GOVERNMENT IN THE CIVIL WAR
BY GIDEON WELLES
MANUSCRIPT
A DISCUSSION OF THE EFFECT
OF THE CIVIL WAR ON THE
GOVERNMENT OF THE UNITED STATES
The time has not arrived for an extended and impartial history of the occurrence, facts, and incidents, which are within the knowledge of very few, who, as participants, were parties to the act. The time is not yet, perhaps, a year, nor may it have passed away, and on the part of the remnant of the generation, which has witnessed the experiment and experiment which now influences the world in a great measure, been judiciously viewed. It is hardly to be expected, however, that the country will be able to view the effects of our present state of affairs. The country has been divided by the war, and the war, in turn, has divided the country. The war has been a great change within the last twenty years. Power has, in all that time, been passing from the state to the national center. Instead of a federal union of separate and distinct republics, each with its own government, we are becoming a centralistic empire. The transformation is slow, but to the many in the state of justice imposed...
but not the less certain.
The States were distinct communities,
differing essentially in some respects yet alike in
others—each having its own peculiar laws and
institutions, traditions and usages, but with a
Common language, common grievances in the
war of independence, and a common interest
which led them to unite for their mutual benefit
and advantage.  Union is preservative of
Commercial and social intercourse, and against
foreign interference or aggressions. In the
foundation of this Union, which commences with the
declaration of the Colonies from Great-Britain and the
declaration and establishment of their independence
of 1776.
The States, Confederated but governed by their
distinctive rights. After achieving their independence
the security of a closer union, and the exercise of
certain general authority by a central body, which
should be empowered to regulate intercourse between
themselves, and make them patent in the family of
nations was felt, and led to the creation and
establishment of a National government.
This government, the founders and founders wished
should be one of limited and specific grants of
powers, which should be enumerated and defined
in a written fundamental law, known as the
Constitui
of the United States. All powers not specifically granted in this instrument, or which are not incident to the grants, were specifically reserved to the state and people.

From the adoption of the Constitution there has been a division of opinion in regard to the interpretation of this fundamental law, which has led to the organization of parties to promote their respective views. One party has insisted on a faithful adherence to the Constitution and advocated a strict construction of its provisions — maintained that the federal government should have and exercise all the powers and authority delegated, but that it should not transcend them, nor exercise authority not delegated. The other party had opposed the idea of restricting the government to the express stipulated constitution, written conditions of the instrument, denied that its authors were endowed with foresight to provide for all emergencies that might arise, and claimed for the government a power and authority necessary for a central, national administration of affairs, whether specified in the enumerated grants or not, and deemed it indispensable that a liberal and latitude manner construction...
should be esteemed. The difference was fundamental. One party claimed that the people were sovereign; the power of power, the other that the government was the fountain of authority. The former were the advocates of State rights, who watched with suspicion the action of the Central government, resisting every exercise of undelighted power, and all encroachments on the rights of the State, or people, which had been reserved. Their opponents, the Centralists, defended for the government the exercise of a liberal discretion, of which those in authority must be the judge.

The parties, generated by these differences, have been known under various names, and their respective organizations have united with alternate success and success from the adoption of the constitution. Unfortunately, neither party has always adhered with fidelity to its principles, but each has deviated from the standard originally erected, and to which it occasionally professed to belong. Party spirit has triumphed over party principles.

Without returning to earlier dates and questions, the acquisition of extensive domains
from Illinois led to controversy in regard to the government of the territory there acquired, and as the rights federal, state and personal which pertained to those communities. This controversy became in a measure sectional, and was doubtless intended by some of those who initiated it. It was followed by a series of acts in relation to the status of the people of Kansas, and the establishment of a state government in that territory, during which the attitude and position of parties became changed and old organizations gave to a considerable extent broken up. Negotiating and unfruitful attempts were made to prevent the people of Kansas from exercising their inherent right to frame and establish a constitution and establish a state government for themselves, but there was a persistent effort by designing parties without the territory to impede upon the people a constitution and government adverse to their views and feelings. In this proceeding the federal administration, at that time professedly democratic, and its power and influence against the popular state rights by the old principle of state rights, were maintained. In this manner the people of Kansas, exercising their constitutional right, secured, for the federal administration
had the sanction of the Democratic organization, acquiescing reluctantly to many in the Southern States, but establishing the principles and the latest approval of revenge of the envious and revengeful portion of its old party opponents, the Whips of the South. The reasons which attacked the question bring to the administration, alienated a multitude of Northern democrats. This disruption of old organizations resulted in the formation of new political parties, which assumed a sectional character, and enacted in the election of Abraham Lincoln in 1860 by the Republican combination of almost all the Whips of the free States and a large number of democrats who opposed central interference in the affairs of States and the adoption of a president of Whig in the Republican party led the Democratic element which associated with them to resist federal aggression on the new party character and influence. The recruits which the administration derived from the Whips of the South were insufficient to counterbalance the loss of the North and influenced democrats who refused to support the administration in the system of crossfire.
and arbitrary power over the people of Kansas, but
a few democratic principles
presented as maintaining democratic principles
in defiance of the dictates of the democratic organ
vation. The Lincoln, appointed their party
and rightly comprehended them and his
own position, formed his cabinet and shaped
his measures accordingly. No party associa-
tions had been with the Whigs. The past vote
he gave was
whole growth of Henry Clay, whose political volatil
and party declarations captivated and drew
into his gulf so many of the young men of the
free away by impulse rather than reflection.
by personal enthusiasm and not by argument
or much thought on the vital great and
political
profound questions involved. He had
commanded political life as an actor, with

were or caused considerations modified
his views, and aside from personal admiration
of the eloquent Whig Champine, and from
association which brought attachment, the Lincoln
was when elected and during his administration
denly and consistently, at feeling and
principle, a federal republican, a friend of
state rights and an anti-conditionalist.
The political involvements and discussions in which he had been engaged for a few years preceding his election and the responsibilities thrown upon him by that event, caused him to doubt the soundness of the doctrines and the pretensions of that party in many particular respects. His mature reflections made him less a sectional Republican, and more of a states right democrat than he had been in his earlier years. The exigencies of the war had induced him to exercise extraordinary and sometimes dictatorial powers, but he lamented the necessity and became more and more in its continuance admirer of our federal system, and an earnest Constitutionalist.

During the winter of 1864 and 1865, after Sherman's successful march to the sea and the fall of Richmond, the opening day of the session was marked. President Lincoln knew it, with sadness and anticipation with indignation, satisfaction the time when the general government would be able to discharge the wages of need, brutality and questionable authority, and the states, each and all, resume their rights in the administration and direction of public affairs.