

Graphic Organizer

Lincoln's Decisions During the Civil War

Guiding Question

- How did Lincoln show prudence in constitutional decisions during the war?

Objective

- ☐ I can explain how President Lincoln made prudent decisions during the Civil War.

Part 1

Directions: Read both scenarios and the decisions President Lincoln made in response to each one. Then, explain how each decision demonstrated prudence, or *practical wisdom that applies reason and other virtues to discern right courses of action in specific situations*.

Scenario	Lincoln's Decisions	How Was It Prudent?
General Fremont declared martial law in Missouri, which was a border state. He ordered the confiscation of property from those who took up arms against the Union. This included enslaved people, who were declared free. (August 30, 1861)	President Lincoln canceled General Fremont's order and fired Fremont. (September 11, 1861)	
The Civil War had been raging for two years. The Union had made a strong stand at the Battle of Antietam and Lincoln was ready to make a major change in the course of the war.	President Lincoln ordered slaves freed in areas that were in rebellion against the US as of January 1, 1863. He declared that the military would enforce their freedom and receive formerly enslaved as soldiers.	

Part 2

Directions: Read the excerpt. Answer the questions that follow to decide if you feel Lincoln’s decision to suspend habeas corpus was prudent or not.

One key safeguard for liberty is the privilege of habeas corpus. Habeas corpus is the power of a judge to demand the government show cause for putting someone in jail. In other words, habeas corpus is what prevents the government from arresting people who have not committed crimes and locking them up without having to answer to anyone. The Founders knew habeas corpus was not only a traditional privilege but also an essential safeguard of freedom. The Constitution guarantees this provision in Article I, Section 9, which lists limits on the powers of Congress. By the spring of 1861, South Carolina, Virginia, North Carolina, Tennessee, and the rest of the Confederacy had seceded from the Union. Maryland, which was also a slave state, seemed ready to join the Confederacy as well. If Maryland seceded, the US capital would have been surrounded by the Confederate States of America. President Lincoln, believing that the existence of the United States was in danger, suspended writs of habeas corpus. The suspension only applied within Maryland and parts of Midwestern states. Congress was not in session. But Lincoln believed that his authority to suspend the writs came from his power as Commander in Chief of the military, arguing it was essential to more easily arrest and hold rebels who supported the Confederacy. Article II, section 2 of the Constitution states, “The President shall be commander in chief of the Army and Navy of the United States.”

1. What is habeas corpus?

2. Why did President Lincoln suspend habeas corpus in Maryland?

3. In what way(s) might this decision have been prudent?

4. In what way(s) might this decision not have been prudent?

5. Write a thesis that establishes a line of reasoning to answer the prompt: Overall, how prudent of a decision was the suspension of habeas corpus?
