

And so, Mr. Speaker, I would like to now turn my attention to what Lincoln saw, having at least in my own mind settled the question that the 16th President was divinely inspired and helped define a brand new and very different future for America. So I think it most appropriate, Mr. Speaker, to start with the question: What did Lincoln see? What did Abraham Lincoln see?

Well, we know that the 16th President of the United States was assassinated in 1865, and given the depth of his writings, the speeches that he delivered and thousands of books written by Lincoln historians, Lincoln, who passed in 1865 by assassination, understood all of American history up until this point, which means Abraham Lincoln clearly understood that just as we commemorated and memorialized the 19 Africans who arrived in Jamestown, Virginia, in 1619, Abraham Lincoln saw that. Those 19 Africans arrived in Jamestown, Virginia, 157 years before the Declaration of Independence.

Abraham Lincoln understood that on July 4, 1776, when our Founding Fathers and the Founding Fathers of this Republic issued the magnificent words that Martin Luther King called the magnificent words of the Declaration of Independence, that all men are created equal, that this document, this question of equality, this question of the idea that all men and women are endowed by their Creator with certain inalienable rights, that among them are life, liberty and the pursuit of happiness.

I heard a Presidential historian, Doris Kearns Goodwin, this morning deliver an oration at the commemoration celebration in the Rotunda, and she said that as President Abraham Lincoln was riding the train from Illinois through Pennsylvania, he stopped in the hall where the Declaration of Independence had been written. And when he walked out of the hall, a number of people in the crowd began chanting as the 16th President was heading to his inauguration, Mr. Lincoln, Mr. Lincoln, would you please give a speech.

And according to Doris Kearns Goodwin, as best my recollection as I can remember, she said this morning that Mr. Lincoln walked out of the Liberty Hall and said: "I've often pondered what the men who were in this room thinking when they issued the Declaration of Independence. I've often pondered what was on their mind when they advanced the idea that all men are created equal. I've often thought about what they were thinking and how I would imagine how divinely inspired they were to utter such immortal words on that occasion."

And yet, by 1787, when our Constitution is written, the biggest sticking point, even while the Founding Fathers had declared in the Declaration of Independence, in that Constitutional Convention was a sticking point about how slaves should be counted for the purposes of representation. In 1776, all men are created equal to the date in 1787 about how human beings should be treated is a significant departure from the founding principle of this Nation.

The other big debate at the Constitutional Convention, which Abraham Lincoln clearly understood, was the debate between big States versus small States and Northern States versus Southern States. He understood the questions of how Senators are elected by Representatives. At that time, there was no direct election of United States Senators, which laid the foundation for the Lincoln-Douglass debate as they traveled across the State of Illinois trying to elect a very different State House that might elect Abraham Lincoln to the United States Senate.

He understood this question of the electoral college and how weighted votes could ultimately determine the President of the United States, not by direct election or by popular vote.

He had to have thought about all men being created equal when he looked at the Constitution and its ratification in 1788 and the amendments to the Constitution in 1791, known as the Bill of Rights, and to watch the advocates of States' rights argue for a 10th amendment to the Constitution creating dual federalism. Two systems. One system where the Constitution spoke specifically to powers relegated to the Federal Government. And those powers not relegated to the Federal Government would somehow remain in the purview of the States.

President Abraham Lincoln recognized that this amendment, this question of the 10th amendment, had a lot of moral ambiguity, because if the Constitution of the United States is silent on a question, it allows the States themselves to assume responsibility for the questions not raised in the United States Constitution, including moral questions.

While Abraham Lincoln may have never talked about it, he had to recognize that the 10th amendment to the Constitution, however appropriate--I am not anti States' rights. It has its appropriate place in American life. But Abraham Lincoln had to know that on the question of human rights, States' rights presented a profound problem. A dual system.

If all men are created equal in our Declaration of Independence, then States cannot treat women differently. If all men are created equal, then some States can't have an institution, peculiar institution of slavery, while other States do not allow slavery. In contemporary times, some States cannot be advancing health care for all children and some States have no children's health care program at all. Separate and unequal.

Some States can't be spending more per capita on public education for America's children while other States either can or don't, or don't have the wherewithal or don't have the political wherewithal to advance a higher quality education or an equal high-quality education for all Americans. Lincoln understood that the advocates of the 10th amendment presented a profound problem for the future of America.

Lincoln, in 1865, looking back on his life, looking back on American history, understood the Nation's oldest political party was founded by Thomas Jefferson in 1792. The Democratic party. Abraham Lincoln understood that Thomas Jefferson, the founder of the Democratic Party, was one of the Nation's great advocates for local control and States' rights, who happened to also own slaves.

Abraham Lincoln understood that that generation of Americans saw themselves identified with their States first and not as Americans. I'm the gentleman from Virginia; I'm the gentleman from Illinois; I'm the gentleman from Georgia; I'm the gentleman or the gentlelady from. They saw themselves identified with their States first and not with our flag.

The primary party that made the arguments for local control and States' rights, the primary defender of the peculiar institution of slavery, the Democratic Party. Between 1794 and 1823, the Federalist Party came into existence. And, during that period, the Missouri Compromise.

Abraham Lincoln saw the Missouri Compromise. The Missouri Compromise was an agreement passed in 1820 between pro-slavery and antislavery factions in the United States Congress. Statuary Hall is where this debate took place involving primarily the regulation of slavery in the western territories. It prohibited slavery in the former Louisiana Territory north of the parallel 3630, except within the boundaries of the proposed State of Missouri.

Prior to the agreement, the U.S. House of Representatives had refused to except the compromise, and a conference committee was appointed. The United States Senate refused to concur in the amendment, and the whole measure was lost. These disputes involved the competition between southern and northern States for power in Congress and for control over the future territories.

There were also different factions emerging as the Democratic-Republican Party began to lose its coherence. In a letter, April 21, to John Holmes, Thomas Jefferson wrote that, "The division of the country created by the compromise line would eventually lead to the destruction of the Union." This is April 21, 1820.

And I quote, "But this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed indeed for the moment, but this is a reprieve only, not a final sentence, a geographical line coinciding with the marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark deeper and deeper."

The Missouri compromise between northern and southern Congressmen. Abraham Lincoln in 1865 had to have understood the consequences of Jefferson's thinking in that compromise.

In 1834, another party comes into existence. The Whig Party. And though the Federalist Party has now expired, we are now left with Democratic Party and Whig Party between 1834 and 1856. The most notable pieces of legislation that advanced through this body were the California Act and the Kansas-Nebraska Act.

The California Act. The Compromise of 1850, which Abraham Lincoln had to have understood, was a series of bills from Congress aimed at resolving the territorial and slavery controversies arising out of the Mexican-American War. There were five of these such laws.

California was admitted as a free State. Texas received compensation for relinquishing claims to land west of the Rio Grande, what is now New Mexico. The territory of New Mexico, Arizona, and portions of southern Nevada was organized without any specific prohibition of slavery. The slave trade, but not slavery itself, was terminated in the District of Columbia, and the stringent fugitive slave laws were passed, requiring all citizens to assist in the return of a runaway slave, regardless of the legality of slavery in the specific States.

I want to talk about that for a moment, the fugitive slave laws. Not really to make anyone feel bad about this very unique and special moment in American history, Mr. Speaker, but to show you us how the government functioned during this period.

Here we had a government, a central government, that was unwilling to end the peculiar institution of slavery, relegating through most of its arguments the power over slavery to the States. But, if one slave escaped from slavery, the Congress of the United States would pass a law allowing anyone in the country to return that slave back to the State from which it escaped.

Now this is an amazing expansion of Federal power over the lives of one individual. Imagine that. A Federal Government with the power, when someone escapes from slavery to freedom, to pass a law to take that one person who made it to Massachusetts, the one person who made it to freedom, the one person who got out of slavery by his own admonition and his own efforts, the Federal Government hunted him down and sent him back to slavery.

Now that's an amazing amount of Federal power over the life of one individual. I'd like to put the reverse on that. I'd like to imagine a little differently. I'd like to see the Federal Government having the power to go into a community on the south side of Chicago and give one person health care. And I don't want to hear from the other side or even from some Democrats that there's never been a moment in the Federal Government's history where it's not been able to have the power over a single individual. That's just not true. It hauled a slave to slavery. Now why can't it provide, in a positive sense, health care for someone who doesn't have insurance? Why someone is going to tell me that's not a Federal responsibility, it's not a State responsibility, it's a private sector responsibility. That's old, tired argument. At one moment in American history, the Federal Government had the power over one individual's life who escaped to freedom. Now why can't the Federal Government have the power to find one person in a coal mine in West Virginia and give them a better job?

And who are we to be making the argument that we can't imagine a Federal Government that doesn't have that? That's just too much power. Too much power to give a man a job? To provide a higher quality of life for an American from a government of, for, and by the people?

Well, there has been a moment in American history where the Federal Government had the power to do something similar but, however, in a negative way. Rather than helping someone get to freedom, it returned someone back to slavery.

The Kansas-Nebraska Act. Abraham Lincoln had to have seen it. The Kansas-Nebraska Act of 1854 created the territories of Kansas and Nebraska. It opened new lands, repealed the Missouri Compromise of 1820, and allowed settlers in those territories to determine if they would allow slavery within their boundaries.

Now, how about this? The Kansas-Nebraska Act. Talking about moral leadership. Look at what Congress did. We passed legislation that said, We don't want to deal with it here in Washington any more. We're going to turn this fight over to the people. You determine for yourself how you're going to handle

the moral issues of our day. We're not going to show any national leadership. When we create these States, we're going to create a movement, the Ruffians and everyone else who can run to the west. If you get to the State before someone else, you can set up a free State or you can set up a slave State. What kind of leadership is that?

Well, that actually happened. And Abraham Lincoln saw it.

Abraham Lincoln saw the Dred Scott decision. That decision, Dred Scott versus Sanford, by the United States Supreme Court, that rules that people of African descent imported into the United States and held as slaves, or their descendants, whether or not they were slaves, were not legal persons and could never be citizens of the United States.

It also held that slavery, which had been illegal in some States, was now legal everywhere. Justice Taney, in this building, in this building where the Old Supreme Court Chambers are still preserved, ruled in this building that slavery was legal everywhere.

Lincoln, even while constructing the Capitol during the Civil War, fully understood that Members of Congress knew the Dred Scott decision about the same time the Dred Scott decision was being made because Justice Taney worked in the building.

And that Congress, specifically in the Dred Scott decision, had acted beyond the boundaries of the Constitution. That is, if the Congress of the United States--and this is important for contemporary times--seeks to provide health care for all Americans, or it seeks to expand its authority in these difficult economic times, Justice Taney at that time could have easily argued that Congress is acting beyond the boundaries of the Constitution.

Of course, we have gone through several and subsequent amendments to the Constitution that have expanded Congress's role in these affairs.

Interestingly enough, I want to say something kind about Justice Taney. Justice Taney was a nationalist who rendered decisions that expanded our Nation's railroads. He rendered decisions that helped establish a single currency as opposed to the bartering system of just trading wears, but the establishment of a national infrastructure.

Justice Taney, actually, one of our court's most profound jurists towards the idea of building a more perfect union for all Americans, until it came to the decisions of race. And, on decisions of race, Justice Taney was a product of his time. The Dred Scott decision remains one of the most infamous and dreaded decisions in the history of the United States Supreme Court.

Lincoln, in the Lincoln -Douglas debates--remember, we're not discussing 1860, we're not discussing 1861. In 1858, Lincoln had heard all of these arguments and he had watched Senator Stephen Douglas play a role in the Kansas-Nebraska debate. He had watched these guys play roles in California. And he is questioning what it is about Members of Congress in these discussions that would lead to the suggestion

that Congress did not have a role and that the Federal Government did not have a role in stopping the expansion of slavery into the western States.

Lincoln would obviously not be elected to the United States Senate. But in 1854, before the Lincoln - Douglas debates by about 4 years, a little known party would come into existence, a little known antislavery party called the Republican Party in Ripon, Wisconsin. By 1860, Abraham Lincoln would be elected the Nation's first Republican President. Before he can even be sworn in as President of the United States, southern States would begin leaving the union because he would be perceived as an antislavery candidate who ran on an antislavery ticket who was committed to the idea that all men are created equal.

And so, Mr. Speaker, this is what Lincoln saw. Between 1860 when he was elected President and 1865, we could go through the details of the American Civil War, but I purge the timeline to make this point. Abraham Lincoln sustains important forces in our Nation's public life to issue the Emancipation Proclamation. He pronounced slavery a moral evil that must come to an end. And then he ran for President. And he won. And because he won, States who believed in the 10th amendment and the rights of States to make judgments about their internal affairs would leave the union, and then he would press the question, provoking the South to secede by refusing to compromise on the expansion of slavery and filling Congress with even more pro-slavery Congressmen. And because the South knew that Abraham Lincoln was expanding States into the western territories, he just didn't want them to be pro-slavery States, that eventually, through his gradual approach, more Members of Congress would come here and Members of Congress who had been brought into the union, one free and one slave, would now confront a majority in Congress of people who understood the immoral nature of the peculiar institution. So this question of States rights has dominated our Nation's history until Abraham Lincoln gave us a sense of national union.