

Emancipation Proclamation

Author(s)

President Abraham Lincoln

Date created/enacted

Preceded by verbal warning on September 22, 1862.
Issued on January 1, 1863.

Background

In 1850 Congress passed the Fugitive Slave Act, which declared that all runaway slaves be returned to their masters. Although this was not the first such law enacted in the U.S. (in fact, Article Four of the Constitution has a fugitive slave clause), many Northerners were outraged at the idea that their law enforcement officials would become instruments of the slave trade.

With the outbreak of the Civil War, the issue of emancipation came to the forefront. On March 13, 1862, Congress passed a law forbidding Union officers from returning fugitive slaves to their owners. On June 19, 1862, Congress outlawed slavery in U.S. territories—meaning the far open spaces of the West, regions that would later become Utah, Nevada, the Dakotas, etc. Still at issue was the status of slaves in two very important regions: the South and the border states, like Delaware, Kentucky, Maryland, and Missouri. One important consideration was the issue of compensation. Would the government pay slave owners for the loss of valuable “property?” Another matter surrounded authority. Did the Congress have the authority to regulate slavery? Could Lincoln use his executive wartime authority to free slaves?

Content summary

The Emancipation Proclamation did not free all slaves; in fact, it freed a small portion. Only those slaves behind Union lines in rebellious states were freed. In other words, in Confederate states, slaves were freed in areas under Union Army control. For all other slaves—those in border states which had not seceded and those still under Confederate control—freedom was still a dream.

The Proclamation also allows for blacks to join the Union Army. About 200,000 blacks, many of them freed slaves, did so.

Current location

The original proclamation is in the National Archives in Washington, D.C.

