

Our Lincoln

Barry Schwartz

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“The last temptation [thirst for immortality] is the greatest treason: to do the right deed for the wrong reason.” Bishop Thomas Becket knew as much. Pushing so fiercely the Thirteenth Amendment, Tony Kushner’s Lincoln did the right deed; but was his reason what Kushner thinks it should have been?

How closely does the Thirteenth Amendment debate of 1865 correspond to its cinematic representation in 2012? In this connection, Maurice Halbwachs, a French sociologist, declared: if our beliefs about the past are essentially reconstructions, if they adapt “the image of ancient facts to the beliefs and spiritual needs of the present, then a knowledge of the origin of these facts must be secondary, . . . for the reality of the past is no longer *in* the past.” (That is, the reality of the *past* is in the *present*.) After 70 years, this statement seems as if it were made yesterday—which is precisely the problem. No one can doubt that *the demands of the present* motivate us to remember different events in different ways, but Halbwachs makes no provision for memory as a route to *past realities*. Spielberg and Kushner hardly do better, for they connect the “ancient fact” of Lincoln’s motive for pushing a Thirteenth Amendment to the predicaments and concerns of their own time, not Lincoln’s.

The film’s opening scene sets the tone of its narrative. Two soldiers, one white, the other black, converse with Lincoln about the war. The talk is framed by the Gettysburg Address, which, in the soldiers’ view, articulated a new war goal—racial equality and the ending of slavery. For their own reasons, they did not mention Edward Everett, who delivered the main Address at Gettysburg, during which he explained that a decision to allow secession would

deprive the North of two-thirds of its pre-war sea coast, disrupting foreign as well as internal commerce. Secession would also allow individual states within the Confederacy to enter into treaties giving hostile nations access to ports, rivers, and land. “It cannot be,” concludes Everett, “that the people of the loyal States. . . will consent to this hideous national suicide.” Everett’s words were consistent with Lincoln’s beliefs, and on the next day Lincoln sent a letter to Everett, ignoring his brief comments about slavery. In Lincoln’s words, “your point made against the theory of the general government being only an agency, whose principals are the states was new to me, and I think is one of the best arguments for the national supremacy” (that is to say, the supremacy of Union).

Officials seated on the platform with Lincoln felt similarly. Most were Democratic governors of states indifferent to slavery but whose young men filled 40 % of Gettysburg’s graves. If Lincoln’s audience believed it had been tricked, that the people’s war for Union was actually Lincoln’s war for emancipation, the president would have been shot before he finished speaking.

Spielberg and Kushner give their audiences an authentic representation of the *physical* setting of the Thirteenth Amendment debate but never come close to capturing the thought world of the time; they project upon it their own racial views (which this reviewer shares but for which he cannot find a place in the America of 1865). For the first half of the nineteenth century, slavery was the major source of America’s discord, but slavery had existed for more than 250 years and there was no war until eleven states seceded. *Secession* is the vital point. If *any* state had seceded for *any* reason, Abraham Lincoln would have used force to bring it back.

Lincoln’s belief in the sacredness of the Union is evident in his First Inaugural, where he offers to sign an amendment to the Constitution making the slavery provision unamendable if the seceded states returned. Determined to achieve *independence*, these states ignored the offer. Lincoln’s army attacked,

B. Schwartz (✉)
Department of Sociology, University of Georgia, Athens,
GA 30602, USA
e-mail: cmsbarry@uga.edu

but if it had defeated the Confederate forces as quickly as he hoped, the original Constitution and its slavery provisions would have remained intact. If the seceded states had returned to the Union after a year and three-quarters of fighting (before the January 1st, 1863 Emancipation Proclamation), slavery would have remained intact. Lincoln issued the Emancipation Proclamation when, in his own oft-repeated words, it became apparent that the Union might lose the war.

Lincoln repeated his dedication to the Constitution and the Union throughout his presidency, and he reaffirmed it immediately before and after the vote on the Thirteenth Amendment proposal. Failure to recognize Lincoln's mystical obsession with Union undermines this film's quality as a work of historical fiction—inferior, in my opinion, to any movie script that Carl Sandburg, William Safire, or Gore Vidal would have written.

Lincoln begins at the middle of the story, which would not pose a problem if it did not distort its critical parts. In April, 1864, after a failed February test vote in the House, Democratic Senators Reverdy Johnson of Maryland and slaveholder John B. Henderson of Missouri made eloquent pro-abolition speeches—a preview of the Senate's 88 % vote in favor of the Thirteenth Amendment. Less than 59 % of House members voted in favor in June, 1864, falling short of the required two-thirds required for passage. Seven months later, on January 30, 1865, 68 % of the House voted in favor and the resolution went to the states for ratification. During this seven-month period, Democratic opposition in the House fell by almost 20 percentage points, mainly in the border states, a trend reflecting the favorable military conditions at the time of Lincoln's reelection. The consequence of Spielberg and Kushner ignoring these developments makes Lincoln's lobbying for the Thirteenth Amendment far more crucial than it actually was—probably a necessary but by no means sufficient determinant of the final vote. It is as if a player scoring the winning point in the last minute of a high-scoring game gets all the credit for a win requiring the previous efforts of many players. Just so, Lincoln's influence on the 1865 Thirteenth Amendment vote was significant but marginal to a year-long amending *process* which a single film can at best partially capture.

The process in question can be no more divorced from the Northern and Border public's commitment to Union than it can from Lincoln's. In his December 1864 Address to Congress, in which he recommends the passage of a constitutional amendment abolishing slavery, Lincoln infers an "unanswerable argument" from the previous month's presidential election. There was much "impugning of motives, and much heated controversy as to the proper means and best mode of advancing the Union cause; but on the distinct issue of Union or no Union" absolute consensus held sway. Not one candidate for any office sought votes on the grounds of allowing secession to stand.

Lincoln had prefaced his statement by declaring: "In a great national crisis, like ours, unanimity of action seeking a common end is very desirable. . . . In this case, the common end is the *maintenance* of the Union [emphasis added]." Four days after the successful House vote, he "wished the reunion of all the states perfected and so effected as to remove all causes of disturbance *in the future*; and to attain this end it was necessary that the *original* disturbing cause [slavery] should, if possible, be rooted out" through ratification.

Lincoln's sense of urgency reflected a fact which Spielberg and Kushner barely mention, namely, the presidents' knowledge that his Emancipation Proclamation could not survive the war. They do capture some of Lincoln's words during his meeting with the Confederate Peace Commissioners, but the two artists are more concerned to show black soldiers lording it over and sneering at the Southern officials. Although Lincoln told the Confederate Commissioners that his Proclamation "might" become illegal when hostilities ceased, he was a lawyer and realized that the Constitution could not be modified by presidential proclamation. If the Supreme Court, with its new radical Chief Justice, upheld the Emancipation Proclamation after the "insurgents" (Lincoln never recognized secession) surrendered, then any part of the Constitution would be fair game for a determined president, and American government would assume the dictatorial form that Lincoln's opponents accused him of introducing. To recognize this danger when applied to the Emancipation Proclamation is almost impossible today, but in 1862 and 1863 moderate Democrats and Republicans alike, not to mention Confederates, recognized it clearly.

Lincoln conceded his several constitutional violations during the military crisis, but he compared them to the severing of an arm (the Constitution) in order to save a life (the Union). The ratification of an Amendment prohibiting slavery, Lincoln believed, would be the "King's Cure" that would secure "reunion of all the states perfected" and make the emancipated slaves forever free. Therefore, when Kushner's Elizabeth Keckley asked Lincoln what her people will do after they are emancipated, he was silent—not because he could not figure out the black man's ways, as Kushner has him say, but because his philosophical concern was the black man's freedom and economic justice. By economic justice he meant that all are entitled to the fruits of their own labor. But there is a corollary to this principle. When Confederate Commissioner Hunter, at Hampton Roads, asked how freed slaves would live without land or money, Lincoln replied: "Root hog, or die"—economic justice, true, but a harsh justice, and a source of embarrassment to all present in the *River Queen's* meeting room. Yet, Lincoln's adage was hardly unique among his party colleagues. James Lane of Kansas, for instance, believed universal emancipation to be God's way, which leads to a natural caste system, with mentally inferior African Americans forever subordinated to their white betters.

Lincoln and Lane thus answer the question of what would happen to slaves once they were granted freedom. Kushner left the answers out of his script, and leaves us in the dark as to why the Freedom Amendment paved the way for Jim Crow rather than full integration of free black men and women into the life of the nation.

For a generation in which racial harmony, not Union, is problematic, the film's failure to sympathize with the worldview of white anti-abolitionists—even proslavery Unionists who fought and died opposing secession—is understandable. But one is puzzled by Kushner's inability to make memorable the Cabinet scene in which Lincoln insists, against advice, on the immediate passage of the abolition amendment. After all, this is what the film is about. Kushner's Lincoln is clear about the danger of the Confederacy surrendering before an amendment proposal passes, of Southerners returning to Congress, of former Confederate state governments reconstituting and refusing ratification, with more than two and a half million slaves remaining in place (and reproducing). But Kushner misses Lincoln's greater nightmare; it is not the rebirth of slavery itself that bothers Lincoln the most; it is a rebirth that heralds a Second Civil War—a possibility which became more real as the First Civil War wound down. If Lincoln's inaugural oath, "registered in Heaven," to preserve the Constitution, democratic government, and the Union caused him to twist arms for a 13th Amendment, one would never know it from the film. From the black soldier complaining about unequal military pay to Thaddeus Stevens' giving his housekeeper and alleged bed-partner the vote-count as a "gift"—the theme of *racial injustice* is dominant. The roles of black men and women in the film imply that the House debate was about abolition as an end in itself rather than what Lincoln thought it to be: the only possible road to national reunion.

Did the House think as Lincoln did? If not, what were the Representatives cheering about when the amendment proposal passed? The wording of the Thirteenth Amendment is based on the Northwest Ordinance (signed in 1789 by President George Washington), which bans slavery and involuntary servitude in the territories. On this count, the portrayal of the House debate is reasonably authentic. The proposal would have failed if it provided for anything more than freedom. No equal justice is implied in the bill. More importantly, few expected more amendments to follow. Lincoln himself declared after the House vote that ratification would "wrap things up." Never did he even hint that he had supplementary amendments in mind.

Spielberg and Kushner may have had in *their* minds the Fourteenth and Fifteenth Amendments (granting due process, equal protection, citizenship, and the right to vote) when they introduced their concluding shocker: Thaddeus Stevens giving Lydia Hamilton Smith, his "housekeeper," the House vote count as a trophy (although she was already free), then jumping into bed with her.

No scene in the film is more ironic, for the most common complaint about *Lincoln* is that it included so few blacks, and those whom it did include were passive and dependent. Could this story bear the weight of a Union in which free blacks could prosper? Widow and mother of two grown sons, Mrs. Smith had worked for Stevens as office assistant as well as housekeeper from the time he set up his Gettysburg law practice through his years in Lancaster and during his entire tenure in the House of Representatives. During this time, Mrs. Smith purchased, resided in, and rented several properties in Pennsylvania and Washington, DC. When Stevens died, she received from his will \$5,000.00, to be taken in installments or as a block sum. She chose the latter and used it to purchase even more property. Yet, no film reviewer I can name protests Kushner's reducing Lydia Smith, one of the most remarkable women of the era, to Thaddeus Stevens' concubine. He had to make her into one of the many victims whose presence was necessary to underscore white oppression.

Spielberg and Kushner's *Lincoln*, from beginning to end, is an exercise in backshadowing, which attributes the *ultimate consequences* of the Thirteenth Amendment—a racially just but competitive society—to the *motives* of Abraham Lincoln and his allies. Conditions so evident in our world must have been intended by someone in an earlier world!

Films must end somewhere, so no one can be blamed for failing to dramatize the rapid loss of interest in the plight of free and emancipated African Americans beginning in the late 1860s. True, this change expresses the nation's betrayal of those whom it had enslaved for 250 years; but it also affirmed another truth, which seems so difficult now to accept, that Union, not a collective sense of debt to the black man, drove the Northern states to war and to the prohibition of slavery. Republicans who energized emancipation could not save the freedmen from indifference and hostility of the states under whose laws they were doomed to live, while moderate Republicans concerned with the economic condition of the nation overwhelmed the passion of the emancipationists, drove them from office, and spurred an industrial revolution and system of racial caste.

Spielberg and Kushner's failure to anticipate this outcome is essential to their artistry. If Maurice Halbwachs had seen the film, he would have felt vindicated, for it produces a perfect Lincoln for a racially sensitive, if not obsessed, twenty-first century society.

Barry Schwartz is a professor emeritus of sociology at the University of Georgia and the author of five books, including *Abraham Lincoln in the Post Heroic Era: History and Memory in Late Twentieth Century America*; *Abraham Lincoln and the Forge of National Memory*; and *George Washington: The Making of an American Symbol*.