

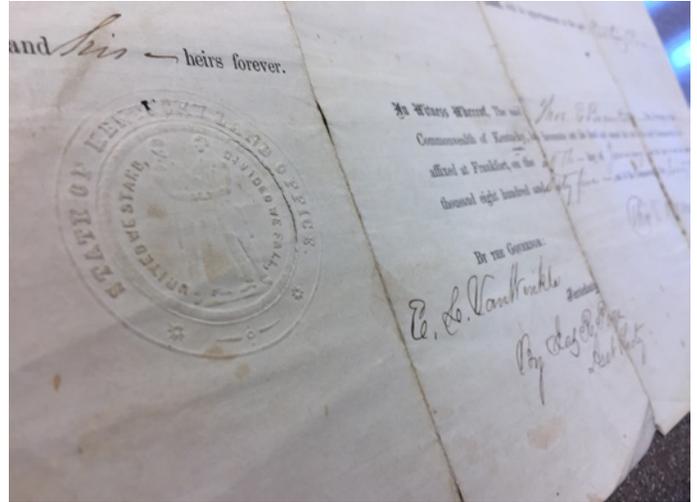
The Union as It Was, The Constitution as It Is: The Civil War Governors of Kentucky as Institutional History

By Patrick A. Lewis

The Kentucky Historical Society's *Civil War Governors of Kentucky Digital Documentary Edition* (CWGK), <http://discovery.civilwargovernors.org>, collects, digitizes, edits, and annotates the documents associated with Kentucky's three governors and two provisional Confederate governors from the presidential election in November 1860 through the end of chattel slavery in the state in December 1865. But while the project's title is personal, its scope is institutional. CWGK chooses to focus on the *office* of the governor as an archival collecting point for the lost lives and stories of everyday Kentuckians—women and men, enslaved and free—whose archival footprint—particularly in their own words or written in their own, often semiliterate, hand—is next to nonexistent.

This is not to say that there aren't political riddles surrounding the five principals to be teased out. Stances such as sphinxlike Beriah Magoffin's staunch defense of official neutrality despite his personal secessionism and Thomas E. Bramlette simultaneously clashing with the Lincoln administration and the rebels within his own borders over questions around the Union and slavery are certainly elucidated through a closer read of their correspondence. The greater value is in understanding how mid-nineteenth century people interacted with the public institutions which shaped and governed their lives. What expectations did people have of local, state, and federal governments? Who were the faces of governance in their communities? How did they conceive of justice and equity? How did they understand the interaction of branches and levels of government, and how did they play governing institutions off of one another to secure the outcomes they desired?

Historians who have used CWGK to date have, by and large, found interesting cases and compelling individual stories. Articles about Louisville madams, the illicit liquor trade across the color line, opioid abuse among veterans, and spatiotemporal mapping of the guerrilla war are all forthcoming in peer-reviewed publications. What has interested me, though, is the systemic view of, first, a diverse society making claims on its government and, second, observing an overwhelmed system of governance and administration flounder amidst successive waves of political, military, and humanitarian crises that eventually crescendo into social revolution. Loyal Kentuckians broke with their fellow slaveholders and stood up two-to-one to defend the Union, the Constitution, and the enforcement of the laws. We need to seriously interrogate how they understood those ideas by understanding how government manifested itself in commonplace ways as people conducted business and pursued justice.



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Part of my interest in the nature of nineteenth century government comes from the early history of the CWGK project. We needed to chart the structure of state government so that we could reconstruct it archivally. That is, to find the materials we needed to create this document corpus, we needed to understand where paper that crossed a governor's desk came from and where it went after his signature. So we started with the state constitution, revamped ten years before the war, and scanned the legislative journals for additions and amendments. We scoured lists of officeholders to place names with tenures of office. And then, when we understood how government worked in theory, we dove into the archival collections to watch how it worked in reality. These were different things.

We discovered power brokers operating from every county in the state (and changing with the winds of each new administration), favors that politicians had promised on the campaign trail being cashed in, court cases that inexplicably switched jurisdictions, and that was all before the conflict really heated up. We saw counties fail, institutions collapse, observed a brain drain in local leadership as the available men were disqualified from office because of their politics or because they enlisted in one of the contending armies. We saw the influence of personal patronage politics, of kin and good-old-boy networks wither under new scrutiny over loyalty and treason. We saw the rise of the federal administrative state in the form of the IRS assessor, the federal marshal, and the



nascent Freedmen's Bureau step on the toes of state officials—and in the process give previously powerless groups new avenues to access power and seek vengeance.

This research did not exist in a vacuum. I was studying state institutions historically, but as I did so, I was also administering a program from within a state historical agency. I was an intersection point between entities both in and outside of government, principally the Tourism, Arts, and Heritage cabinet, the Kentucky Historical Society Foundation, and the federal agencies that monitor and sponsor our work (principally NEH and NHPRC). I learned, just as my nineteenth century counterparts did, how to work within established hierarchies and when to kick a request to a strategic partner outside of the normal channels. I found myself fully devoted to the cause (of educating and engaging the public through the past to draw connections to the present and to inspire a better future for Kentucky) in which my project and my agency were collectively involved, while also fighting tooth and nail with peers for a shrinking pool of resources in lean budget years. I was learning the soft skills of management, leadership, and administration for which my graduate training had in no way prepared me.

I thought that I wasn't "getting to be a historian anymore" when I negotiated contracts, got frustrated when other departments crossed invisible boundaries into my sphere of influence, and struggled to balance the competing claims of my superiors, our funders, and the needs of our academic and public audiences. But all of a sudden, I would return to my texts and chuckle when a judge or a cabinet officer carried off a particularly shrewd end-around a seemingly insurmountable bureaucratic hurdle. Those old guys could politick with the best of 'em.

But aside from putting a few good moves into my own leadership playbook, I have developed a profound empathy for both the plaintive citizens bringing horrifying tales of death, crime, sexual violence, destitution, and starvation as well as for the representatives of government at all levels who are chronically unable to muster sufficient resources to address the systemic problems they saw. It is easy to see the Civil War as a crisis of elected government—at a legislative, gubernatorial, Congressional, and especially Presidential level—but I have come to appreciate the war as it drug down an underprepared and underpowered civil service under the

weight of modern, total war. The antebellum systems buckled underneath the crisis. That book is far more complicated to write than a conventional political history and far less marketable than a new battle history. That book about the slow collapse of governmental systems under unforeseen external stress might also be far more relevant to a moment when the national coffers have been drained by years of military conflict and faith in the capacity of electoral politics to address the day-to-day issues facing the citizenry is critically low.

To date, CWGK has published 10,000 documents online. We have annotated and socially networked approximately 1,000 of those documents—linking together over 8,000 people and organizations into a searchable database. The project is moving forward into a new phase of document identification, searching through NARA holdings for interactions between state and federal government. Besides the obvious questions about military policy, we hope to uncover new insights into the construction of the land grant college system and the balancing act between state and federal judicial and revenue collecting systems. These are not flashy historiographical topics, but working on the history of a government from within an agency of that same government, I believe they are critical questions to pose if we are to understand how Americans experienced being Americans through interaction with their government.

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