

Abraham lincoln and his honesty: a study

Life



Not So “ Honest Abe”

Abraham Lincoln was elected as the 16th president of the United States in 1861. President Abraham Lincoln or “ Honest Abe” was an excellent figurehead for the American society, even though he overstepped his executive role and unconstitutionally expanded presidential powers during his time in office. In April of 1861, the Civil War began, during which time President Lincoln overstepped his executive role. President Lincoln stripped the people’s right to Habeas Corpus, a law restricting imprisonment without explaining an official reason. The Emancipation Proclamation, drafted by Lincoln, specifically violated the Constitution in multiple ways. Lincoln also authorized the spending and borrowing of federal money to pay for war costs. All of these actions broke specific articles of the Constitution.

During the Civil War, Lincoln called for Martial Law and suspended Habeas Corpus in order to keep control of the Union. On April 27, 1861 President Lincoln suspended Habeas Corpus in concordance with Martial Law. The suspension clause found in Article I Section 9 states, “ The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.” Lincoln argued that the clause did not designate the ability to suspend Habeas Corpus to Congress, but critics like Judge Taney and Stephen Douglas argued that Article I contains all the powers of Congress not the powers of the President. Judge Taney was the fifth Supreme Court justice until 1964, and when he heard about Lincoln suspending Habeas Corpus, he sent a letter to Lincoln saying how Lincoln’s actions were unconstitutional and that according to the Constitution, Congress had the power to suspend Habeas Corpus. After a

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Union victory at the Battle of Antietam, Abraham Lincoln sent out the Preliminary Proclamation.

On January 1, 1863, President Lincoln announced the Emancipation Proclamation which abolished slavery everywhere in America except the border states. Critics responded heavily against the Emancipation Proclamation, complaining that it broke multiple sections of the Constitution and the people's rights. Article IV, Section 2 states, " No person held to service or labor in one state...escaping into another...consequence of any law or regulation therein, be discharged from such service or labor."

Additionally in Article 8 Section 1, designates " Congress the ability to control and rule over captured property and persons." Both these articles prove that at the time, the Emancipation Proclamation was unconstitutional. Abolishing slavery at the time was important to the country, but the way Lincoln went about abolishing slavery was unconstitutional. Thus Abraham Lincoln overstepped his executive role, and the operations Lincoln and his administration took were unconstitutional.

Lincoln authorized the spending of federal money in order to pay for war costs without the proper consent of Congress. Article I, Section 8 designates to Congress the power to " raise and support armies." This article contradicts the actions of President Lincoln, and proves the actions of President Lincoln were unconstitutional. President Lincoln increased federal spending to such a degree that the spent over \$84 billion during the Civil War. For Lincoln to increase federal spending on the war, he first had to get consent and ruling from Congress. Congress never approved the federal spending of Abraham Lincoln. Sarah Stodola, a writer for Fiscal Times, states that, " public debt <https://assignbuster.com/abraham-lincoln-and-his-honesty-a-study/>

increased 15 times over between 1961 and 1965.” Such a dramatic increase of public debt was the cause of more taxation from the government to pay for the war costs.

President Lincoln may have done great things for society and America, but the ways he carried out his actions defied the American governmental system and the Constitution. Many defend his actions simply because of what he accomplished while he was president. Slavery in America was a major issue, and the Civil War was unavoidable, but during the war Lincoln could not strip Habeas Corpus from the people because it was not a power given to the president. Lincoln could not sign the Emancipation Proclamation since it was in violation of the Constitution. During the war, Lincoln greatly increased federal spending sending Americans and the government into debt. Congress never approved his spending and therefore makes his actions unconstitutional. Abraham Lincoln overstepped his executive role and violated the Constitution throughout the Civil War and his presidency.