



Review: [Untitled]

Reviewed Work(s):

Lincoln. by David Herbert Donald

The Inner World of Abraham Lincoln. by Michael Burlingame

William Hanchett

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E. Yarbrough, whose earlier works examined the careers of Hugo Black, J. Waties Waring, and the second John Harlan.

While many of the first Harlan's contemporaries dismissed him as an eccentric, including Oliver Wendell Holmes, who described his mind as "a great vise, the two jaws of which could never be closed," the Kentuckian emerged as an icon of judicial liberalism in the second half of the twentieth century by virtue of his famous dissent in *Plessy v. Ferguson* (1896), his willingness to extend the protection of the Bill of Rights to the states via the Fourteenth Amendment, and his robust endorsement of the government's authority to tax great fortunes and regulate corporate abuses.

Yarbrough has wisely chosen not to re-examine ad nauseam many of Harlan's celebrated dissenting opinions that have received ample attention elsewhere. His discussions of *Plessy v. Ferguson*, the *Civil Rights Cases* (1883), *U.S. v. E. C. Knight Co.* (1895), and *Lochner v. New York* (1905) are therefore compact and to the point. Instead, Yarbrough shifts the spotlight to many of Harlan's lesser-known opinions, his pre-judicial and extrajudicial activities, and his relationships with siblings and children. The portrait that emerges in less than 250 pages is not always flattering to the Harlan of legend, but it is balanced and complete.

A Kentuckian who admired Henry Clay and the Whigs, Harlan also flirted seriously with the Know-Nothing movement, embracing its antiforeign and anti-Catholic platform. He opposed secession and fought for the Union but campaigned against Lincoln's reelection in 1864 and denounced emancipation. As the state's attorney general in 1866, he endorsed the indictment of Union general John M. Palmer for aiding slaves in their escape, despite the Thirteenth Amendment.

Harlan often used his judicial robes as a defense against the swarms of creditors who constantly plagued his debt-ridden life. He displayed callous indifference to the fate of his older brother, James, an alcoholic and drug addict. He also kept at arm's length his putative half-brother, the mulatto Robert, the offspring of his father's liaison with a slave. Although he strove often to advance the careers

of his two sons, even when it conflicted with his judicial duties, Harlan also regarded them as ungrateful misers who kept their father on a short financial leash.

The justice who declared the Constitution color-blind in *Plessy* and who believed that the nation's newest colonial wards were entitled to the Bill of Rights remained hostage nonetheless to the racial and ethnic stereotypes of his time and place. While he did not believe Kentucky had the authority to ban integration at Berea College, he apparently did not regard the Fourteenth Amendment as a bar to segregated public schools. Writing to his son in defense of the Chinese Exclusion Act, he speculated that the United States would not welcome "a tide of immigration [of] Asian savages" and that the Chinese would not assimilate "to our people." Only Americans, he affirmed, "or those who become such by long stay here, understand American institutions."

Yarbrough's Harlan is not the jurist of romantic myth, pure of heart and consistent in his judgments, but a more complex Harlan, someone plagued like the rest of us by doubts and contradictions.

Michael E. Parrish
University of California
San Diego, California

Lincoln. By David Herbert Donald. (New York: Simon & Schuster, 1995. 714 pp. \$35.00, ISBN 0-684-80846-3.)

The Inner World of Abraham Lincoln. By Michael Burlingame. (Urbana: University of Illinois Press, 1994. xxx, 380 pp. \$29.95, ISBN 0-252-02086-3.)

David Herbert Donald's biography of Abraham Lincoln has been long anticipated as an opportunity for the American people to sit at the feet of a great Lincoln and Civil War scholar and learn from the conclusions of his lifetime of study. Misconceptions would be cleared away, and a new and defining portrait of Lincoln and his place in history might result. What a disappointment, therefore, to read in the first page of *Lincoln* that Donald

would present, not his views of Lincoln, but Lincoln's views of himself. The biography, Donald states, was "written from Lincoln's point of view, using the information and ideas available to him. It seeks to explain rather than judge." But judgment, evaluation, is precisely what was wanted from one of Donald's stature and experience.

There are other disappointments and surprises. The basic trait of Lincoln's character, writes Donald, was "the essential passivity of his nature." As Lincoln wrote an editor in 1864, "I claim not to have controlled events, but confess plainly that events have controlled me." This sentence, quoted on the dedication page, is clearly meant to be the book's motif. How can it be reconciled with Donald's reference to Lincoln's "unquenchable ambition" and to his statement that by the end of the war Lincoln was "fully master of the almost impossible job to which he had been elected"?

Far from being passive, the young Lincoln was so ambitious, Donald declares, that years passed before he could trust himself. In his 1838 speech warning that American freedoms could be overthrown by some "towering genius" who thirsted for power and cared not how he used it, Donald says he was "unconsciously describing himself." Ten years later, however, Lincoln was at peace with his past and with himself and was an "aspiring member of the bourgeoisie."

Throughout his book, Donald disparages Lincoln's antislavery convictions and career. Incredibly, readers are told Lincoln was passive about slavery before the 1850s because he did not think it an important or divisive issue and because "he had so little personal knowledge" of it. But in the late 1840s antislavery friends in Congress convinced him of the evil of the institution. Thinking back, Lincoln now became tormented by the cheerfulness of some slaves he had seen being sold down the Mississippi in 1841. At the time, according to Donald, he had been "amused" by it. This interpretation is unjustifiable, and the congressmen named who opened Lincoln's eyes had had far less personal knowledge of slavery than Lincoln had.

Lincoln is partially redeemed by its rich and detailed examination of Lincoln the politician. Donald shows how artfully Lincoln planned

his political campaigns and how, as president, he preserved his authority over critical leaders in his own party through tact and, occasionally, guile. In state papers and public letters he prepared the Northern people for emancipation and explained the necessity for the controversial suspension of the writ of habeas corpus. Although Lincoln was able to maintain public morale and keep the divided North in the war, his fate and that of the country depended on his generals, with whom he was not sufficiently forceful.

Where Donald narrates Lincoln's life as Lincoln saw it, Michael Burlingame draws a psychological portrait based on what Lincoln's contemporaries saw and remembered of him. Both writers discuss Lincoln's "towering genius" speech; curiously, Donald gives it a psychological interpretation, and Burlingame, who makes much the better case, a political one. Both agree that Lincoln experienced a profound emotional change in the middle of the century. Donald attributes it to satisfaction with the life he had made for himself; Burlingame, to the opportunity after his term in Congress to analyze the slavery issue and to formulate a policy for dealing with it. Unlike Donald, Burlingame stresses Lincoln's lifetime hatred of slavery and his record of action against it. If he did not speak out before 1854, it was because he shared the general assumption that it was on the road to extinction. He learned better, and all of the 175 speeches he delivered between 1854 and his election as president dealt with slavery.

There are illuminating chapters describing the origins of Lincoln's antislavery principles, his permissiveness as a father, his emergence as Father Abraham during the war, his depression, his attitude toward women, his ambition, and his anger and cruelty. The cruelty was confined to the years before his midlife change, when he often humiliated and insulted opponents, even in court. But he continued to the end to become angry at bullies, at proslavery fanatics, at dirty tricks in sports and politics, at charlatan weapons promoters, at pestering office seekers, and at army officers who would not fight. Still, Burlingame believes the remarkable thing about Lincoln's temper was how seldom he lost it, considering the provocations.

By far the most controversial chapter is the last, "The Lincolns' Marriage." The first school about the marriage is that of Lincoln's law partner, William H. Herndon, who claimed Lincoln's life with Mary Todd was "a domestic hell on earth" and Mary herself "the female wildcat of the age." The second follows in the tradition of Ruth Painter Randall, who presents the marriage as "an appealing love story." Although in recent years there has been a qualified revival of the happy marriage school, Burlingame comes down powerfully on the other side. In fifty-eight pages of text and in 425 endnotes, many of them extensively annotated, he presents a superabundance of material substantiating the worst allegations of the Herndon school. He recognizes the dangers of excessive reliance upon reminiscences and in most of his book is judicious in their use, but in this chapter he appears to have welcomed any anti-Mary horror story.

The Inner World of Abraham Lincoln—as opposed to the outer, much-written-about world—is original and important: the Lincoln who walks out of its pages is a real person, a fallible but admirable human being. That is a measure of what Burlingame has accomplished, and it makes Lincoln's accomplishment of what Donald calls his "almost impossible job" all the more impressive.

William Hanchett
Emeritus
San Diego State University
San Diego, California

Robert E. Lee: A Biography. By Emory M. Thomas. (New York: Norton, 1995. 472 pp. \$30.00, ISBN 0-393-03730-4.)

Somewhere between the heroic image evoked by Douglas Southall Freeman's highly laudatory Pulitzer Prize-winning biography *R. E. Lee* (1934–1935) and Thomas L. Connelly's critical chipping away at the character and generalship of *The Marble Man* (1977) exists a very human Robert E. Lee. Too often, Americans have found it difficult, perhaps even undesirable, to humanize "the patron saint of the American South" and to subject

the general's life and accomplishments to objective review. Emory M. Thomas suggests that the time has come to appreciate the Confederacy's key army commander for who and what he was: "History needs Robert E. Lee whole."

Seeming at first glance to be the retelling of a familiar story, Thomas's biography develops instead a "postrevisionist" view of the Southern chieftain. Beginning with a fresh look at the primary documentation of the general's life, Thomas measured the Virginian's own words and actions against the Lee—or, more accurately, the Lees—that Freeman, Connelly, and others have described. With true Freemanesque eloquence and sympathy, Thomas views Lee first and foremost as a great human being: "Lee was a great person, not so much because of what he did (although his accomplishments were extraordinary); he was great because of the way he lived, because of what he was." While he examines the different roles Lee played in his lifetime—dutiful son, army engineer, slave owner, doting husband and father, loyal subordinate, army commander—Thomas tries first and foremost to understand Lee the man. Thomas's Lee is shy, socially awkward, nonconfrontational, most comfortable in the company of younger women, driven by a profound sense of family and professional obligation, and, sadly, "always wanting," or lacking, that undefinable thing that would make him happy. Painfully aware of shortcomings, both his own and those imposed on him by factors beyond his control in his personal and professional lives, Lee remained a frustrated man who adhered to a strict sense of duty for a degree of inner harmony: "He all but defined self-control and obeyed rules meticulously; yet he did so to be independent, to be free." One need not accept all elements of Thomas's psychological profile to gain a greater appreciation of the complexity of the general's character.

In defining Lee the man, however, Thomas takes no great pains to fend off the modern critics of Lee the general. Civil War military historians may be pained to find that he does not challenge directly Connelly's many sharp criticisms of Lee or debunk Alan T. Nolan's pointed indictments in the controversial *Lee Considered: General Robert E. Lee and Civil War History* (1991). He does not refute—or