

# Of Justice and Mercy in Abraham Lincoln's Second Inaugural Address

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## ABSTRACT

This essay interprets Abraham Lincoln's second inaugural address as an effort by the reelected president (and victorious commander in chief) to produce a common memory of the Civil War and the abolition of slavery as a means of reuniting the country. It argues that Lincoln did not believe the opposing sides could think and act as Americans after the war unless they moved from war to peace with a shared understanding of why the war and emancipation happened. He supposed that God used "this mighty scourge of war" to punish both North and South for the sin of slavery—a punishment that, in light of how long slavery had existed in America, would actually constitute a divine mercy. Only a common acceptance of mutual responsibility for what he called "American slavery" would enable former combatants to extend "charity for all" and "malice toward none" and thereby pave the way to successful Reconstruction.

One of the first things that I saw my first year in Lexington, Virginia, was a bumper sticker that read, "If at first you don't secede. . . ." The joke among historians is that the North thinks the war is over but the South thinks it is halftime. Clearly, how Americans remember the Civil War remains a divisive issue—so divisive that the citizenship exam to this day still allows more than one answer to the question, "Name one problem that led to the Civil War?"<sup>1</sup> (Acceptable answers are slavery, economic reasons, or states' rights.) Abraham Lincoln knew that this would be an important question, *the* important

1. "Civics (History and Government) Questions for the Naturalization Test," US Citizenship and Immigration Services, US Department of Homeland Security, <http://www.uscis.gov/sites/default/files/USCIS/Office%20of%20Citizenship/Citizenship%20Resource%20Center%20Site/Publications/100q.pdf>.

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question, for Americans to answer as the war drew to a close. So he made it the focus of his address at his second inauguration as president on March 4, 1865.

With citizens of the 11 Confederate States not participating, Abraham Lincoln was reelected in 1864 with 55% of the popular vote and the electoral college votes of all but three of the loyal states (221:21)—the free state of New Jersey (which split its electoral college votes between Lincoln and Stephen Douglas in 1860) and the slave states of Delaware and Kentucky, neither of which voted for him in 1860. Drawing an overwhelming majority of the soldier vote—although a significant number chose not to vote—Lincoln won a convincing reelection over the Democratic candidate, his dismissed general, George B. McClellan (White 2014).<sup>2</sup> To emphasize national unity and not partisan differences, the Republicans ran as the National Union Party, even going so far as to select Democrat Andrew Johnson, the military governor of Tennessee, as Lincoln’s running mate. But the key to retaining the presidency was the string of significant victories won by Union forces in the fall of 1864. These convinced Northerners that the war was close to being won. Where preserving the Union was the priority at Lincoln’s first inauguration, crushing the Confederacy and restoring federal authority over all of the American states formed the context of his second inauguration.

By the time of his second inaugural, the Civil War was almost over. Supported by Generals Philip Sheridan (who laid waste to the Shenandoah Valley) and William Tecumseh Sherman (who disrupted Confederate transportation, communications, and morale throughout Georgia and the Carolinas), General in Chief Ulysses S. Grant mounted a coordinated attack on Southern forces and gained control of all the major Southern ports.

On the political front, a peace conference at Hampton Roads, Virginia, on February 3, 1865, which took place aboard the president’s steamer *River Queen*, failed, as Lincoln rejected an appeal for a cease-fire by Confederate Vice President Alexander Stephens. Lincoln remained committed to emancipation and insisted on the disbanding of all rebel forces and a “restoration of the National authority throughout all the States” (Lincoln 1953, 8:250).<sup>3</sup>

In fact, concerned that his wartime Emancipation Proclamation would become inoperative when peace returned to the nation, Lincoln had worked vigorously in 1864 and early 1865 to get the Thirteenth Amendment passed by the required two-thirds of the House of Representatives (it had already passed the Senate in April 1864), which finally happened on January 31, 1865. He called the amendment “a King’s cure for all the evils. It winds the whole thing

2. See White (2014), esp. chap. 4, “The Union Army and the Elections of 1864.”

3. For a detailed account of this doomed meeting, see Conroy (2014), esp. chap. 18, “There Has Been Nothing We Could Do for Our Country.”

up” (Lincoln 1953, 8:254).<sup>4</sup> All that remained was for three-fourths of the states to ratify the amendment. By the time of Lincoln’s death on April 15, 1865, 21 of the required minimum of 27 states had ratified it, including two of the so-called Border Slave States, Missouri and Maryland, which had already abolished slavery in their state constitutions.

Some Southerners, like South Carolina diarist Mary Boykin Chesnut, acknowledged the increasing dominance of the federal military: after the fall of Atlanta to Sherman’s army, she wrote, “We are going to be wiped off the face of the earth” (Chesnutt 1981, 645). Nevertheless, even after Lincoln’s reelection demonstrated the North’s commitment to the war against Southern independence, Confederate leaders remained defiant in the face of mounting battlefield losses, the blockade of their ports, and rampant desertion and “stragglers” absent without leave. After hearing of the failed Hampton Roads Peace Conference, Confederate President Jefferson Davis delivered a speech in Richmond, proclaiming, “The duty that remains is to stand to our arms.” He added that “his confidence was firm, that God would abase the arrogance of our enemies, and crown our exertions with triumph” (Davis 1865). But defiance did not preclude desperate measures, as Davis and the Confederate Congress even considered enlisting slaves to fight for the Confederate cause—with emancipation as a reward. With General Robert E. Lee’s endorsement, the measure passed on March 13, 1865 (without freedom for the enlisted), but was never implemented (McPherson 2014, 228–36).<sup>5</sup>

Thus, as Lincoln prepared his second inaugural address, although the war was all but over, he still had the daunting task of using words to accomplish in peace what bullets had achieved in war. A defeated but defiant South would not make his second term easy. They may have been beaten on the battlefield, but their hearts and minds remained loyal to a conception of white supremacy that they determined would outlive even the death of slavery. Father Abraham would have to find cajoling, if not consoling, words to settle his troublesome children.

His great obstacle was their memory of a war that cost not only the lives and fortunes of many Americans but also what some considered to be part of those fortunes, as well as an essential part of the warp and woof of white Southern life—black slaves. All lamented how long the war had lasted, but given how much longer slavery had been a part of American society, it would

4. The most definitive account of the passage of the 13th Amendment and Lincoln’s role in it is Vorenberg (2001).

5. Despite the law’s omission regarding freedom for enlisted blacks, “Davis ordered the War Department to issue regulations that ensured them ‘the rights of a freedman’” (McPherson 2014, 235).

be no small task for Lincoln to wean those Southerners off of this long-standing feature of their heritage.<sup>6</sup>

While most Americans were expecting at least an outline of Lincoln's plans for the second term,<sup>7</sup> which meant Reconstruction, he chose to repeat his approach at Gettysburg: a brief but reflective statement of the meaning of the war and what would be necessary for the nation to move forward as one people. He surprised his audience by rejecting the triumphalism of Radical Republicans in Congress, who sought to rule over the defeated Southern States as if they were conquered territories.<sup>8</sup> To both spiteful Northerners and diehard Confederates, Lincoln counseled "malice toward none" and "charity for all" (Lincoln 1953, 8:333).<sup>9</sup>

These immortal closing words from his second inaugural address occur in the last and shortest paragraph of his four-paragraph speech. It is the only paragraph where Lincoln focuses on the future of the country. It is actually just one sentence, which he kept eloquently vague. The bulk of the 700-word address focuses not on the nation's future but on its past. Apparently, Lincoln does not think the nation can move forward without first going back. To get to "malice toward none" and "charity for all," Lincoln believed Americans North and South had to have a common understanding of the war—its cause and consequences.

That meant he would have to address the justice of the war's end, which included the abolition of slavery. Lincoln saw little hope of a truly *United* States of America without a united way of thinking about the place of slavery in America's history. Rejecting the South's defense of slavery as "a positive good,"<sup>10</sup> and the North's assumption that they bore no responsibility for the

6. For an incisive presentation of white supremacy's grip on the white Southern mind-set in the "secession winter" of 1860–61, see Dew (2001).

7. James Tackach observes that while inaugural addresses before Lincoln did not typically "articulate detailed policy proposals," they "contained . . . general policy announcements, along with stock statements praising the wisdom of the 'Founding Fathers' and respecting the authority of the Constitution. Specific policy commitments . . . were actually quite rare" (2002, 128–29).

8. In June 1865, US Attorney Richard H. Dana (and author of *Two Years before the Mast*) would immortalize this attitude by delivering a speech that declared of rebellious Southerners, "We have a right to hold the rebels in the grasp of war until we have obtained whatever the public safety and the public faith require." See Dana (1865).

9. Compare Jackson (1833/1896), 3:3: "To do justice to all and to submit to wrong from none has been during my Administration its governing maxim."

10. The locus classicus for the "positive good" thesis regarding white enslavement of blacks is an 1837 speech by South Carolina Senator John C. Calhoun: "I hold that in the present state of civilization, where two races of different origin, and distinguished by color, and other physical differences, as well as intellectual, are brought together, the relation now existing in the slaveholding States between the two, is, instead of an evil, a good—a positive good" (1837/1853, 2:631). A quarter-century later, the secession ordinances that provoked

peculiar institution, Lincoln used his second inaugural address to propose a national memory of both the war and American slavery as the basis for restoring national unity.

Lincoln produces this national, public memory by first avoiding any specifics about whether the so-called seceded states had actually left the federal Union, how they would be restored to the Union, or what the rights of the freedmen—or rebels, for that matter—would be under these returning governments.<sup>11</sup> Again, more important than a detailed agenda for the future was a careful review of the past: what was the meaning of the conflict, and how could this understanding help heal the wounds of a divided nation?

After a short introductory paragraph, which explains why there is no need for a lengthy speech and expresses satisfaction with the progress of the war, Lincoln takes the nation back to the events surrounding his first inauguration. He begins in paragraph 2 by uniting the American people with the repeated use of the word “all.” This signifies a union that Lincoln believes is necessary to produce a re-United States of America once the war is over. He makes no mention of “North” or “South” at this point in the speech. The nation may have entered the war with these labels, but it cannot leave the war with those labels intact. Therefore, Lincoln omits any reference to regional distinctions at this point in the address.

He attempts to unite the country with words so that former combatants come to see the war, and their division, as a departure from the norm rather than a reflection of profound differences that could undermine their efforts at reconstructing the Union. Needless to say, Lincoln has his work cut out for him, as we see on majestic display in the pivotal and all-important third paragraph. For although he notes that the war came despite “all” dreading it, he does not yet mention the true cause of the war. Except for citing “insurgent agents,” Lincoln simply observes that the war was about union: some wanted to save it, some wanted to dissolve it. But why? Why would “one of them . . . *make* war, rather than let the nation survive”? That is left for paragraph 3. For now, he closes paragraph 2 with the mysterious “And the war came” (Lincoln 1953, 8:332). By personifying the war, it is as if it has a mind of its own, or at

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the Civil War drew from Calhoun's seminal and unapologetic defense of slavery, and the citizens of the rebellious states produced a constitution that gave explicit protection of black slavery. For example, “No . . . law denying or impairing the right of property in negro slaves shall be passed”: Constitution of the Confederate States of America (1861), Art. I, sec. 9, cl. 4, <http://teachingamericanhistory.org/library/document/constitution-of-the-confederate-states-of-america/>.

11. For a discussion of how the federal government would deal with rebellious citizens after the war ended (and after the assassination of Abraham Lincoln), see Blair (2014), esp. chap. 8, “The Politics of Mercy after Appomattox.”

least is directed by some power that transcends the two sides he describes in the second paragraph. With the nation's history lesson begun, Lincoln turns in paragraph 3 from the commencement of the war to the issue of slavery.

Lincoln states that “colored slaves . . . constituted a peculiar and powerful interest. All knew that this interest was, somehow, the cause of the war” (Lincoln 1953, 8:332). Lincoln then points out that both the war and emancipation came to the country despite the initial intentions of both sides of the conflict. With surprising humility for a reelected president and victorious commander in chief, he states: “Neither party expected for the war, the magnitude, or the duration, which it has already attained. Neither anticipated that the cause of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding.” Lincoln concludes that another power must be at work: “The Almighty has His own purposes” (Lincoln 1953, 8:332–33, 333).<sup>12</sup>

By appealing to the God of nations, Lincoln offers not merely a standard that transcends both parties to the conflict but “a Living God” who expresses his will by means of America's greatest crisis.<sup>13</sup> Given that both sides, in Lincoln's words, “read the same Bible and pray to the same God,” his first term as president was replete with providential interpretations of the conflict by diverse Americans of all social stations.<sup>14</sup> However, the nation's common religion did not produce a common view of slavery. Debate over its legitimacy, and its future in the American republic, is precisely what led to civil war. So Lincoln tries to establish a common understanding of the war by not judging the rebellious South alone for the evil of slavery. He supposes that, in God's eyes, citizens both North and South were responsible for the offense of slavery—an offense God “now wills to remove” through what Lincoln calls “this mighty scourge of war” (Lincoln 1953, 8:333).

Lincoln does not say that he knows the long and bloody conflict was divine punishment for the national sin of slavery. He simply invites all Americans to accept this interpretation of the conflict as the best explanation for a war no

12. One biblical verse that supports this premise is found in Isaiah (Isa. 55:6–9 KJV): “Seek ye the Lord while he may be found, call ye upon him while he is near: Let the wicked forsake his way, and the unrighteous man his thoughts: and let him return unto the Lord, and he will have mercy upon him; and to our God, for he will abundantly pardon. *For my thoughts are not your thoughts, neither are your ways my ways, saith the Lord.* For as the heavens are higher than the earth, so are my ways higher than your ways, and my thoughts than your thoughts” (emphasis added).

13. For an interpretation of Lincoln as a believer in a personal God, at least by the time he delivered his second inaugural address, see Calhoun and Morel (2012).

14. See Miller et al. (1998), Woodworth (2001), Noll (2006), Miller (2007), Rable (2010), Scott (2011), and Mathisen (2015).

one really wanted and an emancipation no one seriously expected. To quote Lincoln: "If we shall suppose that American Slavery is one of those offences which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South, this terrible war, as the woe due to those by whom the offence came, shall we discern therein any departure from those divine attributes which the believers in a Living God always ascribe to Him?" (Lincoln 1953, 8:333).

So, the only time Lincoln refers to the nation as divided into North and South is when it is time to apportion blame to both sides for the sin of slavery. He accepts the division in the minds of a divided national audience, only to unite those two sides when it came to attributing responsibility for the peculiar institution. The ravages of "this terrible war" (its "magnitude" and "duration") fell on the entire country as a national punishment for what looks in God's eyes as a national crime—as we would say today, a crime against humanity. The great Civil War movie *Glory* (1989) put it this way: "It stinks bad. And we all covered up in it, too. I mean ain't nobody clean. Be nice to get clean, though."

So in his second inaugural address, even as the war draws to a close, Lincoln does not blame rebellious Southerners alone for all that has happened—a terrible war due to the terrible injustice of slavery. What he calls "a just, and a lasting peace, among ourselves"—a true reconstruction of the Union—depended on shared blame for the sin of slavery (Lincoln 1953, 8:333). Nevertheless, a re-United States would now be a free United States, through and through—no more slavery. This meant that Southerners must change their minds about slavery and hence the meaning of the war. The failure of Reconstruction showed a widespread unwillingness to do precisely that, postponing for almost a century what Lincoln famously called for at Gettysburg: "that this nation, under God, shall have a new birth of freedom" (7:23).

That failure was foreshadowed by the inability of most Southern whites to accept emancipation as a just result of the war. The great Southern historian Eugene Genovese recounts that Southern preachers, who also interpreted the war as a divine chastisement, did not conclude that a Confederate defeat meant God was punishing them for the sin of slavery. Rather, the defeat of Southern secession was God's punishment not for the use of a bad thing but for the misuse of a good thing (Genovese 1999).

And so we consider the most astounding passage from the address, and perhaps all of American political oratory—a passage that brings the justice of the Civil War front and center: "Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue, until all the wealth piled by the bond-man's two hundred and fifty

years, of unrequited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said ‘the judgments of the Lord, are true and righteous altogether.’” In this last sentence, which sets up the most famous line from the second inaugural address—“With malice toward none; with charity for all”—Lincoln speaks of God’s judgment on America for building her prosperity on the “unrequited toil” of black slaves (Lincoln 1953, 8:333). But he does so in order to suggest a divine mercy that he knows is none too apparent in the midst of the war’s devastation. While he was hesitant earlier in his short address to judge the South alone for the sin of slavery, the judgment of the Almighty on all Americans now rings loud and clear: it turns out that 4 years of blood and treasure lost in a civil war, as bad as that appears, are but a drop in the bucket if God were to take America fully to task for its 250 years of exploitation of black people.

Richard Brookhiser points out that while Lincoln once dated the birth of America to its Declaration of Independence, Lincoln now thinks that at the close of a war that would produce the emancipation of close to 4 million black slaves, it is more fitting to date the country not “Four score and seven years” but “two hundred and fifty years”—not to a people’s announcement “that all men are created equal,” the Spirit of ’76, but to the founding of the Jamestown colony, which soon included slaves (Brookhiser 2014, 281–82). By supposing the American Civil War was God’s punishment for the entirety of slavery’s existence on American soil, Lincoln makes this divine chastisement look lenient in comparison to the enormity of slavery’s quarter-millennium duration on American soil. So, if the war were to cease after only 4 years, as it surely appears to be doing the day Lincoln delivered his second inaugural address—and cease upon the prayers of both sides being answered in what Lincoln implies must be a united request of their common God—then Americans, white Americans, would be getting off easy.

An American president chose to acknowledge, during his own inauguration address, “many a thousand gone” and, in so doing, prepared a battered nation for a time of healing if only they would emulate the mercy of God toward each other. If, as Lincoln put it, “the believers in a Living God” accepted God’s judgment—his restrained judgment—on the whole nation for the sin of slavery, then they could afford to extend mercy to each other at the war’s end. Only then in his speech could Lincoln exhort his fellow countrymen to harbor “malice toward none” and extend “charity for all.”

Lincoln hoped the nation he once referred to as “the last best, hope of earth” (Lincoln 1953, 5:537) would now be in practice what it long declared in principle: a nation devoted to the equal rights of all her citizens. But this



would require a common view of the wrong of slavery, as well as a common acceptance of the ravages of the Civil War as due punishment from the Almighty. Their common guilt means common punishment, and if accepted as such, a common, peaceful future would be possible under God. Charity, therefore, not malice, must mark their actions toward each other (North vs. South, white vs. black, former slave vs. former master). Unfortunately, what the nation most needed it sorely lacked, as malice and not charity ultimately wrecked Reconstruction's best hopes in the decades that followed the war's end.<sup>15</sup>

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Lincoln rarely commented on his own speeches. But after his second inauguration, Lincoln wrote that he expected his address “to wear as well as—perhaps better than—any thing I have produced; but I believe it is not immediately popular.”<sup>16</sup> He explained: “Men are not flattered by being shown that there has been a difference of purpose between the Almighty and them. To deny it, however, in this case, is to deny that there is a God governing the world. It is a truth which I thought needed to be told.” A bold statement. But his audacity is leavened by a confession: he adds, “as whatever humiliation there is in it, falls most directly on myself, I thought others might afford for me to tell it” (Lincoln 1953, 8:356).

When Lincoln asked Frederick Douglass what he thought of the second inaugural address, Douglass replied, “Mr. Lincoln, that was a sacred effort” (1881/1994, 804).<sup>17</sup> At the 1876 dedication of the Freedmen's Memorial in Washington, DC, Douglass summed up Lincoln's contribution to the welfare of the Union and to blacks in particular: “Had he put the abolition of slavery before the salvation of the Union, he would have inevitably driven from him a powerful class of the American people and rendered resistance to rebellion impossible. Viewed from the genuine abolition ground, Mr. Lincoln seemed tardy, cold, dull, and indifferent; but measuring him by the sentiment of his

15. For recent accounts of the trials and travails of American Reconstruction, see Egerton (2014) and Summers (2014). The classic history of this postwar period is Foner (2014).

16. For an account of the diverse newspaper responses, at home and abroad, to Lincoln's second inaugural address, see White (2002, 189–97). Opinions ran the gamut from a Washington, DC, paper that judged its final paragraph “deserved to be printed in gold” to a New York paper's lament: “The pity of it, that a divided nation should neither be sustained in this crisis of agony by words of wisdom nor cheered with words of hope” (192 and 191). Lincoln arranged for reporters to receive a printed copy of his address immediately after its delivery. See Wilson (2006, 264). For Lincoln's cultivation of the press, and their own efforts to promote their political agenda via Lincoln's administration, see Holzer (2014).

17. Douglass noted as well that the speech “sounded more like a sermon than a state paper” (1881/1994, 801).

country, a sentiment he was bound as a statesman to consult, he was swift, zealous, radical, and determined” (1950–75, 4:316).<sup>18</sup>

So all Americans, with Lincoln taking the lead, needed to accept their losses as a divine mercy and the momentous liberation of American slaves as a just outcome of the Civil War. Lincoln invited all Americans to remember the war, not as a waste but as a gain, in their collective struggle to live up to the requirements of a free people. This difference of purpose between God and man, and its connection to slavery’s demise and self-government’s survival, stands as the centerpiece of the second inaugural address, making it the most profound political statement in American history. Wrestling with America’s peculiar theodicy strengthened Lincoln’s faith in the purposes of the Almighty and served as the culmination of a lifelong pursuit to understand what Hamlet called the “Divinity that shapes our ends, / Rough-hew them how we will.”<sup>19</sup>

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18. For commentary on this speech, see Morel (2003), Myers (2010), and Schaub (2014).

19. William Herndon cited this quotation from *Hamlet* (5.2.10–11) as a favorite of Lincoln’s (Herndon and Weik 2006, 264).

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