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Lincoln: The Constitution and the Civil War: An Exhibition

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Lincoln: The Constitution and the Civil War: An Exhibition

Guide Information

Last Updated: Jul 11, 2013
Guide URL: <http://guides.law.csuohio.edu/lincoln>
Description: A selection of resources supplementing the traveling exhibition appearing at the C|M|Law Library January 4 - February 17, 2012.
Tags: [abraham lincoln](#), [civil rights](#), [civil war](#), [legal history](#), [slavery](#)
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About the Exhibition

January 4 - February 17, 2012, the C|M|Law Library hosts the traveling exhibition **Lincoln: The Constitution and the Civil War**, an examination of how President Lincoln used the Constitution to confront three intertwined crises of the Civil War - the secession of Southern states, slavery, and wartime civil liberties. The materials highlighted in this guide offer opportunities to further explore the exhibition's themes and assess how Lincoln's struggles still resonate with constitutional issues today. Please [contact a research services law librarian](#) for help with locating or using any of the resources discussed in this guide.

The traveling exhibition was organized by the [National Constitution Center](#) and the [American Library Association \(ALA\) Public Programs Office](#), and made possible by a grant from the [National Endowment for the Humanities \(NEH\)](#): great ideas brought to life.

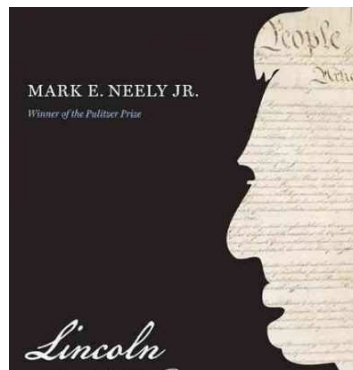




**ENDOWMENT
FOR THE
HUMANITIES**

Lincoln Exhibition Video

Lincoln Exhibition Quiz Contest



Test yourself on your knowledge of **Lincoln: The Constitution and the Civil War***, and earn a chance to win a copy of Mark Neely's ***Lincoln and the Triumph of the Nation: Constitutional Conflict in the American Civil War***, University of North Carolina Press, 2011.

All correct quizzes will be entered into a drawing for the prize, to be conducted on February 17, 2012.

Please turn your completed quiz into the C|M|Law Library Information Services desk.

One entry per person, please! Click [here](#) for the quiz.

* The National Constitution Center and the American Library Association Public Programs Office organized the exhibit with the help of a major grant from the National Endowment for the Humanities (NEH): great ideas brought to life. The traveling exhibition is based on an exhibition of the same name developed by the National Constitution Center.



[Quiz](#)

Exhibition Events at CSU

[Perspectives on Lincoln: The Constitution and Civil War Exhibition Opening](#)

Thursday, January 19, 2012, 4:30pm-6pm,
Cleveland-Marshall College of Law Moot Court Room
1.5 hours free CLE

[MediaSite Recording of this Presentation](#)

[David Forte](#), Professor of Law - *The Soldier and the Negro*

- [Plessy v. Ferguson, 163 U.S. 537 \(1896\)](#)

[Dennis Keating](#), Levin College of Urban Affairs Distinguished Professor - *Lincoln and Civil Liberty: Suspension of Habeas Corpus*.

- [PowerPoint presentation](#)
- [Lincoln's Suspension of Habeas Corpus article](#)

[Lolita Buckner Inniss](#), Professor of Law and Joseph C. Hostetler-Baker & Hostetler Chair in Law - *Black and White and Re(a)d All Over: The Role of Early Cherokee Newspapers in Promoting the Cherokee Practice of Black Slavery*

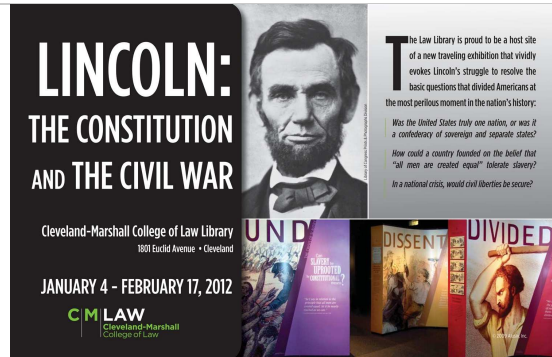
- [Talk Outline](#)
- [Excerpt of 1866 Treaty with Cherokee Nation](#)
- [Sample Cherokee Phoenix issue](#)

Up Close and Personal with Abraham Lincoln and Jefferson Davis

Wednesday, February 8, 2012, 3:30pm-5pm, Waetjen Auditorium

A reenactment of Abraham Lincoln delivering the Gettysburg Address, as well as *Lincoln's Last Debate: Confrontation at Hampton Roads*, a one-act play in which Lincoln and Davis are interviewed by a Cleveland Plain Dealer reporter in 1865.

Mel Maurer, Lincoln Reenactor and Past-President of the Cleveland Civil War Roundtable
William Vodrey, Past-President of the Cleveland Civil War Roundtable
John Fazio, Past-President of the Cleveland Civil War Roundtable



- [Plessy v Ferguson](#)
- [Keating - Lincoln PowerPoint presentation](#)
- [Keating - Lincoln's Suspension of Habeas Corpus](#)
- [Innis - Lincoln talk outline](#)
- [Excerpt of 1866 Treaty with Cherokee Nation](#)
- [Image of sample issue of Lincoln Cherokee Phoenix](#)

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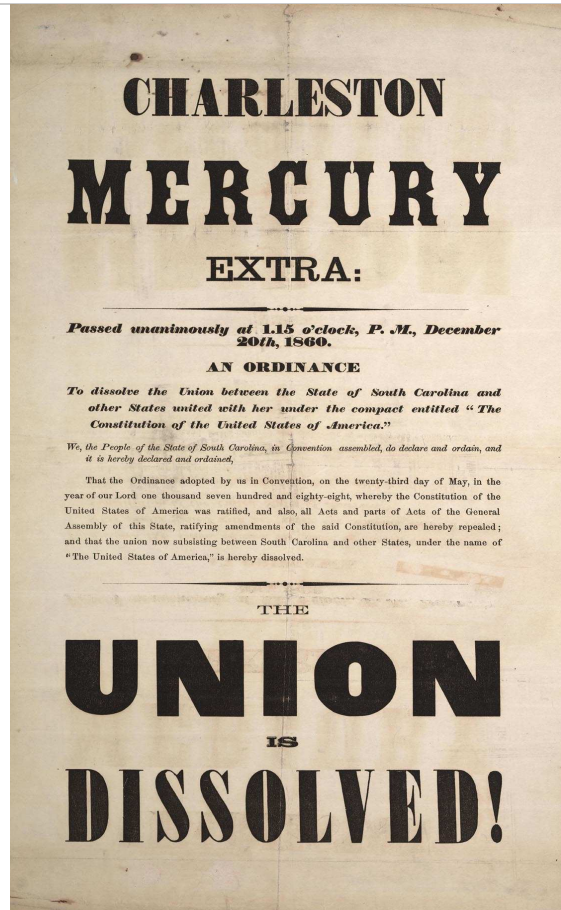
Civil War as Constitutional Crisis

Exhibition Theme

"In 1861 the issue of slavery precipitated a national crisis framed largely in terms of constitutional issues. The framers of the Constitution had left unanswered some basic questions about the nature of the federal Union they had created: Was the United States truly one nation, or was it a confederacy of sovereign and separate states? How could a country founded on the belief that 'all men are created equal' tolerate slavery? In a national crisis, would civil liberties be secure? ... Abraham Lincoln's election as the nation's first anti-slavery president brought the nation to the brink of war." [American Library Association *Overview of Exhibition Themes*]

Image

The image here is *The Union is Dissolved*, a December 20, 1860 *Charleston Mercury Extra*, and courtesy of the [Library of Congress Prints & Photographs Division](#).



Selected Materials in the C|M|Law and CSU Michael Schwartz Libraries

Abraham Lincoln, Constitutionalism, and Equal Rights in the Civil War Era / Herman Belz. Fordham University Press, c1998. [Law E457.2 .B38 1998](#) and [electronic](#)

The Civil War and the Constitution 1859-1865 / John W. Burgess. Charles Scribner's Sons, 1909; Kennikat Press, c1971. [Law E468 .B95 1971](#) and [electronic](#)

Civil War Lawyers: Constitutional Questions, Courtroom Dramas, and the Men behind Them / Arthur T. Downey. American Bar Association, c2010. [Law KF366 .D69 2010](#)

The Constitution and the Nation: The Civil War and American Constitutionalism, 1830-1890 / Christopher Waldrep & Lynne Curry. P. Lang, c2003. [Law KF4541 .W35 2003](#)

Copperheads: The Rise and Fall of Lincoln's Opponents in the North / Jennifer L. Weber. Oxford University Press, c2006. [Law E458.8 .W43 2006](#)

Justice Curtis in the Civil War Era: At the Crossroads of American Constitutionalism / Stuart Streichler. University of Virginia Press, c2005. [Law KF4541 .S73 2005](#)

Lincoln and Chief Justice Taney: Slavery, Secession, and the President's War Powers / James F. Simon. Simon & Schuster, c2006. [Law KF4545 .S5 S55 2006](#)

Lincoln and the Triumph of the Nation: Constitutional Conflict in the American Civil War / Mark E. Neely. University of North Carolina Press, c2011. [Law On Order](#)

Lincoln's Constitution / Daniel Farber. University of Chicago Press, c2003. [Law E457.2 .F216 2003](#)

A More Perfect Union: The Impact of the Civil War and Reconstruction on the Constitution / Harold M. Hyman. Knopf, c1973. [Law JK231 .H9](#)

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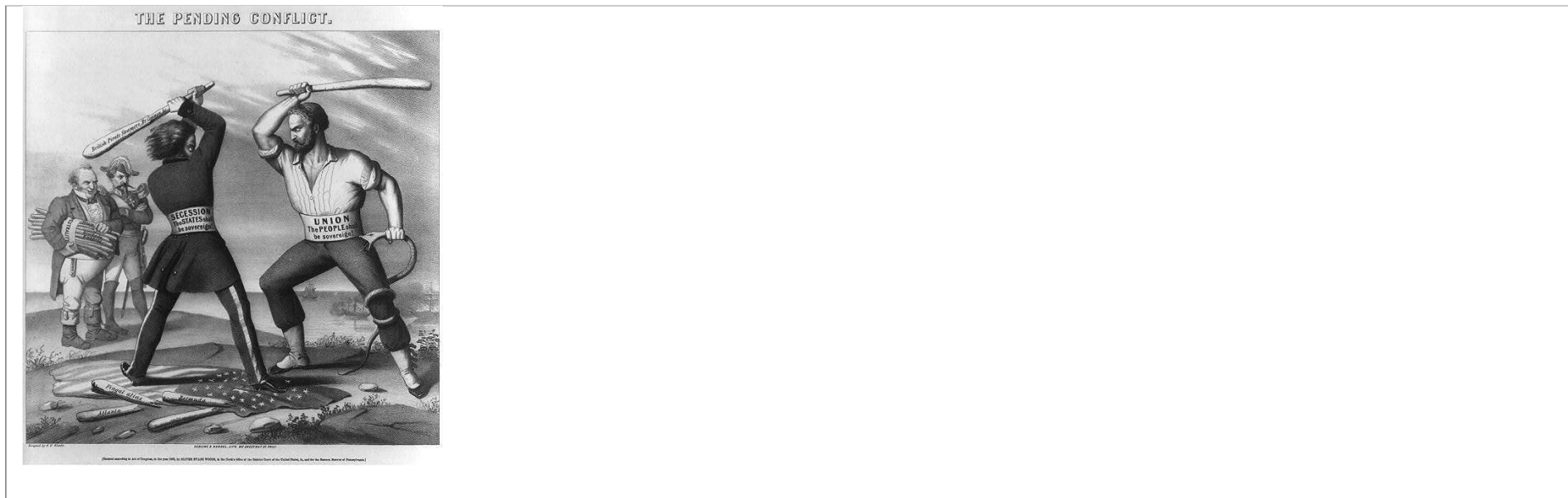
Secession

Exhibition Theme

"Southern secessionists believed they had the right to withdraw their states' ratification of the Constitution and dissolve their connection to the Union. Northerners ... believed that when the Constitution was ratified, a united people had established an indivisible nation. Lincoln believed that state secession was unconstitutional and undemocratic." [American Library Association *Overview of Exhibition Themes*]

Image

The image here is *The Pending Conflict*, published in *Harper's Weekly* in 1863, and courtesy of the [Library of Congress Prints & Photographs Division](#).



Selected Materials in the C|M|Law and CSU Michael Schwartz Libraries

Apostles of Disunion: Southern Secession Commissioners and the Causes of the Civil War / Charles B. Dew. University Press of Virginia, c2001. [E459 .D4 2001](#)

The Course of the South to Secession: An Interpretation / Ulrich Bonnell Phillips. Hill and Wang, c1964, c1939. [F213 .P65 1964](#)

Days of Defiance: Sumter, Secession, and the Coming of the Civil War / Maury Klein. Alfred A. Knopf, c1997. [Law E471 .K48 1997](#)

Lincoln and His Party in the Secession Crisis / David Morris Potter. Yale University Press, c1962, c1942. [E440.5 .P856 1962](#)

Lincoln and the Decision for War: The Northern Response to Secession / Russell McClintock. University of North Carolina Press, c2008. [E456 .M26 2008](#)

Lincoln and His Party in the Secession Crisis / David Morris Potter. Yale University Press, c1962. [E440.5 .P856 1962](#)

Lincoln President-Elect: Abraham Lincoln and the Great Secession Winter 1860-1861 / Harold Holzer. Simon & Schuster, c2008. [E457.4 .H69 2008](#)

The Men of Secession and Civil War, 1859-1861 / James L. Abrahamson. SR Books, c2000. [E459 .A18 2000](#)

The Road to Disunion / William W. Freehling. Oxford University Press, c1990-2007. [Law E468.9 .F84 1990](#)

The Secession Conventions of the South / Ralph A. Wooster. Princeton University Press, c1962. [E440.5 .W9](#)

The Secession Movement, 1860-1861 / Dwight Lowell Dumond. Octagon Books, c1963, c1931. [E440.5 .D88 1963](#)

William Lowndes Yancey and the Coming of the Civil War / Eric H. Walther. University of North Carolina Press, c2006. [Law E415.9 .Y2 W35 2006](#)

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Slavery

Exhibition Theme

"Lincoln believed that slavery was immoral, but he shared many of the racial prejudices of his day. His policy preferences about slavery and abolition evolved over time." [American Library Association *Overview of Exhibition Themes*]

Image

The image here is *Freedom To The Slave*, an 1863 Union army recruitment broadside, and courtesy of the [Library of Congress Prints & Photographs Division](#).



Selected Materials in the C|M|Law and CSU Michael Schwartz Libraries

Abraham Lincoln and a New Birth of Freedom: The Union and Slavery in the Diplomacy of the Civil War / Howard Jones. University of Nebraska Press, c1999. [E469 .J56 1999](#)

Act of Justice: Lincoln's Emancipation Proclamation and the Law of War / Burrus M. Carnahan. University Press of Kentucky, c2007. [E453 .C375 2007](#)

Calculating the Value of the Union: Slavery, Property Rights, and the Economic Origins of the Civil War / James L. Huston. University of North Carolina Press, c2004. [E441 .H895 2004](#)

Conflict and Compromise: The Political Economy of Slavery, Emancipation, and the American Civil War / Roger L. Ransom. Cambridge University Press, c1989. [Law E441 .R3 1989](#)

The Dred Scott Case: Historical and Contemporary Perspectives on Race and Law / David Thomas Konig, Paul Finkelman, and Christopher Alan Bracey, eds. Ohio University Press, c2010. [Law KF228 .S27 D74 2010](#)

The Emancipation Proclamation: Three Views (Social, Political, Iconographic) / Harold Holzer, Edna Greene Medford, and Frank J. Williams. Louisiana State University Press, c2006. [Law E453 .H645 2006](#)

Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment / Michael Vorenberg. Cambridge University Press, c2001. [Law E453 .V67 2001](#)

Lincoln and Black Freedom: A Study in Presidential Leadership / LaWanda Cox. University of South Carolina Press, c1981. [E457.2 .C84](#)

Lincoln's Defense of Politics: The Public Man and His Opponents in the Crisis over Slavery / Thomas E. Schneider. University of Missouri Press, c2006. [Law E457.2 .S37 2006](#)

Lincoln's Proclamation: Emancipation Reconsidered / William A. Blair and Karen Fisher Younger, eds. University of North Carolina Press, c2009. [electronic](#)

The Radical and the Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics / James Oakes. W.W. Norton & Co., c2007. [Law D449 .D75 O15 2007](#)

Slavery and the Commerce Power: How the Struggle against the Interstate Slave Trade Led to the Civil War / David L. Lightner. Yale University Press, c2006. [Law E422 .L54 2006](#)

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Civil Liberties in Wartime

Exhibition Theme

"Lincoln claimed extraordinary powers in order to control the chaos of dissent during the Civil War. He suspended the writ of habeas corpus - the provision in the Constitution that protects citizens against arbitrary arrests. ... Lincoln was denounced as a tyrant by his political foes. he struggled throughout the war to

find the appropriate balance between national security and individual rights." [American Library Association *Overview of Exhibition Themes*]

Image

The image here is *The Lexington of 1861*, an 1861 Currier & Ives lithograph depicting the attack on Union troops in Baltimore, and courtesy of the [Library of Congress Prints & Photographs Division](#). After this attack, President Lincoln suspended the writ of habeas corpus and declared martial law.



Selected Materials in the C|M|Law and CSU Michael Schwartz Libraries

Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman / Jonathan W. White. Louisiana State University Press, c2011. [Law E458.8 .W58 2011](#)

All the Laws but One: Civil Liberties in Wartime / William H. Rehnquist. Knopf, c1998. [Law KF4750 .R44 1998](#)

The Devil's Own Work: The Civil War Draft Riots and the Fight to Reconstruct America / Barnet Schecter. Waler & Co., c2005. [Law F128.44 .S33 2005](#)

The Fate of Liberty: Abraham Lincoln and Civil Liberties / Mark E. Neely, Jr. Oxford University Press, c1991. [E457.2 .N46 1991](#)

The Limits of Dissent: Clement L. Vallandigham and the Civil War / Frank L. Klement. Fordham University Press, c1998. [Law E415.9.V K55 1998](#)

The Limits of Sovereignty: Property Confiscation in the Union and the Confederacy during the Civil War / Daniel W. Hamilton. University of Chicago Press, c2007. [Law KF7221 .H36 2007](#)

Lincoln's Wrath: Fierce Mobs, Brilliant Scoundrels and a President's Mission to Destroy the Press / Jeffrey Manber and Neil Dahlstrom. Sourcebooks, c2005. [Law E609 .M36 2005](#)

War Crimes against Southern Civilians / Walter Brian Cisco. Pelican Pub. Co., c2007. [Law E468.9 .C465 2007](#)

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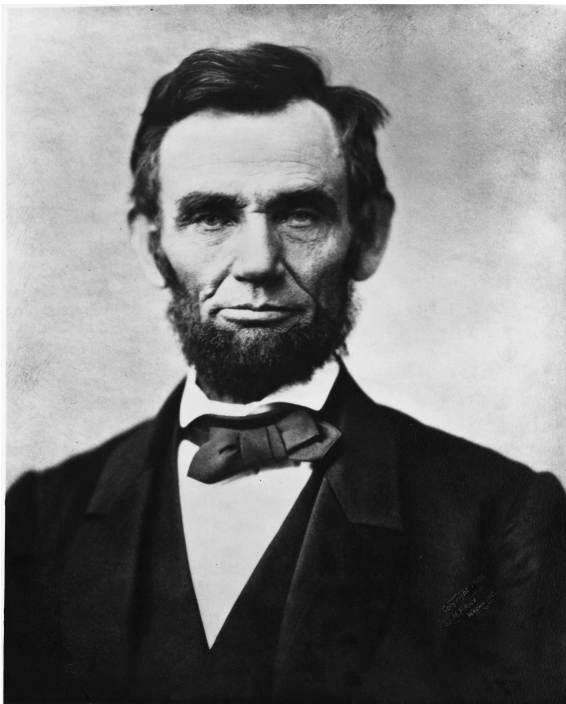
Lincoln's Legacy

Exhibition Theme

"Lincoln's fight to save the Union transformed the nation and the Constitution. Lincoln's presidency left a legacy of ideals for our nation to live up to - equality, freedom and democracy." [American Library Association *Overview of Exhibition Themes*]

Image

The image here is a November 8, 1863 portrait of President Abraham Lincoln, and courtesy of the [Library of Congress Prints & Photographs Division](#).



Selected Materials in the C|M|Law and CSU Michael Schwartz Libraries

- Abraham Lincoln and the Second American Revolution / James M. McPherson. Oxford University Press, c1990. [E457.2 .M4758 1991](#)
- Abraham Lincoln, Slavery, and the Civil War: Selected Writings and Speeches / Michael P. Johnson, ed. Bedford/St. Martin's, c2001. [Law E457.2 J65](#)
- The Age of Lincoln / Orville Vernon Burton. Hill and Wang, c2007. [Law E415.7 .B87 2007](#)
- The Eloquent President: A Portrait of Lincoln through His Words / Ronald C. White, Jr. Random House, c2005. [E457.2 .W6155 2005](#)
- Lincoln and the American Manifesto / Allen Jayne. Prometheus Books, c2007. [Law E457.2 .J39 2007](#)
- Lincoln, the War President: the Gettysburg Lectures / Gabor S. Boritt, ed. Oxford University Press, c1992. [Law E457 .L76 1992](#)
- Lincoln's Legacy: Ethics and Politics / Phillip Shaw Paludan, ed. University of Illinois Press, c2008. [E457.2 .L842 2008](#)
- A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War / Harry V. Jaffa. Rowman & Littlefield Publishers, c2000. [Law E459 .J34 2000](#)
- Our Lincoln: New Perspectives on Lincoln and His World / Eric Foner, ed. W.W. Norton & Co., c2008. [E457 .O97 2008](#)
- Our Secret Constitution: How Lincoln Redefined American Democracy. Oxford University Press, c2003. [Law E457.2 .F57 2001](#) and [electronic](#)
- The Presidency of Abraham Lincoln / Phillip Shaw Paludan. University Press of Kansas, c1994. [Law E457 .P18 1994](#)
- The Promises of Liberty: The History and Contemporary Relevance of the Thirteenth Amendment / Alexander Tsesis, ed. Columbia University Press, c2010. [Law KF4545 .S5 2010](#)
- Vindicating Lincoln: Defending the Politics of Our Greatest President / Thomas L. Krannawitter. Rowman & Littlefield Publishers, c2008. [E457.2 .K69 2008](#)

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Primary/Additional Sources

Primary Resources

Selected Materials in the C|M|Law and CSU Michael Schwartz Libraries:

- Lincoln in The Times: The Life of Abraham Lincoln, As Originally Reported in the New York Times / David Herbert Donald and Harold Holzer, eds. St. Martin's Press, c2005. [Law E457.15 .L535 2005](#)
- Northern Editorials on Secession / Howard Cecil Perkins, ed. Peter Smith, c1964. [E440.5 .P45 1964](#)

Southern Editorials on Secession / Dwight Lowell Dumond, ed. P. Smith, c1964. [E440.5 .D89 1964](#)

Southern Pamphlets on Secession, November 1860-April 1861 / Jon L. Wakelyn, ed. University of North Carolina Press, c1996. [E458.1 .S68 1996](#) and [electronic](#)

War Powers under the Constitution of the United States. Military Arrests, Reconstruction and Military Government / William Whiting. Lee, Shepard and Dillingham, 1871. [Law KF5060 .W5](#) and [electronic](#)

Web-Based Materials:

[Emancipation Proclamation](#) (Proclamation 95 - Regarding the Status of Slaves in States Engaged in Rebellion Against the United States, January 1, 1863)

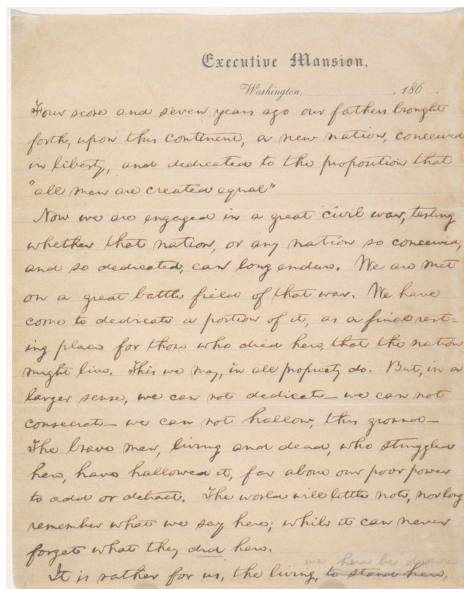
[Inaugural Address](#), Abraham Lincoln, March 4, 1865

[Amendment XIII to The U.S. Constitution](#) (passed by Congress January 31, 1865; ratified December 6, 1865)

[Constitution of the Confederate States](#), March 11, 1861

Image

The image here is of *The Gettysburg Address* owned by John George Nicolay, Lincoln's private secretary, and courtesy of the [Library of Congress Prints & Photographs Division](#).



Additional Resources

[Civil War & Antebellum Era Web-Based Primary Materials](#)

Provides links to documents, reports, newspapers, journals, letters, diaries, maps, photographs, images of realia, and other primary materials from the Antebellum and Civil War era in the United States.

[Slavery & Reconstruction Law Research Guide](#)

Researching Slavery and Reconstruction Law can specifically help one understand a wide assortment of constitutional, sovereignty, federal executive authority, jurisdictional, civil rights, and voting rights issues. This guide discusses treatises, periodicals, interdisciplinary research, and Web resources.

[Abraham Lincoln Association](#)

Nonprofit organization formed "to observe each anniversary of the birth of Abraham Lincoln; to preserve and make more readily accessible the landmarks associated with his life; and to actively encourage, promote and aid the collection and dissemination of authentic information regarding all phases of his life and career." Provides links to the full text of [The Collected Works of Abraham Lincoln](#), Association [journals](#), and [other Association publications](#).

[Abraham Lincoln Presidential Library](#)

Nonprofit organization formed "to collect, preserve, interpret, and promote the study of the life and times of Abraham Lincoln and Illinois history." Provides such information as [how to interlibrary loan materials](#) from its [Library](#) and pdf links to [reference materials](#) in its [Collection](#).

U.S. Library of Congress: American Memory: [Abraham Lincoln Papers](#)

Searchable collection of approximately 20,000 documents from 1833 through 1916; most from the 1850s through 1865.

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