

**“ALL MEN ARE CREATED EQUAL”:
ABRAHAM LINCOLN, IMMIGRATION, AND
ETHNICITY**

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INTRODUCTION

On August 24, 1855, Abraham Lincoln ended a letter to his close friend Joshua Speed with these words:

I am not a Know-Nothing. That is certain. How could I be? How can any one who abhors the oppression of negroes, be in favor of degrading classes of white people? Our progress in degeneracy appears to me to be pretty rapid. As a nation, we began by declaring that "*all men are created equal.*" We now practically read it "all men are created equal, *except negroes.*" When the Know-Nothings get control, it will read "all men are created equal, *except negroes, and foreigners, and catholics.*" When it comes to this I should prefer emigrating to some country where they make no pretence of loving liberty—to Russia, for instance, where despotism can be taken pure, and without the base alloy of hypocrisy.¹

This is Lincoln's most famous statement on Know-Nothings and nativism. Yet this letter alone cannot convey the entirety of his views of ethnicity, Know-Nothings, immigrants, and nativists.

Abraham Lincoln had an enormously complex conception of immigrant and ethnic groups. Many men of his era saw every ethnic group, every immigrant—whether Irish, Jewish, German, Swedish, or American Indian—as the same. Lincoln, however, saw each group as distinctive, each with its own history, its own needs, and its own contributions to American society. Because he saw the diversity of these groups, rather than simply jumbling them together as "foreigners" or "savages" like many of his day, Lincoln had an unusual conception of individuals of different ethnicities, as well as their groups, as a whole. Lincoln assembled this conception from his many dealings with individual immigrants, ethnic groups, and those factions for or against them in American society—as citizen, as politician, and as President.

I. LINCOLN AND THE GERMANS

When might Lincoln have first come across immigrants en masse? One source states:

Lincoln's first contact with foreigners came in 1829 when he visited New Orleans after a flatboat trip down the Mississippi. He probably did not distinguish Swedes from the Dutchmen, Italians, Spaniards, Swiss, Norwegians, and Russians whom he

¹ Letter to Joshua F. Speed (Aug. 24, 1855), in 2 COLLECTED WORKS OF ABRAHAM LINCOLN 320, 323 (Roy P. Basler et al. eds., 1953) [hereinafter COLLECTED WORKS].

encountered on the streets and wharves of that cosmopolitan city, but he did realize for the first time that aliens from many lands formed part of the American population.²

However, the first immigrant group of which Lincoln knew individual members was undoubtedly the Germans. The Germans were the most common immigrant group throughout the Midwest, particularly in Illinois, Wisconsin, and Minnesota.³ Abraham Lincoln knew powerful German politicians, such as Carl Schurz and Gustave Koerner, upon whom he later relied for help in his political campaigns and the Civil War.⁴ He corresponded with numerous less well-known German immigrants and German Americans, and he even owned a German-language newspaper in Springfield.⁵ What can all this tell us about Lincoln's attitudes toward the Germans?

In an October 1856 speech at Belleville, Illinois, after releasing his venom upon Buchanan, Breckenridge, and Douglas, Lincoln "referred to the Germans and the noble position taken by them in just and dignified terms. . . . [and] he called down the blessings of the Almighty on their heads."⁶ At this time, many Germans who had been Democrats began joining the Republican Party because of their distaste for slavery.⁷ Unable to attend the July Fourth celebration of the German Republicans in Chicago's Seventh Ward in 1858, Lincoln used the opportunity to communicate by letter his support for German Americans: "*Our German Fellow-Citizens:—Ever true to Liberty, the Union, and the Constitution—true to Liberty, not selfishly, but upon principle—not for special classes of men, but for all men; true to the Union and the Constitution, as the best means to advance that liberty.*"⁸ He

² NELS HOKANSON, SWEDISH IMMIGRANTS IN LINCOLN'S TIME 158 (3d ed. 1942) (footnote call number omitted).

³ Dennis M. Smith, *Abraham Lincoln and the New Immigrant Irish in 1860s America* 3 (Nova Se. Univ., Working Paper No. 02-3/3, 2003).

⁴ *Id.*; Letter to Gustave P. Koerner (Jan. 15, 1862), in 5 COLLECTED WORKS, *supra* note 1, at 100, 100.

⁵ See, e.g., HOKANSON, *supra* note 2, at 55; Contract with Theodore Canisius (May 30, 1859), in 3 COLLECTED WORKS, *supra* note 1, at 383, 383; Letter to Carl Schurz (June 18, 1860), in 4 COLLECTED WORKS, *supra* note 1, at 78, 78; Letter to Gustave P. Koerner (Jan. 15, 1862), *supra* note 4, at 100; Letter to Major-General Halleck (Jan. 15, 1862), in 5 COLLECTED WORKS, *supra* note 1, at 100, 100; Smith, *supra* note 3, at 3.

⁶ Speech at Belleville, Illinois (Oct. 18, 1856), in 2 COLLECTED WORKS, *supra* note 1, at 379, 379–80.

⁷ See *id.*; see also Letter to Anton C. Hessing, Henry Wendt, Alexander Fisher, Committee (June 30, 1858), in 2 COLLECTED WORKS, *supra* note 1, at 475, 475 n.1.

⁸ Letter to Anton C. Hessing, Henry Wendt, Alexander Fisher, Committee

wanted to see to it that German votes could be cast without fear of frauds perpetrated against them, and he wanted to insure that Germans could read his speeches in their own language.⁹

True, some of these things might have been to Lincoln's benefit: if the Germans were to vote Republican, he would want to make sure their votes would not be tampered with; reading a speech in their own language might impress the Germans, keeping his name and his party firmly in their minds. Particularly in 1858, he would want to woo the Germans in order to be elected to the United States Senate over Stephen A. Douglas.¹⁰ However, Lincoln's actions also benefited the Germans. Poll workers often committed ballot box frauds against immigrants who might vote in opposition to the preferred party of the voting district; that votes might be corrupted was a legitimate concern of immigrants and their parties alike.¹¹ That Lincoln would decide to print his speeches in another language—even to gain the foreign vote—shows a decided lack of nativist snobbery toward those who might be unfamiliar or uncomfortable reading the English version.¹²

In 1859, editors of German newspapers in Illinois threatened to oppose the Republican Party because Massachusetts, dominated by Republicans, passed a law to keep new citizens from voting for two years after naturalization.¹³ Gustave Koerner wrote to Lincoln and others for help in getting the state central committee to pass a resolution renouncing this act.¹⁴ At the request of Norman Judd, member of the Illinois Senate, Lincoln prepared the resolution to that effect.¹⁵ Lincoln later wrote to Koerner that because he was called from the room during the vote, he did not know the outcome of the resolution.¹⁶ A month later, he wrote a strong personal statement to Theodore Canisius disavowing the

(June 30, 1858), *supra* note 7, at 475.

⁹ Letter to Gustave P. Koerner (July 25, 1858), *in* 2 COLLECTED WORKS, *supra* note 1, at 524, 524; Letter to Gustave P. Koerner (Aug. 6, 1858), *in* 2 COLLECTED WORKS, *supra* note 1, at 536, 536–37.

¹⁰ Letter to Gustave P. Koerner (July 25, 1858), *supra* note 9, at 524; Letter to Gustave P. Koerner (Aug. 6, 1858), *supra* note 9, at 536–37.

¹¹ IRA M. LEONARD & ROBERT D. PARMET, AMERICAN NATIVISM, 1830–1860, at 59–60 (1971).

¹² See Letter to Gustave P. Koerner (Aug. 6, 1858), *supra* note 9, at 536–37.

¹³ Letter to Gustave P. Koerner (Apr. 11, 1859), *in* 3 COLLECTED WORKS, *supra* note 1, at 376, 377 n.1.

¹⁴ *Id.*

¹⁵ *Id.* at 376.

¹⁶ *Id.* As to *why* Lincoln had not found out the outcome of the vote, I have not been able to discover.

decision of the Massachusetts Legislature.¹⁷ Canisius then sent Lincoln's letter to the Illinois State Journal.¹⁸ A number of other papers then reprinted it.¹⁹ In his letter to Canisius, Lincoln tied his support for immigrant rights to the general goals of the Republican Party:

[A]s I understand the Massachusetts provision, I am against it's [sic] adoption in Illinois, or in any other place, where I have a right to oppose it. Understanding the spirit of our institutions to aim at the *elevation* of men, I am opposed to whatever tends to *degrade* them. I have some little notoriety for commiserating the oppressed condition of the negro; and I should be strangely inconsistent if I could favor any project for curtailing the existing rights of *white men*, even though born in different lands, and speaking different languages from myself.²⁰

On this issue, so close to the Germans' interests, Lincoln says loud and clear that he cannot stand with the Massachusetts Act.

In 1860, Carl Schurz, in charge of the foreign department of the National Republican Committee, offered to send out public speakers—"Germans, Norwegians, Hollanders, etc."—to the doubtful states in order to campaign for Lincoln.²¹ Lincoln was grateful for his help, calling it "an excellent plan."²² After winning the presidency, Lincoln addressed the German mechanics in Cincinnati, Ohio, on his inaugural journey in February of 1861: "In regard to the Germans and foreigners, I esteem them no better than other people, nor any worse."²³ This theme recurs throughout Lincoln's dealings with any immigrant or ethnic group: Germans and others were to be judged by their individual merit, not by their nativity.

II. LINCOLN AND THE JEWS

A second immigrant (and ethnic) group with which Abraham Lincoln had some familiarity was the Jews. Of course, "it is fair to say that Lincoln probably never saw a Jew until he was about 30 years old, and first met a fellow Illinois lawyer named

¹⁷ Letter to Theodore Canisius (May 17, 1859), in 3 COLLECTED WORKS, *supra* note 1, at 380, 380.

¹⁸ *Id.* at 381 n.1.

¹⁹ *Id.*

²⁰ *Id.* at 380.

²¹ Letter to Carl Schurz (June 18, 1860), *supra* note 5, at 78–79 & n.1 (internal quotation marks omitted).

²² *Id.* at 78.

²³ Speech to Germans in Cincinnati, Ohio (Feb. 12, 1861), in 4 COLLECTED WORKS, *supra* note 1, at 201, 202.

Abraham Jonas . . . whom Lincoln would refer to as one of his 'most valued friends.'²⁴ After this, Lincoln came to know a number of Jews as friends, acquaintances, and associates. One of the most curious was his chiropodist, Isachar Zacharie, to whom Lincoln assigned a mission to Louisiana with General Nathaniel Banks, so that he may be "a means of access to his countrymen, who are quite numerous in some of the localities you will probably visit."²⁵ In this, apparently Zacharie was successful.²⁶ Others retained their prejudices, one stating that he was "the lowest and vulgarest form of Jew Peddlars," and of Lincoln that "[i]t is enough to condemn Mr. Lincoln that he can make a friend of such an odious creature."²⁷ Obviously, "Lincoln was not swayed by such bigotry."²⁸

According to Harold Holzer, however, "all these stories fall into the category of 'some of my best friends are Jewish.' The real test, even in the nineteenth century, was how Lincoln performed on issues central to American Jews."²⁹ Lincoln received two such tests during the Civil War. The chaplaincy issue arose first. According to Congress in the Volunteer Act of 1861, all chaplains retained by the United States military had to be of a Christian denomination.³⁰ When Rabbi Arnold Fischel of New York applied to be chaplain of the Cameron Dragoons, a regiment of New York with a large number of Jews, Secretary of War Simon Cameron denied his request.³¹ Upon hearing about this, Jews across the North were outraged, and Jewish periodicals began an attack on the Volunteer Act, calling for its revision.³² Finally, a delegation, with Fischel as its head, traveled to Washington to appeal to Abraham Lincoln.³³ On December 11, 1861, Fischel reported the results of his efforts to the Board of Delegates and planned to meet with Lincoln the next day; however, Lincoln failed to keep

²⁴ HAROLD HOLZER, *LINCOLN AND THE JEWS: THE LAST BEST HOPE OF EARTH* 5 (2002).

²⁵ ISAAC MARKENS, *ABRAHAM LINCOLN AND THE JEWS* 58 (1909); Letter to Nathaniel P. Banks (Nov. 25, 1862), *in* *COLLECTED WORKS*, *supra* note 1, at 165, 165 (1st Supp. 1974).

²⁶ NAPHTALI J. RUBINGER, *ABRAHAM LINCOLN AND THE JEWS* 34-35 (1962).

²⁷ HOLZER, *supra* note 24, at 7 (internal quotation marks omitted).

²⁸ *Id.*

²⁹ *Id.* at 9.

³⁰ MARKENS, *supra* note 25, at 8; *see* Volunteer Act of 1861, ch. 9, § 9, 12 Stat. 268, 270.

³¹ MARKENS, *supra* note 25, at 8.

³² *Id.*

³³ *Id.* at 9.

his appointment.³⁴ A couple of days later, Lincoln sent him this message:

My dear Sir: I find that there are several particulars in which the present law in regard to Chaplains is supposed to be deficient, all of which I now design presenting to the appropriate Committee of Congress. I shall try to have a new law broad enough to cover what is desired by you in behalf of the Israelites.³⁵

Congress amended the law in 1862 to include Jewish chaplains.³⁶

The second test presented itself approximately one year after the first. Starting in July 1862, General Ulysses S. Grant, Lincoln's rising star, began to issue orders to his officers to deny Jews permits and to pay special attention to them, as they were "an intolerable nuisance."³⁷ With matters reaching fever pitch in December, Grant issued General Order Number 11 on the seventeenth.³⁸ It stated in part:

The Jews, as a class violating every regulation of trade . . . are hereby expelled from the department territory under Grant's military control in the Ohio and Mississippi Valleys within 24 hours Post commanders will see that all of this class of people be . . . required to leave, and any one returning after such notification will be arrested and held in confinement.³⁹

After this order went into effect, Lincoln unquestionably heard about it from various quarters. And it was certainly not long before Lincoln cancelled it.⁴⁰ In a letter to Grant on January 21, 1863, General Henry Halleck wrote:

It may be proper to give you some explanation of the revocation of your order expelling all Jews from your department. The President has no objection to your expelling traitors and Jew peddlers, which, I suppose, was the object of your order; but, as it in terms proscribed an entire religious class, some of whom are fighting in our ranks, the President deemed it necessary to revoke it.⁴¹

Holzer points out a vital concern of Lincoln's in conjunction with the decision to revoke Grant's order, explaining that Lincoln "might have ignored the outcry for fear of humiliating or

³⁴ *Id.*

³⁵ Letter to Arnold Fischel (Dec. 14, 1861), in 5 COLLECTED WORKS, *supra* note 1, at 69, 69.

³⁶ *Id.* at 69 n.1; see Act of July 17, 1962, ch. 200, § 9, 12 Stat. 594, 595.

³⁷ HOLZER, *supra* note 24, at 11.

³⁸ *Id.* at 12.

³⁹ *Id.*

⁴⁰ *Id.* at 13.

⁴¹ Letter to John A. McClernand (Jan. 22, 1863), in 6 COLLECTED WORKS, *supra* note 1, at 70, 71 n.1.

annoying one of his most valuable military assets. To Lincoln's credit, he did not excuse or cover up; he came to the rescue."⁴² That he came to the rescue of a class of citizens regarded by many as greedy and untrustworthy on the whole, to the point of overriding this increasingly important General, is indeed worthy of notice.

In Lincoln's two tests of the Civil War regarding issues central to Jewish Americans, "he passed both of them with honors."⁴³ Indeed, according to Bertram Wallace Korn,

In those two cases he had expressed an interest in seeing justice done to the Jews, and was willing to take upon himself the responsibility for the necessary action. He understood the quality of democratic equality well enough to know that no group could be deprived of its rights without endangering the whole structure of democracy.⁴⁴

In dealing with many Jews throughout his years in Illinois and in Washington as President, Lincoln came to see that the Jews, like the Germans, must be evaluated on an individual basis.

III. LINCOLN AND THE IRISH

Lincoln was rather less familiar with the Irish than with either the Germans or the Jews. Most Irish immigrants lived in the Northeastern coastal urban areas rather than the largely rural Midwest, where the dominant immigrant group remained the Germans.⁴⁵ Dennis M. Smith states that Lincoln made "no direct comment on Irish immigrants in America."⁴⁶ Although true in its strictest respect, this fact does not mean that Lincoln excluded the Irish from his writings on immigrants and the foreign-born. Also, it must be noted that although some Germans were Catholic, the Irish made up most of the Catholic population in America at that time.⁴⁷ Although he did not mention the Irish directly, in the 1844 Resolutions Concerning Philadelphia Riots, Lincoln undoubtedly included the Irish in his statement supporting the freedom of Catholics to vote how they like, as the mobs in Philadelphia had attacked mainly Irishmen.⁴⁸

⁴² HOLZER, *supra* note 24, at 13.

⁴³ *Id.* at 10.

⁴⁴ BERTRAM WALLACE KORN, *AMERICAN JEWRY AND THE CIVIL WAR* 203 (1951).

⁴⁵ Smith, *supra* note 3, at 3.

⁴⁶ *Id.* at 1.

⁴⁷ See Walter J. Walsh, *The First Free Exercise Case*, 73 *GEO. WASH. L. REV.* 1, 9 (2004).

⁴⁸ *THE POLITICAL THOUGHT OF ABRAHAM LINCOLN* 34 (Richard N. Current ed.,

During his campaign against Stephen A. Douglas for the Senate in 1858, Lincoln spotted “about fifteen Celtic gentlemen, with black carpet-sacks in their hands.”⁴⁹ Were these men, Lincoln wondered, introduced into the voting district in order to cast their votes against him?⁵⁰ Most Irish immigrants voted Democrat.⁵¹ It is clear that Lincoln feared voting fraud: “What I most dread is that they will introduce into the doubtful districts numbers of men who are legal voters in all respects except *residence* and who will swear to residence and thus put it beyond our power to exclude them.”⁵² When he expressed his fears in a speech at Meredosia, Illinois, the Jacksonville Sentinel sneered, “Doubtless Mr. Lincoln entertains a holy horror of all Irishmen and other adopted citizens who have sufficient self-respect to believe themselves superior to the negro. . . . He would doubtless disfranchise every one of them if he had the power.”⁵³ Smith agrees that Lincoln must have had a deep distrust of Irishmen and perhaps “a fear of their growing political power.”⁵⁴ However, Lincoln never stated that he thought foreigners should not vote or engage in politics; his anxiety was over fraudulent voting alone, an anxiety also expressed in a previous letter.⁵⁵

Whether he knew many Irish in Illinois or not, President Lincoln called on Archbishop John J. Hughes of New York, an Irish immigrant, to request advice on Catholic chaplains during the Civil War.⁵⁶ He also made Hughes a sort of emissary to Europe, sending him on a special trip to the Vatican and France in 1861 and 1862.⁵⁷ Lincoln wrote that

[H]aving formed the Archbishop’s acquaintance in the earliest days of our country’s present troubles, his counsel and advice were

1967) [hereinafter POLITICAL THOUGHT]; Speech and Resolutions Concerning Philadelphia Riots (June 12, 1844), in 1 COLLECTED WORKS, *supra* note 1, at 337, 337–38; Smith, *supra* note 3, at 1.

⁴⁹ Letter to Norman B. Judd (Oct. 20, 1858), in 3 COLLECTED WORKS, *supra* note 1, at 329, 330.

⁵⁰ *Id.*

⁵¹ Smith, *supra* note 3, at 1.

⁵² Letter to Norman B. Judd (Oct. 20, 1858), *supra* note 49, at 329, 330.

⁵³ Speech at Meredosia, Illinois (Oct. 18, 1858), in 3 COLLECTED WORKS, *supra* note 1, at 328, 328.

⁵⁴ Smith, *supra* note 3, at 4.

⁵⁵ See Letter to Norman B. Judd (Sept. 23, 1858), in 3 COLLECTED WORKS, *supra* note 1, at 202, 202; see also Speech at Meredosia, Illinois (Oct. 18, 1858), *supra* note 53, at 328–29.

⁵⁶ President Lincoln to Archbishop Hughes (Oct. 21, 1861), in JOHN R. G. HASSARD, LIFE OF THE MOST REVEREND JOHN HUGHES, D.D. 445, 445 (1866).

⁵⁷ See JAY MONAGHAN, DIPLOMAT IN CARPET SLIPPERS: ABRAHAM LINCOLN DEALS WITH FOREIGN AFFAIRS 155–56 (1945).

gladly sought and continually received by the Government on those points which his position enabled him better than others to consider. At a conjuncture of deep interest to the country, the Archbishop, associated with others, went abroad, and did the nation a service there, with all the loyalty, fidelity, and practical wisdom which, on so many other occasions, illustrated his great ability for administration.⁵⁸

Also important to remember, is that Hughes fought anti-Catholic and nativist intolerance for many years.⁵⁹ That the President had given Hughes such a special assignment could not have escaped the notice of the now ex-Know-Nothings in his party—as Lincoln would have known.⁶⁰

IV. LINCOLN, THE DECLARATION OF INDEPENDENCE, AND THE NATIVISTS

Besides knowing, associating with, and befriending people of all types, Lincoln based his belief in equal rights for all on his reading of the Declaration of Independence. “Lincoln envisioned the Declaration as a growing ideal that transcended mere blood and ancestry, thus making it possible for non-English peoples to enjoy the principles that it proclaimed.”⁶¹ Many of Lincoln’s public speeches confirm the above assessment. Particularly resounding with the notion of “the Declaration as a growing ideal”⁶² was Lincoln’s June 26, 1857 Speech at Springfield, saying:

Chief Justice Taney, in his opinion in the Dred Scott case, admits that the language of the Declaration is broad enough to include the whole human family, but he and Judge Douglas argue that the authors of that instrument did not intend to include negroes, by the fact that they did not at once, actually place them on an equality with the whites. Now this grave argument comes to just nothing at all, by the other fact, that they did not at once, *or ever afterwards*, actually place all white people on an equality with one or another.⁶³

⁵⁸ Letter from the President (Jan. 13, 1864), in 1 LAWRENCE KEHOE, COMPLETE WORKS OF THE MOST REV. JOHN HUGHES, D.D., ARCHBISHOP OF NEW YORK 24, 24 (1865).

⁵⁹ See MONAGHAN, *supra* note 57, at 155–56.

⁶⁰ See *id.* at 156.

⁶¹ James N. Leiker, *The Difficulties of Understanding Abe: Lincoln’s Reconciliation of Racial Inequality and Natural Rights*, in LINCOLN EMANCIPATED: THE PRESIDENT AND THE POLITICS OF RACE 73, 86 (Brian R. Dirck ed., 2007).

⁶² *Id.*

⁶³ Speech at Springfield, Illinois (June 26, 1857), in 2 COLLECTED WORKS, *supra* note 1, at 398, 405.

To Lincoln, this mistake of Taney and Douglas did “obvious violence” to the Declaration, which he understood meant to include all men—at least, eventually.⁶⁴ On several occasions he stopped to dissect Stephen Douglas’ argument that the Declaration of Independence only meant British men:

My good friends, read that carefully over some leisure hour, and ponder well upon it—see what a mere wreck—mangled ruin—it makes of our once glorious Declaration.

. . . The English, Irish and Scotch, along with white Americans, were included to be sure, but the French, Germans and other white people of the world are all gone to pot along with the Judge’s inferior races.⁶⁵

The Declaration meant that “Life, Liberty, and the pursuit of Happiness” should be enjoyed by all men.⁶⁶

This might be music to the ears of immigrants, but proved only cacophony to the nativists and Know-Nothings. Nativist sentiment grew in America as record numbers of immigrants poured into the United States during the 1850s.⁶⁷ Native citizens began to fear that Catholics and immigrants would take over political power in the country. Early religious anti-Catholic societies gave rise to bids for political seats for these nativists in the 1850s as the American or Know-Nothing party.⁶⁸ Anti-Catholic and anti-immigrant attitudes were certainly not uncommon during this time, and very few among the more notable Americans challenged the nativists.⁶⁹

Even Lincoln himself often came under suspicion of being a Know-Nothing. Patiently, yet repeatedly, he denied it in letters and in speeches. His most famous denial is that in his letter to Joshua Speed.⁷⁰ However, this letter (as some of his other letters denying accusations of nativism⁷¹) was not a public letter. Those during Lincoln’s time had to rely on his public statements, such

⁶⁴ *Id.*; see Speech at Carlinville, Illinois (Aug. 31, 1858), in 3 COLLECTED WORKS, *supra* note 1, at 77, 78–79; Speech at Chicago, Illinois (July 10, 1858), in 2 COLLECTED WORKS, *supra* note 1, 484, 499–500; Smith, *supra* note 3, at 2.

⁶⁵ Speech at Springfield, Illinois (June 26, 1857), *supra* note 63, at 406–07.

⁶⁶ THE DECLARATION OF INDEPENDENCE para. 2 (U.S. 1776).

⁶⁷ POLITICAL THOUGHT, *supra* note 48, at xxi.

⁶⁸ *Id.*

⁶⁹ LEONARD & PARMET, *supra* note 11, at 70.

⁷⁰ Letter to Joshua F. Speed (Aug. 24, 1855), *supra* note 1, at 322–23; see CHARLES GRANVILLE HAMILTON, LINCOLN AND THE KNOW NOTHING MOVEMENT 9 (1954); see also *supra* note 1 and accompanying text.

⁷¹ See Letter to Edward Lusk (Oct. 30, 1858), in 3 COLLECTED WORKS, *supra* note 1, at 333, 333; Letter to Owen Lovejoy (Aug. 11, 1855), in 2 COLLECTED WORKS, *supra* note 1, at 316, 316; Letter to Samuel Haycraft (June 4, 1860), in 4 COLLECTED WORKS, *supra* note 1, at 69, 69–70.

as that during his September 6, 1856 speech in Jacksonville, Illinois: "He could not go for Fillmore for another reason. He (Lincoln) did not like the Know Nothings."⁷² The resolutions adopted by the Anti-Nebraska Editors' Convention, part of which declared against the Know-Nothings, drew Lincoln's high praise at a dinner celebrating the Convention.⁷³ At the beginning of his speech in September 1854 in Bloomington, Illinois, Lincoln stated that if there was an organization known as the Know-Nothings, then Stephen Douglas "could not deprecate it more severely than himself."⁷⁴

Charles Granville Hamilton writes that "[i]t was no secret that [Lincoln] would join no fusion which did not include the Know Nothings."⁷⁵ However, a careful reading of Lincoln's correspondence undermines this argument. In a May 17, 1859 public letter to Theodore Canisius, editor of Lincoln's German newspaper, Lincoln stated that "[a]s to the matter of fusion, I am for it, if it can be had on republican grounds; and I am not for it on any other terms. . . . I am against letting down the republican standard a hair's breadth."⁷⁶ As Richard Current argued, this "made clear his difference from the nativists, or so-called Know Nothings. . . . In [the Canisius letter] . . . he expressed his opposition to antforeigner measures of the kind that Massachusetts had recently adopted."⁷⁷ He may have been open to the idea of a fusion with the Know-Nothings, but it would be had on Republican grounds, not on theirs.⁷⁸

Sometimes, however, Lincoln could not even be sure of the grounds of his own party, whether the Whigs or, later, the Republicans. The Irish, and most Germans before the pro-slavery movement, voted Democrat because they believed the Whigs were narrow-minded about immigrants. After the Riots in Philadelphia in 1844, the Whigs of Springfield, Illinois, led by Lincoln, passed Resolutions in response to the charge that the

⁷² Speech at Jacksonville, Illinois (Sept. 6, 1856), in 2 COLLECTED WORKS, *supra* note 1, at 368, 373.

⁷³ See Speech at Decatur, Illinois (Feb. 22, 1856), in 2 COLLECTED WORKS, *supra* note 1, at 333, 333.

⁷⁴ Speech at Bloomington, Illinois (Sept. 26, 1854), in 2 COLLECTED WORKS, *supra* note 1, at 234, 234.

⁷⁵ HAMILTON, *supra* note 70, at 9.

⁷⁶ Letter to Theodore Canisius (May 17, 1859), *supra* note 17, at 380.

⁷⁷ Richard N. Current, "Right Makes Might": Lincoln and the Race for President 1859-1860, in LINCOLN ON DEMOCRACY 139, 144 (Mario M. Cuomo & Harold Holzer eds., 1990).

⁷⁸ *Id.*; Letter to Theodore Canisius (May 17, 1859), *supra* note 17, at 380.

Whigs had provoked the attacks on the Democratic Irish.⁷⁹ The Resolutions stated that the rights of the Constitution belonged to the Catholics, just as much as to the Protestants, and that the Whigs would do everything they could to oppose those who might try to take them away.⁸⁰ Even a Democratic newspaper, which was hostile to Lincoln, the *Illinois State Register*, reported that “Mr. Lincoln expressed the kindest, and most benevolent feelings toward foreigners; they were, I doubt not, the sincere and honest sentiments of *his heart*; but they were not those of *his party*.”⁸¹

The Republican Party would also carry the taint of nativism. Lincoln, though, “was never a nativist himself. Indeed, his record as a political leader—his record on immigration and immigrants as well as on other matters—amply justifies the high significance he held . . . for later Americans of every religion and every national origin.”⁸² As he made clear in his writings, he would not fuse with a Know-Nothing group which insisted upon nativism, and he would never be a nativist himself. Nevertheless, people in his time—as well as later students of Lincoln—noted some of the inconsistencies which, in their estimation, could not be reconciled very well with their conception of an anti-nativist Lincoln.⁸³ What were some of these inconsistencies, and why do they crop up?

Smith has written, “[i]t is, however, important to note that most of Lincoln’s strong statements about immigrants’ rights are in private letters. He was, after all, a consummate politician.”⁸⁴ What exactly does this mean? Does it not mean, no more and no less, that he weighed very carefully what he said in public, so as to make sure that he did not lose what influence he had in that sphere? Yes, Lincoln often kept his opinions to himself; he knew that there was no way to be a leader in the practice of good government if he could not be voted into that government in the first place.⁸⁵

Two examples of Lincoln’s inconsistencies may prove this point. The first being the letter to his friend Abraham Jonas in the summer of 1860, responding to Jonas’ warning that some people claimed they saw Lincoln coming out of a Know-Nothing lodge

⁷⁹ POLITICAL THOUGHT, *supra* note 48, at 34.

⁸⁰ *Id.* at 35.

⁸¹ Speech and Resolutions Concerning Philadelphia Riots (June 12, 1844), *supra* note 48, at 338.

⁸² RICHARD N. CURRENT, UNITY, ETHNICITY & ABRAHAM LINCOLN 13–14 (1978).

⁸³ POLITICAL THOUGHT, *supra* note 48, at xxviii.

⁸⁴ Smith, *supra* note 3, at 3.

⁸⁵ POLITICAL THOUGHT, *supra* note 48, at xxviii.

some years before.⁸⁶ Instead of publicly defending himself as a candidate for the presidency, Lincoln wrote to Jonas that he would pay no heed to it.⁸⁷ Why would he not? If he was interested in immigrant rights, had so many times denied being a Know-Nothing, and, as he admitted in the letter, could easily disprove the accusation, why not defend himself against the claim?⁸⁸

One reason could have been that he had already spoken on this topic a number of times, and that anyone who knew him would know that it was not true anyway. Another reason was—of course—politics. Korn has suggested that Lincoln placed a subtle hint in the letter “that Jonas was the logical man to make public denial of the accusation. Lincoln was too clever a politician to repudiate the old Know-Nothing voters at such a crucial time, but the foreign vote had to be safeguarded under all circumstances.”⁸⁹ Although no record exists of how Jonas responded to this letter, “it is entirely possible that he went to the Democrats and threatened to expose their attempt to misrepresent Lincoln’s political affiliations unless they called a halt to the scheme. Whatever Jonas’ course of action, the affidavits were not published.”⁹⁰

The second example is Lincoln’s response to the act passed by the Massachusetts Republican Legislature in 1859, ordering newly naturalized citizens to wait two years before voting.⁹¹ Smith notes Lincoln’s lack of any substantial response, despite his reputation as a friend to the foreign born.⁹² True, Lincoln disavowed the act in a public letter, saying that he was very much against any such thing happening elsewhere.⁹³ He also acknowledged in a private letter to Schuyler Colfax that “tilting against foreigners” was political suicide.⁹⁴ Yet one must recognize that in this affair, as well as others, Lincoln accepted the right of individual states to make their own laws, a point he makes strongly in his public letter to Canisius.⁹⁵ Any politician who

⁸⁶ Letter to Abraham Jonas (July 21, 1860), in 4 COLLECTED WORKS, *supra* note 1, at 85, 85.

⁸⁷ *Id.* at 86.

⁸⁸ *Id.*

⁸⁹ KORN, *supra* note 44, at 192.

⁹⁰ *Id.*

⁹¹ Letter to Theodore Canisius (May 17, 1859), *supra* note 17, at 380.

⁹² Smith, *supra* note 3, at 3.

⁹³ See Letter to Theodore Canisius (May 17, 1859), *supra* note 17, at 380.

⁹⁴ Letter to Schuyler Colfax (July 6, 1859), in 3 COLLECTED WORKS, *supra* note 1, at 390, 391.

⁹⁵ Letter to Theodore Canisius (May 17, 1859), *supra* note 17, at 380, 381 n.1.

expected to gain or remain in office, particularly in the mid-nineteenth century, had to respect the rights of other states to make their own mistakes. Had Lincoln not been telling everyone this for years concerning abolition and the right of the southern states to keep their slave society, as backed by the Constitution, so long as they did not extend it? The situation here was similar, if not the same: Massachusetts could have its naturalization act, but it did not have to spread outside of that state.⁹⁶

In these two examples, one can see what are, for some, maddening inconsistencies in Lincoln's statements. The question could be asked, if Lincoln was for immigrant rights, why not just stand up to anyone or anything trying to get in the way of those rights? Can one be a politician while having any real principles? Richard N. Current offers an excellent assessment of this very question:

[Lincoln] has been described as . . . a politician's politician, as a pragmatist, a man more interested in immediate, practical advantages than in underlying principles. He has been characterized as a flexible man rather than one of fixed determination. In fact, however, he was flexible and pragmatic only in his choice of means and in his sense of timing. Though no doctrinaire, Lincoln was a man of deep conviction and settled purpose. Only by compromising with the necessities of his time could he hope to gain and hold political power. And only by holding political power could he hope to give reality, even in part, to his concept of the Union and its potentialities.⁹⁷

Lincoln knew that public opinion hung in a delicate balance, capricious, and fickle. He also knew where to draw the line in pleasing that public. The line was drawn at placing nativist planks in the Republican platform; it was drawn at restricting voting to naturalized citizens anywhere he had influence; it was drawn at siding with violent mobs that attacked Irish simply for being Catholic, or even Democrats; and it was drawn at saying the Declaration only meant those of British descent—or even those of the white race.

However, even with these lines drawn, Lincoln did not push these issues too far. There were those who did, the prime example being William H. Seward.⁹⁸ One reason that the Republican Convention did not choose Seward as its candidate for

⁹⁶ *Id.* at 380; Letter to Schuyler Colfax (July 6, 1859), *supra* note 94, at 391; Smith, *supra* note 3, at 3.

⁹⁷ POLITICAL THOUGHT, *supra* note 48, at xxix.

⁹⁸ See ERIC FONER, FREE SOIL, FREE LABOR, FREE MEN: THE IDEOLOGY OF THE REPUBLICAN PARTY BEFORE THE CIVIL WAR 211 (1970).

President in 1860 was because of his radical ideas on abolition.⁹⁹ But this was not the only reason. The former Know-Nothings who had joined ranks with the Republicans would never vote for Seward because of his strong position on nativism and his actions against the nativists as the Governor of New York.¹⁰⁰ The Republicans knew they needed the votes of these former Know-Nothings if they were to win the election. Thus, they turned to Lincoln, who was moderate on most issues, not just slavery. He had a good reputation among the Germans as an anti-nativist, yet had not antagonized the nativists (and was not likely to in the future) in a way that would alienate them from the party if he was chosen as the Republican candidate.¹⁰¹ Thus, his attention to balancing conviction with the practicalities of politics earned him the 1860 Republican presidential nomination.¹⁰²

V. LINCOLN AND THE INDIANS

This strict attention to political practicalities, however, leads some to criticize Lincoln's policies in certain areas. One area which concerns the present subject, immigration and ethnicity, is that of Indian affairs during the Civil War. David Nichols has written that:

Lincoln tended to respond to the political consequences of Indian affairs rather than to the substance of the difficulties that demanded his attention. He addressed the fundamental problem only when confronted dramatically and personally Even then, he put it out of mind as quickly as he could.¹⁰³

What happened during the Civil War in Indian Affairs which caused Nichols to come to this conclusion?

The Civil War itself prompted Lincoln's first dealing with the Native Americans as President. The Cherokees had been displaced from their territory by the Confederates, and their Chief, John Ross, had gained an audience with Lincoln in the fall of 1862 in order to request the government's help with the refugees.¹⁰⁴ According to Nichols, Lincoln "gave the Cherokee leader a fairly cool reception. They met and Lincoln asked Ross

⁹⁹ LEONARD & PARMET, *supra* note 11, at 101-02.

¹⁰⁰ FONER, *supra* note 98, at 211.

¹⁰¹ *Id.* at 213.

¹⁰² *Id.* at 211, 213.

¹⁰³ DAVID NICHOLS, LINCOLN AND THE INDIANS: CIVIL WAR POLICY AND POLITICS 203 (1978).

¹⁰⁴ *Id.* at 30, 54.

to reduce his requests to writing.”¹⁰⁵ Later, Lincoln wrote to Ross that he had not the time to peruse the documents that Ross had sent about treaty violations, and thus could not give him any type of decision about help.¹⁰⁶ Ross “got[] nowhere with Lincoln.”¹⁰⁷

That same fall of 1862, quite apart from the Civil War, the Sioux of Minnesota became desperate. A simple matter of stealing some chicken eggs from a farmer escalated into a war between the Sioux and the white population of Minnesota.¹⁰⁸ By November, the authorities in Minnesota had ordered the execution of 303 Sioux.¹⁰⁹ After going through each transcript meticulously, despite pressure from all sides to hasten the process, Lincoln sent a message to Henry H. Sibley, giving the names of just thirty-nine Sioux who were to be executed.¹¹⁰ The rest, he said, “you will hold subject to further orders, taking care that they neither escape, nor are subjected to any unlawful violence.”¹¹¹

In his report to the Senate on this matter, Lincoln explained why he had not simply ordered the execution of all those sentenced. He was “[a]nxious to not act with so much clemency as to encourage another outbreak on the one hand, nor with so much severity as to be real cruelty on the other.”¹¹² As a result of the drastic cut in the number of executions, Minnesota carried fewer Republican votes in the 1864 election than it had in 1860.¹¹³ When told that he could have had a larger majority had he condemned more Sioux, Lincoln replied, “I could not afford to hang men for votes.”¹¹⁴ However, the remaining Sioux were held until they were either pardoned (in the case of twenty-five of them in April of 1864) or removed from the state.¹¹⁵ At the same time, Lincoln approved the removal of the Winnebago of Minnesota, although they had not been involved in the episode at

¹⁰⁵ *Id.* at 55.

¹⁰⁶ *Id.* at 55–56.

¹⁰⁷ *Id.* at 56.

¹⁰⁸ *Id.* at 76–77.

¹⁰⁹ *Id.* at 98.

¹¹⁰ Letter to Henry H. Sibley (Dec. 6, 1862), in 5 COLLECTED WORKS, *supra* note 1, at 542, 542–43.

¹¹¹ *Id.* at 543.

¹¹² Report to the Senate (Dec. 11, 1862), in 5 COLLECTED WORKS, *supra* note 1, at 550, 551.

¹¹³ WILLIAM LEE MILLER, PRESIDENT LINCOLN: THE DUTY OF A STATESMAN 325 (2008).

¹¹⁴ *Id.* (internal quotation marks omitted).

¹¹⁵ Order for Pardon of Sioux Indians (Apr. 30, 1864), in 7 COLLECTED WORKS, *supra* note 1, at 325, 325–26.

all.¹¹⁶ He would not hang men for votes, but he still agreed upon removal from their homes.

What is to be made of Lincoln's policies toward the Indians during the Civil War, particularly in light of his proclamations supporting "all men are created equal"? In his annual message to Congress in 1862, he expressed his wish that the Indian system be remodeled.¹¹⁷ He reduced the number of Sioux condemned to death from 303 to 39, showing his mercy to a group of men toward which his family history—his grandfather having been killed by American Indians—could have easily made him harsh.¹¹⁸ Bishop Henry Whipple, who had worked with the Sioux in Minnesota, stated Lincoln had promised him that "[i]f we get through this war, and I live, this Indian system shall be reformed."¹¹⁹ Nevertheless, he also approved Indian removal, continued to deftly sidestep the issue of the Kansas refugees, and never acted to start a reform of the Indian system.¹²⁰ How can these things be reconciled?

Perhaps a few explanations can be posited. First of all, unlike with the European immigrants, Lincoln was almost entirely unfamiliar with Native Indians as a whole as well as on an individual basis. In March of 1863, he had Indian chiefs of several tribes to the White House for a speech.¹²¹ This speech makes clear Lincoln's unawareness of the ways of these people, but also the fact that he recognized that their ways were not the ways of the white man.¹²² He admitted that he did not know what was best for their people, but that he would do his best to work with them for their mutual benefit.¹²³ William Lee Miller has observed, "[h]is rare encounters with Indian affairs would show him to be, although radically ignorant and loaded with stereotypes, amiably disposed and sympathetic, not likely to produce any of the bloodthirsty comments about Indians that would come from many westerners."¹²⁴ Could it be that his assent to Indian removal, for instance, was misinterpreted? Could he

¹¹⁶ See NICHOLS, *supra* note 103, at 115–16.

¹¹⁷ Annual Message to Congress (Dec. 1, 1862), in 5 COLLECTED WORKS, *supra* note 1, at 518, 526.

¹¹⁸ MILLER, *supra* note 113, at 319, 325.

¹¹⁹ NICHOLS, *supra* note 103, at 140–41 (emphasis omitted).

¹²⁰ MILLER, *supra* note 113, at 326.

¹²¹ Speech to Indians (Mar. 27, 1863), in 6 COLLECTED WORKS, *supra* note 1, at 151, 152 n.1.

¹²² *Id.* at 151.

¹²³ *Id.* at 152.

¹²⁴ MILLER, *supra* note 113, at 320.

have decided that removal would be for their own good, because it would take them away from the Minnesotans who hated them?

Secondly, it has been seen that Lincoln was no reformer. He may have wanted Indian reform, just as he wanted equal treatment for the foreign born and eventual emancipation for the African slaves, but he may have not been the one to remodel the system. Even if he had been a reformer, or had tapped others more knowledgeable than himself to see to Indian system reforms, would he have been able, thirdly, to have enacted these changes as he worked relatively nonstop to keep the country from being ripped apart by the Civil War?

One final observation may also work in the direction of the reconciliation of these attitudes of Lincoln's toward Native American Indians. The Declaration was written by Americans, for Americans. Although Lincoln most assuredly did not completely exclude Native Americans from the ideal of "all men are created equal," as nativists would have done, in his defense, these peoples were not United States citizens. How could he extend the ideal outside of the nation, when inside the nation there still beat the pulse of prejudice against foreign-born citizens and the African Americans who had never asked to come in the first place? And even more urgent, again, was the Civil War which dominated the national horizon.

CONCLUSION

In studying the attitudes and relationships Abraham Lincoln maintained with immigrants and ethnic groups, one sees a man who does not borrow his opinions too heavily from his surrounding milieu. Lincoln formed his conceptions of others on the basis of personal contact and knowledge, without presuming what a person must be like on the basis of nationality, religion, or stereotype. He believed that all Americans—whether native or foreign-born—should be given a fair chance at participation in all the country had to offer them, and he expected that words and deeds should be for building others up, not for tearing them down. Democracy thrived on all citizens participating in government and upon their being given the ability to do so. This being one of Lincoln's core beliefs, throughout his life he supported immigration and believed that immigrants should have the right to vote and hold political office once properly naturalized.

As a politician, he chose when, where, and to what extent he would provide this support. Consequently, some of his

statements on immigration and ethnicity seem at odds with one other. But one thing cannot be ignored: Abraham Lincoln treated all people and groups with equal consideration. Certainly he was not immune to all of the ways common in his time of looking at and thinking of people and things. What set Lincoln apart from most of his countrymen was his ability to look past what his society told him a person or group must be like and to trust his own assessments instead. This is exactly what most Americans could not do.