

**Lincoln's Constitution**  
**Fall 2009**  
**with Akhil Amar and James Oakes**

**Week 1:**

Amar, *America's Constitution: A Biography* (2005), xi-xii, 3-53, 84-98, 113-27, 131-33, 148-59, 177-89, 195-98, 207-18, 256-70, 276-81, 336-55, 467-68.

**Week 2:**

Amar, *America's Constitution*, 354-360.

*Collected Works of Abraham Lincoln*, v. IV, pp. 262-271, First Inaugural Address – Final Text, March 4, 1861.

*Collected Works*, v. IV, pp. 421-441, Message to Congress in Special Session, July 4, 1861.

**Week 3: The Making of an Antislavery Constitutionalist**

James Oakes, *The Radical and the Republican*, chap. 2.

James Oakes, "The Wrong and the Right of Property in Man."

James Oakes, "'No Such Right': The Origins of Lincoln's Rejection of the Right of Property in Slaves," in Joseph Fornieri and Sarah Vaughn Gabbard, eds., *Lincoln's America* (Carbondale, 2008), 135-150.

James Oakes, "Natural Rights, Citizenship Rights, States' Rights, and Black Rights: Another Look at Lincoln and Race," in Eric Foner, ed., *Our Lincoln: New Perspectives on Lincoln and His World* (New York, 2008), 109-134.

*Collected Works*, v. I, pp. 108-115, Address Before the Young Men's Lyceum of Springfield, Illinois, January 27, 1838.

*Collected Works*, v. II, pp. 130-132, from the Eulogy on Henry Clay.

*Collected Works*, v. II, pp. 247-283, Speech at Peoria, Illinois, October 16, 1854.

*Collected Works*, v. II, pp. 398-410, Speech at Springfield, Illinois, June 26, 1857.

*Collected Works*, v. II, pp. 461-469, "A House Divided": Speech at Springfield, Illinois, June 16, 1858.

*Collected Works*, v. II, pp. 490-502, Speech at Chicago, Illinois, July 10, 1858.

*Collected Works*, v. III, pp. 297-318, Lincoln's Reply in the Seventh and Last Debate with Stephen A. Douglas at Alton, Illinois, October 15, 1858.

*Collected Works*, v. IV, pp. 160-161, Speech at Steubenville, Ohio, February 14, 1861.

#### **Week 4: Becoming an Emancipationist**

*Collected Works*, v. IV, pp. 262-271, First Inaugural Address.

James Oakes, "Trumbell's Amendment."

James Oakes, *The Radical and the Republican*, chaps. 4-5.

*Collected Works*, v. V, pp. 222-223, Proclamation Revoking General Hunter's Order of Military Emancipation of May 9, 1862.

*Collected Works*, v. V, pp. 278-279, Remarks to a Delegation of Progressive Friends, June 20, 1862.

*Collected Works*, v. V, pp. 317-319, Appeal to Border State Representatives to Favor Compensated Emancipation, July 12, 1862.

*Collected Works*, v. V, pp. 328-331, To the Senate and House of Representatives, July 17, 1862.

Burrus M. Carnahan, *Act of Justice: Lincoln's Emancipation Proclamation and the Law of War* (Lexington, Kentucky, 2007).

#### **Week 5: Lincoln and Civil Liberties**

Mark E. Neely, Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York, 1991).

*Collected Works*, v. VI, Letter to Erastus Corning and Others, June 12, 1863.

#### **Week 6:**

Amar, *America's Constitution*, 349-477.

1862 opinion of Lincoln's Attorney General, Edward Bates, on citizenship

Available at:

[http://books.google.com/books?id=1v3d\\_OiiMWAC&printsec=frontcover&dq=Opinions+of+Attorney+General+and+source=gbs\\_book\\_other\\_versions\\_r&cad=5#v=onepage&q=&f=false](http://books.google.com/books?id=1v3d_OiiMWAC&printsec=frontcover&dq=Opinions+of+Attorney+General+and+source=gbs_book_other_versions_r&cad=5#v=onepage&q=&f=false)

Letter from Edward Bates to Lincoln, dated July 5, 1861, on the habeas corpus issue

Available at:

<http://digital.library.cornell.edu/cgi/t/text/pageviewer-idx?c=moawar;cc=moawar;q1=20;rgn=full%20text;idno=waro0115;didno=waro0115;view=image;seq=0032>

Civil Rights Act of April 9, 1866

Available at:

<http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=014/llsl014.db&recNum=58>