And of course, "saving the Union" is kind of a nice phrase, but I have made the case in a lot of my writings that saving tax collection was really the heart of the matter there, because the Republican Party had plans for imperial glory as a form of government. That's what their government would pursue, imperial glory. And so saving the Union-- I think of Lincoln as the most masterful politician in all of American history, Bill Clinton times ten thousand, if you will, that's how I think of Lincoln as a politician.

And so when he said “saving the Union,” what he really meant was destroying the Union. But he pulled it off. And of course the Union was voluntary, the citizens of the states held political conventions and decided to join or not to join. And when Rhode Island and North Carolina dragged their feet for quite a long time, there was no talk of invading them and killing one out of four men of military age and burning down their cities and all that sort of thing, none of that was talked about. It was voluntary, and Rhode Island and North Carolina, if they wanted to maintain their own separate countries, they were allowed to. In fact, the Constitution would never have been ratified, I don’t think by any state, if it was the understanding that it was a one-way Venus Flytrap from which there would never be any escape, “try to escape and we will kill you by the hundreds of thousands.” It wouldn’t have been ratified by a single state.

But that was Lincoln’s understanding of the Constitution, though, was “Yes we can kill you if you leave the volunteer Union.” And so in my writings, of course I conclude that he destroyed the Union, the Union was voluntary. And more than that, what was really destroyed was the Jeffersonian view of the Constitution. And in its place came the Hamiltonian view of the Constitution. And since the last speaker gave a plug for his next book, I’ll plug my next book; it’s called *Hamilton’s Curse*. It’s all about why Jefferson was right to hate and despise Alexander Hamilton, Hamilton’s view of the Constitution; he laid his cards on the table when he attended the Constitutional Convention, which he lobbied for more than anybody, for seven years. And he wanted a permanent president, a.k.a. king, who would appoint all the governors, and who would have veto power over all state legislation that was passed by the states, so that the states would have essentially become defunct politically. All political power would have been centralized in the Executive Branch of the federal government. Not only the federal government, but the Executive Branch of the federal government, that was the Hamiltonian Constitution.

It was Hamilton who invented the notion of implied powers of the Constitution, even resultant powers. His argument was, if the government were to do something that was clearly unconstitutional, like invade Canada in an aggressive war, for example, by using all the existing powers of government to achieve that, the conquest of Canada, it would create new resultant powers of the government. Without a Constitutional Convention and without amending the Constitution, these powers become real. And this all sounds very much like what happened during the Lincoln regime. So that’s my take on it, is that the Jeffersonian view of the Constitution was very, very different of course.

And I think the hallmark of the Jeffersonian view, which prevailed more or less until the 1860s, was that if the citizens were to be the masters rather than servants of their own government, the only way that could really be achieved is if they could control this government somehow through political communities organized at the state and local levels of government. Madison called it divided sovereignty. But if this was going to work, if this Constitution was going to work, how was it going to be enforced? We can’t just announce that we have a constitution and rely on government to enforce it, set limits on itself. The Jeffersonians always argued that if the day ever

came when the central government became the sole arbiter of the limits of its own power, then pretty soon it would decide there are no limits on our power. And so the Jeffersonians thought it would be absurd and ridiculous to put, say, five government lawyers appointed for life in charge of everybody's liberty. But of course, that's where we've been ever since the 1860s.

I quoted Woodrow Wilson in my new book as pointing out in his book on congressional government that he wrote when he was a professor, that 1865 marked sort of the point of demarcation where the federal government did become the sole arbiter of the limits of its own powers through the Supreme Court. Judicial review had existed, of course, for a long time. But a lot of politicians thumbed their noses at it. Andrew Jackson, when the Supreme Court said the Bank of the United States is constitutional, many of you are probably familiar with his famous response where he said, "Mr. Marshall has made his decision, now let him try to enforce it." And so it wasn't a foregone conclusion that what I think of as the black robed deities of the Supreme Court were to tell us what our liberties are. The people themselves laid a claim on that.

And so I think the overthrowing of this view of the Constitution, citizen control of the central government through political communities that could practice nullification or secession, that was all ended in the 1860s. And so what was destroyed was not only the voluntary union of the founders, but the Jeffersonian view of the Constitution, and there were only remnants left of it after that. Of course, the final nails in the coffin occurred in 1913, with the income tax and the direct election of senators, the 17th Amendment. And so almost all power was centralized in Washington, D.C. Thereafter, the states became essentially franchises of the central government.

And the meaning of this, I think, you know, I'm sure every one of you is familiar with the famous saying by Lord Acton about how power corrupts. But I gave a talk at a conference in Arlington a couple of weeks ago and it gave me the occasion to actually look up the full quote from Lord Acton about power corrupts. And I'm betting that a lot of you haven't ever seen the actual full quote. Because the context was, he was talking about the centralization of power, not just power per se, but the centralization or consolidation, as the founders said, of power. And he said this, he said "And remember," I'm quoting, "where you have a concentration of power in a few hands, all too frequently men with the mentality of gangsters get control. History has proven that. All power corrupts, absolute power corrupts absolutely."

And so it wasn't just power, it was the consolidation of power in a relatively few hands. And in my new book, I make the case, maybe it's not news to those of you, that all the worst tyrants in world history have been enemies of divided sovereignty, or you could call it states' rights, you could call it federalism. And I even have some quotations Adolf Hitler in there. I guess maybe I'll quote Hitler today. I'll bet nobody has quoted Adolf Hitler yet, at the Future of Freedom Foundation Conference. And the reason why I have a Hitler quote in some of my writings was when I debated Harry Jaffa on the Lincoln question about five years ago, I anticipated that he

would eventually get around to finding a way of calling me a Nazi. Because I had known that any time he had ever debated anybody else on this question, that's what he did. He's always accused his intellectual opponents of being Nazis or white supremacists or some sort of odious character.

And sure enough, he came through. He did it in a roundabout way. And so what I did the next day when I got home-- this was at the Independent Institute in Oakland by the way, and David Theroux is sitting over there somewhere. And I had actually taken a course in European history in college, and I remember I read *Mein Kampf*. And so I went to the library and checked out *Mein Kampf* and brought it home in a brown paper bag. Because I remember there's a chapter in it on states' rights, federalism, and so forth. And so I wrote an article for Lew Rockwell's Web site entitled something like "Jaffa's Hitlerian Defense of Lincoln," or something like that.

And sure enough, my memory hadn't failed yet. Because I remembered that Adolf Hitler himself went on and on and on about the evil of state sovereignty. And he said things like—I'll just read you a few things there. He said "The national socialists would totally eliminate states' rights altogether. Since for us the state is only a form, but the essential is its content, the nation, the people. It is clear that everything else must be subordinated to its sovereign interests." I didn't remember this, but he also cites Lincoln's first inaugural address to make his, Hitler's, case for the abolition of states' rights in Germany. And of course, every tyrant knows that you can't be a tyrant, or a despot, with competing sovereignties. And so if there's any competing sovereignties, whether it's the church or local government, they must be eliminated. And so in my latest book, I cite what Lincoln had to say in his first inaugural address denying the historical fact of state sovereignty, the states ratifying the Constitution. And then I quote Hitler's rendition of what Lincoln said in his first inaugural address.

So all the worst tyrants of 20th Century history were enemies of decentralized power. And all the champions of liberty did the opposite. For example, Ludwig von Mises, I'll just give you one more quote, in his book *Omnipotent Government*, when he's talking about the growth of government and how government's growth is always the enemy of liberty, he says this, "It is a very significant fact that the adversaries of the trend toward more government control describe their opposition as a fight against Washington and against Berne," he was referring to Switzerland, "i.e., against centralization. It is conceived as a contest of states' rights versus the central power." So you have champions of liberty, like Ludwig von Mises, who always understood that's where the game is. In terms of defending liberty, if we can't have zero government, we need to decentralize it as much as possible, because that's how we weaken it, and that's how we at least attempt to maximize liberty.

Edmund Wilson, in a book of his called *Patriotic Gore*, had a little passage in there where he said that Lincoln, Lenin, and Bismarck did more than any single individuals in their respective

countries to introduce centralized governmental bureaucracy. He's not saying that Lincoln was exactly like Lenin, of course. I've been accused of saying that. Lincoln was much worse, as you know, those of you who've read my articles. But it is true, and I would argue that these three men did more than any single individuals in ushering in, introducing centralized governmental bureaucracies in their respective countries, which all played out in very different ways, but is certainly true.

Some other reasons why the enemies of liberty love Lincoln, in addition to the fact that he was a champion of consolidation, so you know, monopoly government, in other words. Well, there are very good books on Lincoln and civil liberties. My favorite is *Freedom Under Lincoln* by Dean Sprague. There's one called *Constitutional Problems Under Lincoln* by James Randall. James Randall was the preeminent Lincoln scholar of the last generation. *Fate of Liberty* by Mark Neely, he's also a Lincoln supporter, as is Randall. But there's a lot of good facts in there. And just last year, there was a book published called *Lincoln's Wrath* by Jeffrey Manber and a coauthor. It has a big, long subtitle, and part of the subtitle is, "A President's Mission to Destroy the Press." And it's recommended to anybody. And of course, it was mentioned by Ivan in the last talk that Lincoln's-- if you read these books, you'll find out that he shut down over 300 Northern newspapers and censored the telegraphs.

To give you an idea of the type of quality of Lincoln's scholarship, for example, on this issue, I was in a panel discussion of this in Richmond a few years ago, and there were some pro-Lincoln and Lincoln critics like me on the other side of the panel. And one of the Lincoln defenders dug up one quote from a Northern newspaper in 1864 that was critical of Lincoln. And he thought that was proof that this was all a lie, that he didn't censor the press at all. And of course, he didn't say whether or not that paper was permitted to continue publishing or not. But that typically is what happened if you criticized the regime, things that happened was you were shut down or you were denied access to the mails. All the newspapers were mailed in those days, the paperboy was not invented yet, I suppose, from what I've read. Or you had groups of thugs, Republican Party thugs that would come, including soldiers, who'd come and smash your printing presses. A lot of that went on also. But the number that James Randall gives is about 300 Northern newspapers that were shut down, and the telegraphs were all censored.

And to this day, Lincoln himself made the argument that, well yes, this will all end; when the war is over, there will be no longer-term repercussions. Well, if he were alive today, and would listen to Rush Limbaugh, he would probably change his mind. Because they're still invoking the legend of Abraham Lincoln to advocate these same sorts of attacks on civil liberties today, to this very day. Habeas corpus, the last speaker mentioned that Lincoln unilaterally suspended habeas corpus. Even his own Attorney General, Robert Bates, said this was unconstitutional. Because it is constitutional to suspend habeas corpus, not that that's a good thing, but it is in there, but it's under congressional powers not executive powers. And besides that, after the war at 1866, the Supreme Court, which was filled with Lincoln appointees by that time, said that it

was unconstitutional to have suspended habeas corpus because as long as the civil courts are operating, neither president nor Congress has a right to do that. And that decision thought it was a very dangerous precedent, because after all, it would give future governments, who are run by tyrants, an incentive to create or generate a crisis, or the perception of a crisis, as an excuse to suspend habeas corpus. And so this was one of the wiser decisions that you're going to read about on the part of the Supreme Court with regard to civil liberties.

And so we did that, and tens of thousands of Northern civilians were imprisoned with no due process. The history profession seems to have settled on the number of thirteen thousand, but I ran across a *Columbia Law Review* article that said it was more like thirty thousand. And somehow that article is always ignored and never cited by anyone except me, it seems like. And so tens of thousands-- Dean Sprague in his book *Freedom Under Lincoln* noted that you had all these people in gulags, like Fort Lafayette in New York Harbor, without due process. Sometimes their families didn't even know what happened to them. And Sprague mentioned that the only place in the Northern states during the war where there really was genuine free speech was inside these prisons. Because if you're already in prison for free speech, what have you got to lose? And it wasn't just suspected spies or traitors, because after all, there was no due process, so how would you know? How would you know who's a spy and who's not a spy? Virtually anyone who would speak up against the Lincoln regime was fair game for being thrown into these prisons.

There was another thing that happened, another reason why the enemies of liberty seem to love Lincoln so much is not only this, not only did he suspend habeas corpus and censor the press, but when Roger B. Taney, the Chief Justice of the United States, issued an opinion as a circuit court judge that it was unconstitutional to do this, an opinion that the Supreme Court itself, in 1866, would endorse, Lincoln issued an arrest warrant for the judge.

Now, I didn't mention this in my first book, because I only had one reference to it. But since then, I devoted a short chapter to it in my new book, because I have four or five very good references that this did happen. One of them is the Memoir of Benjamin Robbins Curtis, who was the Supreme Court Justice who wrote the dissenting opinion in the Dred Scott case, and who defended Andrew Johnson in his impeachment trial. And he mentioned that Taney knew there was an arrest warrant out for him. The Mayor of Baltimore, Mayor Brown of Baltimore during the time, was a personal friend of Judge Taney. And he mentions in his autobiography that Taney knew Lincoln had issued an arrest warrant for him. There's a history of the Federal Marshall Service that mentions this also. Also, a book by Ward Lamon, who was Lincoln's law partner, and who worked for him in the White House, he mentions it. This was my original source of this.

And so this happened. Lincoln responded, not by going to court and making his case for the suspension of habeas corpus by himself, but by intimidating the Chief Justice of the United States. And another thing that I dug up in my second book is that there were other federal judges that were intimidated like this. I published a part of a whole letter from a federal judge in Washington, D.C., in the new book, to his fellow judges explaining why he did not show up for court one day. And what he said was that he was intending to show up for court to issue a writ of habeas corpus for a young man who had been imprisoned by the Lincoln administration. And to keep him from issuing the writ, his home was surrounded by federal soldiers, so that he was pretty much under arrest and kidnapped by federal soldiers so he could not go to court. And I found several other letters in the archives like this, from federal district court judges who were prohibited from issuing writs of habeas corpus. So this was apparently a pretty widespread practice.

And again, that's the type of thing any tyrant would love. Which is why it's very, very dangerous that a man like Lincoln has been made into a saint. To this day you see mostly neoconservatives, who just can't get enough of Lincoln quotes, try to justify everything and anything they do that is constitutionally dubious by invoking the legend of Abraham Lincoln. There was sort of an entertaining little episode a few weeks ago, where a well-known Washington pundit and a neocon got into a little bit of trouble by putting a fake Lincoln quote into one of his columns, where he quoted Lincoln as essentially saying that any opponents of the war ought to be hanged, or executed. And it turns out that this quote was actually in the paraphrasing by a *Washington Times* journalist of what he, the journalist, thought Lincoln's opinion was. It wasn't an exact quote that anybody should be hanged, the opponents of the war should be hanged. And so this created a little stink for a couple of days in Washington punditry.

But as it turns out, Lincoln's position was exactly that. You know, that exact quote may have been incorrect, but here's what Lincoln said. In the *Collected Works of Abraham Lincoln*, you can find him saying this, "The man who stands by and says nothing when the peril of his government is discussed cannot be misunderstood. If not hindered, he is sure to help the enemy, much more if he talks ambiguously, talks for his country with buts and ifs and ands." So he's saying that it's treasonous for a man to stand by when, say, the war is being discussed, and to remain silent. And of course, at the time, the ultimate penalty for treason was execution by hanging. And so I think by a simple step of logic, I think this *Washington Times* writer, I think that's probably where he got the idea that Lincoln was in favor of hanging the political opposition. If he was willing to say silence is a crime, surely speaking up against us is even worse at wartime.

And so, in this particular article, it was called-- it had a title of something like should war opponents be imprisoned, that was the theme of the article, should war opponents be imprisoned? And of course, they used the example of Lincoln to make the case that well, maybe they should be. Maybe they should be imprisoned. And they used the example of Congressman

Vallandigham from Ohio, who was Lincoln's most outspoken Democratic Party critic. He resigned from Congress to run for governor of Ohio, and he kept it up. He was just pounding on the suspension of habeas corpus and the mass arrest of civilians and all these acts of the Lincoln regime. And Lincoln had made the argument that he was encouraging desertion by doing that. And so did some of his lieutenants, some of the military people who were spying on Vallandigham. And so by being such a harsh critic of the Lincoln regime, he was, in effect, discouraging enlistments or maybe even encouraging desertion in the army.

So Vallandigham was arrested. Sixty-seven armed soldiers broke down the door to his home in Dayton, Ohio, one night in April of 1863 and dragged him off to some gulag. And they made a big show of handing him over to a Confederate Army commander in Tennessee, because they wanted to make the impression that well here, you're with your people now. You're a spy, you're with your people now. But the Confederates did not want to have anything to do with a congressman from the same state that Sherman and Grant were from. He was from Ohio. So he ended up going into exile in Canada. And then the Republican Party still didn't give up on him. They used their propaganda arm that was called the Union League to spread rumors that Vallandigham was orchestrating the New York City draft riots from Canada. And they also said that he was behind Lee's march into Maryland, on his way to the battle of Gettysburg. As though Robert E. Lee would take marching orders from an Ohio congressman on, you know, "Here's a good idea. Invade Pennsylvania."

But they said these things, and I guess at wartime, I think as a lot of you know, a lot of people's mental stability seems to be weakened pretty dramatically. And so I think that a lot of the public apparently fell for this, for these things. But there was a historian named Frank Klement, the late Frank Klement, spelled with a K, who spent much of his career writing books and articles about the Copperheads, the Northern Democrats who were opposed to the war, opposed to the Lincoln regime. And he shows this was all bogus, all these stories about Vallandigham. But the *Washington Times*, nevertheless, actually it was *Inside* magazine, used the Vallandigham story, which it got mostly wrong, to make the case that well, maybe these congressional opponents of the war today, the Iraq War, should be treated a little more roughly than they are already.

To get into some specifics, who are some of these enemies of liberty who love Lincoln? Well, I'll give you some examples. Take Newt Gingrich, for example. Please. As you all know, he's the new elder statesman of the Republican Party, if you've noticed him on television lately and all over the radio. I've been on a few long drives recently and on some of the radio stations he bought some radio ads. And talk about ruining your day, to be listening to some good music and then here comes Newt Gingrich on why we need to invade North Korea. But as an example of the use of the whole Lincoln legend to promote tyranny, there was a September 7th, 2006, *Wall Street Journal* online article by Newt entitled "Bush and Lincoln." Not to be confused with all those other articles with titles like "Lincoln and Bush," and there are many of them. Or "Bush Is Our Lincoln," I've read about a dozen articles with that title, "Bush Is Our Lincoln."

He says this, "President Bush today finds himself in precisely the same dilemma Lincoln faced 144 years ago." Precisely the same dilemma. And then at the top of the article, the first paragraph of the article, he quotes Lincoln as saying, "We must think anew and act anew." And of course, what Lincoln meant is, we must ignore the Constitution and we must ignore international law and moral strictures against waging war on civilians, I mean, that's the new in America. And so why does Newt call his article "Bush and Lincoln" and do all these things? Well, the gist of the article, he calls for an invasion and occupation of Iran, Syria, Saudi Arabia, Lebanon, and North Korea, in this one article. And so of course, it must be the proper course of action, because it's what Lincoln would have done. According to Newt, who claims he has a Ph.D. in history.

And as I said, Lincoln was somewhat of a political genius. I don't think he would have been stupid enough to propose anything like this, I mean, anything remotely like this. But he did. Bill Kristol and Michael Novak, after Bush's second inaugural address, I could just imagine their reaction to it. They must have had to change their underwear a few times after this. This is the one where Bush promised to end tyranny on earth. And I don't know if you remember that, but that's what he-- end tyranny on earth. Kristol said, this was "The best presidential speech since Lincoln." So again, he started-- and Novak did the same thing, Michael Novak. You know, comparing Bush and Lincoln. And so did Bill Bennett, he went crazy, he's written a whole book about it.

Then at the same time, you had TownHall.com, which was founded by the Heritage Foundation, but then they spun it off. It's not any longer actually a Heritage operation, but they did keep the same editor. So even though Ed Feulner wasn't directly running it, they did keep the same editor. And they published several articles with titles like "Should We Prosecute Sedition?" (sedition would be, of course, opposing the Republican Party's position on the War in Iraq), by Ben Shapiro and Horace Cooper and several other people. These are young guys who are sort of aspiring Newt Gingriches, apparently. To look at an old timer-- maybe not, I'll skip around here.

Another conservative that I write about in my new book is Walter Berns, who's associated with the American Enterprise Institute, and who wrote a book called *Making Patriots* a few years ago. And I devote a short chapter, and I sort of paraphrased, or changed around his title. And the chapter is called, "Making Cannon Fodder." And because he has a chapter and parts of other chapters that deal with Lincoln. And one of the themes of the book here is that America has never had a problem, as Ivan mentioned in the last speech, if America's attacked, there's never been a big problem in getting young Americans to volunteer for the military in national defense. But where the problem is, if you have these adventures abroad that have nothing to do with defending America, but have everything to do with some sort of theories dreamed up by somebody at the American Enterprise Institute or the Claremont Institute or somewhere, turn the military into Meals on Wheels with cannons, send them around the world.

Then you have trouble getting young people to join the military. They don't want to die for free lunches in Somalia as much as they would risk their lives to defend their own family and friends and countries. So this is a dilemma to Walter Berns and the American Enterprise Institute. How do we get young people to become cannon fodder for our theories, for these abstract notions of how we intend to rule the world? Well, Walter Berns says what we need is a national poet who can mesmerize America's youth. He uses these words, national poet to-- he uses the word mesmerize America's youth into sort of, you know, blindly marching along like lemmings into the nearest recruiting office to save Country X. He says "To inspire patriotism in the nation's youth, a national poet must mesmerize them and unite them in a cause." And then he says, "Fortunately, we already have one. We don't need to go out and look for one." He says, "That person is Abraham Lincoln," whom he describes as "statesman, poet, and the martyred Christ of democracy's passion play."

So that's how he begins-- and he goes on to say "Lincoln responded to Fort Sumter," where no one was killed or wounded, by the way, "with a full-scale invasion of all the Southern states." So why did he do that? "Because his purpose was peace." Walter Berns. The suspension of habeas corpus, the shutting down of newspapers, the imprisonment of tens of thousands of war dissenters in the North, the confiscation of firearms in the border states. Why did he do this? Why did Lincoln do this? Berns says, "So that the laws be faithfully executed." Okay. He also says this: "Lincoln never looked upon the Confederates as enemies." That's a direct quote. This footnote is in there in my book. But I would hope if we're at war, the president would look at the people we're waging war against as enemies and not lovers or something like that. But that's what he said. The AEI is well represented in the Lincoln-quoting warmongering category there.

There are quite a few leftists, of course, who also play this game. And one of them is, if you ever see a television documentary on the Civil War, chances are, one of the experts that will go on and on and on and on and tell you what you should think about this is Eric Foner, the Marxist historian from Columbia University. And he's on all these television shows. Now that James McPherson has retired, he's probably not going to be on quite as much. But Foner wrote an article in the *Nation* magazine in October of 1991 called "Lincoln's Lesson." And in this article, he opposed the breakup of the Soviet Union by arguing that Lincoln would never have tolerated this. He would never have allowed the Soviet republics to secede, all eleven of them, to secede peacefully. He would have invaded. Look what he did to the American South. So the theme of the article, what is Lincoln's lesson? He says well, that the last dictator of the Soviet Union was a softy compared to Abe Lincoln. And he allowed peaceful secession in the Soviet republics, and Eric Foner thinks that's a horrible thing.

And of course Foner, he wrote a book in 1988 called *The Story of American Freedom*. One of the things he says in this is "The Communist Party U.S.A. is a cultural front that helped to redraw the boundaries of American freedom." Okay, so that's where Eric Foner is sort of coming from.

And as I said, if you watch a History Channel show on the Civil War, chances are it'll be Eric Foner who will tell you what to think about the Civil War, he and one or two other people.

Mario Cuomo has even gotten into the act. He coauthored a book with Harold Holzer, who is a pretty well-known Lincoln scholar. He's also the administrator of the Metropolitan Museum in New York and a big buddy of Hilary Clinton's. And the theme of Cuomo's book is that if Lincoln were alive today, he would be a social Democrat like me. So the whole book is a discussion of how Lincoln would probably be a big Welfare statist, like Mario Cuomo, and so forth. It's not hard to find these examples.

Getting back to some of the conservatives, one of the very last critiques, or at least honest evaluations of Lincoln, that I've ever run across in *National Review*, for example. You'll never see one today, with the neocons in charge. But in 1965, Frank Meyer, who was the editor of *Human Events*, wrote a review of this book, *Freedom Under Lincoln*, that I mentioned earlier, by Dean Sprague, that's the year it was published. And he wrote a straightforward, honest review of what it says in this book about the mass arrest of Northern civilians and the suspension of habeas corpus and all this. And then of course, Harry Jaffa responded to that. He's sort of like the Minute Man of the Lincoln, I call it the cult, the Lincoln cult, he and his followers. Any criticism from anywhere ought to get an immediate response.

And after that, it got me to thinking, maybe I should flip through *National Review* in the archives, which I did. One afternoon I spent there sitting in the library. And most professors get paid for doing this sort of thing, so it's kind of a scandal. But I failed to find any more critiques. That doesn't mean there aren't any, but I didn't see any after that. And so it got me to thinking, well, you know, why is this? Why was it that in the mid-sixties it was perfectly acceptable to write critiques of all presidents, not just FDR and the ones that you expect *National Review* to be hyper-critical of? But I think it has something to do with the conservative movement as it was founded by William F. Buckley, Jr.

In one of my passages there, I quote Buckley in his own words, from an old article from *Commonweal* [was *Common Will*] magazine, where to fight the Cold War, he advocated this, these are Buckley's words: "The extensive and productive tax laws are needed to support a vigorous anti-communist foreign policy. We have got to accept big government for the duration of the Cold War. For neither an offensive nor a defensive war can be waged except through the instrumentality of a totalitarian bureaucracy within our shores." That was William F. Buckley, Jr., in 1952. So Buckley's view was always that we needed a totalitarian bureaucracy within our own shores to fight the Cold War. So I surmise that this probably has something to do with why they became less and less tolerant of honest views of what happened during the 1860s. Because after all, there was a totalitarian bureaucracy within the Northern states during the Civil War. And it has ever since then served as a model to a lot of the conservatives. I don't think there's

really anything neo about the neoconservatives. I think the conservative movement has always been like this. Right out of the horse's mouth there. I'm not sure where this neo came from.

Another example I'll give you, my time is running down, because it's kind of an egregious example. Michelle Malkin wrote a book called *In Defense of Internment* a couple of years ago arguing essentially we should round up all the Muslims in America and throw them in gulags like Roosevelt did with the Japanese Americans. Roosevelt himself called these things concentration camps. But Malkin calls them relocation centers. Relocating, it's sort of like when you move to a new town, you might get a little brochure from the Chamber of Commerce telling you where all the good restaurants are and things like-- relocation center.

But one of the things she has written about this, she said, "Historically, civil rights have often yielded to security in times of crisis. During the Civil War, Abraham Lincoln suspended habeas corpus, which enabled him to detain thousands of rebels and subversives without access to judges." Therefore, we should do it. And of course, she assumes that they were all rebels and subversives, which they certainly were not. The grandson of Francis Scott Key was one of them. He was a newspaper editor in Baltimore who objected editorially to the mass arrest of citizens in his city without due process, and he too was thrown in prison, in Fort McHenry, of all places, and so it was almost, you know, business people.

There was a Civil War Museum in downtown Baltimore on President Street, same street as where we are right now. It's right next to Little Italy, for those of you who are familiar with Baltimore. When you walk in the front door, there are pictures of about 25 men, including the Mayor of Baltimore, Congressman Henry May from Baltimore, and various members of the State Legislature, Francis Scott Key's grandson. And it's sort of a photo gallery of all these men who were thrown in prison without due process for just speaking up against the Lincoln regime, and it's the first thing you see when you walk into the Baltimore Civil War Museum over there.

The final thing I'll mention about this, because I've devoted a chapter in my new book to this, is the Pledge of Allegiance. Most Americans seem to think the Pledge of Allegiance was written by the founding fathers. But it wasn't. It was written by a New England communist who was a defrocked priest as well. He was defrocked, kicked out of his pulpit by preaching that Jesus Christ was a socialist. And he was the author of the Pledge of Allegiance. And his name was Francis Bellamy, and his cousin, he had a cousin who had a book, *Looking Backward*. It's a fable about, we wake up in the year 2000 and a socialist paradise exists, and we live in a socialist paradise. And Francis Bellamy said he wanted to devote his career to achieving *Looking Backward*, a socialist paradise. And he thought the Pledge of Allegiance would be one way to do that, especially since they so successfully got the children in America, through the public schools, to recite the Pledge of Allegiance.

And here's what Francis Bellamy said, in his own words, was the reason for the Pledge. He says, "The true reason for allegiance to the flag is the republic for which it stands. And what does that vast thing, the republic, mean? It is the concise political word for the nation, the one nation which the Civil War was fought to prove. To make that one nation idea clear, we must specify that it is indivisible, as Webster and Lincoln used to repeat in their great speeches." So no divided sovereignty here, one nation. And of course, that turns into executive dictatorship very, very easily. And there's a couple of Web sites on the Internet with the history of the Pledge of Allegiance. You can just Google in Pledge of Allegiance, and you'll find them. And there are photographs of how until the 1940s, American children were taught in school to raise their hand like this when they said the Pledge. But it was discontinued because it was a little too similar to that during the 1940s. It really is creepy to see these schoolchildren with their hands up toward the flag saying the Pledge of Allegiance, knowing it was written by a defrocked communist preacher from Massachusetts who had this idea of the unitary state from which there can be no dissent.

And of course, he being a socialist, he was a Christian socialist, he knew that you really can't have socialism if you have divided sovereignty. You can't have a national plan imposed on the whole society if there's an exit route. You can't allow an exit route. And so that was the idea of the Pledge anyway, the original purpose of it. I think he too would qualify as an enemy of liberty, I would think. And he did quote Lincoln of course, and Webster, who made exactly the same arguments as far as that's concerned, in terms of national unity, as it's called. And I guess my time is about up, and we'll have a few minutes for questions. But Jacob can tell me when it's lunchtime, right? Okay.

Man 2: There is a historian, Niall Ferguson, I believe, who wrote a book on virtual history. He focuses on what would have happened if <inaudible>

Tom DiLorenzo: Well, the question is, what would happen to slavery--

Man 2: <inaudible>

Tom DiLorenzo: Okay. The main question he was asking is what would have happened to slavery had it not been ended by a war? In my writings, I point out that the British Empire, the Spanish Empire, the French, the Danes, they all ended slavery peacefully, one way or another, through some kind of compensated emancipation. Slavery was ended in New York City in the early 1850s. There was no war involved. New England did not go to war over slavery. New England began phasing out slavery in 1794, I think it was New Hampshire still passed a new law outlawing slavery in 1857. There's a book on this by Joanne Pope Melish called *Disowning Slavery*, if anyone's interested.

I think Jeffrey Hummel in his book, *Emancipating Slaves, Enslaving Free Men*, gives a good economic explanation of what likely would have happened. And what he says is, what likely would have happened was what happened in Brazil, where slavery was ended in the northern provinces of Brazil, and that essentially broke the economic back of slavery. Because a slave in the next province south only had to escape to the next province north to be free forever. But we in America had the Fugitive Slave Act, which put a bounty on the heads of escaped slaves. That's why the Underground Railroad ended up in Canada. And Lincoln was a very strong supporter of the Fugitive Slave Act. And of course, the secession of the Southern states ended the Fugitive Slave Act. And so that a slave from Virginia that made it into Pennsylvania no longer had a federal bounty on his head and would be free forever. And that would have made slavery uneconomical, I think, because it was the cost of enforcement of the slave system that was socialized by the Fugitive Slave Act.

And I think Hummel got it right, no one can predict how long it would have taken. But I reviewed a book recently, Charles Adams' latest book is a collection of essays from European journals on the Civil War. Charles Dickens is in there. It's wonderful, wonderful writing, mostly British authors. These were all the original articles. And almost every one of them recognized this. Most of them said, well, this war is not about slavery, because after all, by seceding, the South is giving up on slavery. Because they know the Fugitive Slave Act is no longer intact. And so it was widely recognized around the world then that this is probably what would have happened, that slavery would have ended by economic means.

And I argue in my writing that a real statesman could have hurried the process along and done more like what the British did, by getting serious about compensated emancipation. Some Libertarians have sort of screamed and yelled at me over the injustice of taxing somebody and using tax dollars to give to a slaveholder. And they seem incapable of understanding the principle of opportunity cost. Because the principle is, well, compared to what? I mean, yeah, that's unjust to take money out of the man's pocket and give it to a slave owner, but compared to drafting him into the military and killing him in a war, it's not such a bad deal. And so that's the way I look at it, it's the lesser of two evils. And it's how the rest of the world in the 19th Century got rid of slavery, is through some sort of compensated emancipation. But I think the reason we didn't do it that way is, the slaves were always intended to be used as pawns in the American Civil War, which they were. That's what Lincoln always said. His famous letter to Horace Greeley, he said "If I could save the Union by freeing no slaves, I would do that. If I could free some and leave others in bondage, I would do that too." That was always his position.

Man 3: <inaudible>

Tom DiLorenzo: Oh, there are many reasons. As Ivan mentioned, the upper South originally stayed in the Union. Virginia, North Carolina, Arkansas, Tennessee. It wasn't until Lincoln

called for 75,000 troops to invade their sister states that the upper South seceded. They originally voted to stay in. And I think the lower South, I think they were-- slavery was a much more important issue. But I think it was agitation over slave rebellions that was being encouraged by some in the North that they were mostly afraid of. Because slavery was constitutional, the Dred Scott decision, you know, as bad as it was, it sort of cemented into place for a while that slavery was constitutional. You had Abe Lincoln saying, "I have no opposition to an amendment that would expressly make slavery constitutional." And so I really can't believe that they thought there was a constitutional crisis with regard to slavery.

But I think the inciting of rebellions was what they were mostly interested in. And of course, the big opposition of the North was extension of slavery. It wasn't Southern slavery—Southern slavery wasn't criticized by the Republican Party platform at all—it was the extension of slavery. And you only have to read Lincoln's words and the words of other prominent Republicans at the time, and they said, "If slavery is extended, it will artificially inflate the representation of the Democratic Party," because there was the three-fifths clause of the Constitution at the time that said every five slaves counted as three people for purposes of determining how many members of Congress there would be in each state. So when the territories became states, there would be too many Democrats, they said. And they said, and I quote quite a few of them, I even quote Ohio Congressman Joshua Giddings saying, "We can't let this happen, we can't let the extension of slavery, it'll skew the votes." And why is that a bad thing? Well because we then can't get our tariff. We can't get a protectionist tariff, and that's an abomination if we can't get the protectionist tariff by this. So the extension of slavery was the bigger issue I think as far as that goes.

Man 4: <inaudible>

Tom DiLorenzo: I think so. I think the lower South would have been isolated economically, it would have been forced into ending slavery. Especially if a real statesman came along and applied a lot of pressure and got the Europeans also involved in applying pressure on the lower South. I think that's the scenario, that it very likely would have happened as far as peaceful elimination of slavery. But the Emancipation Proclamation, that specifically exempted all the areas of the country where the Union Army was in control, or which were part of the Union, they were all exempted from the Emancipation Proclamation. Lincoln's position was always, "You can keep your slaves as long as you keep paying federal taxes and stay in the Union." That was always his position, for example. Most people don't know this. One more, I guess. This man has been standing up for a while.

Man 4: I love your book. I love all your books. I buy them by the case.

Tom DiLorenzo: Oh, only one case at a time?

Man 4: <inaudible> I can't believe it. Everywhere I go <inaudible>

Tom DiLorenzo: Well first of all, you need to start buying more than one case at a time of my book. Educating yourself, like Richard Ebeling said. But yeah, it's 140 years of propaganda. There was a book published last year, the last thing I'll say, called *Lincoln's Melancholy*, about his mental illnesses. He suffered from depression, he took drugs that had a heavy dose of mercury in them. Today's doctors will tell you this sort of thing will lead to wild mood swings. Lincoln himself believed he had syphilis. And this book is all about his various mental illnesses. He quit carrying a knife with him as a young man, for fear he would kill himself. He talked about suicide all the time, even in the White House. The History Channel did a show about this book. And I blogged on Lew Rockwell's Web site before the show came out. I hadn't seen it. I forecasted, here's the spin: they're going to say he's even greater than we thought, because despite being mentally ill, look what he achieved. And sure enough, that's exactly what was made. I look at these same facts, and I say, "Oh my God, a crazy man was elected president and invaded his own country." That's the way I look at it. So I guess our time is up.

Jacob Hornberger: Okay. That concludes our morning program. Lunch, the system's the same way as it was yesterday. It'll be out here on your left, we'll be eating in that room. And then we'll reconvene.