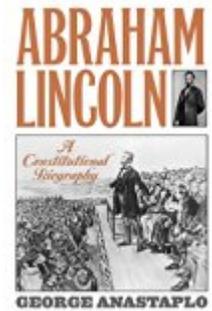


George Anastaplo. *Abraham Lincoln: A Constitutional Biography*. New York: Rowman & Littlefield Publishers, 1999. x + 373 pp. \$35.00 (cloth), ISBN 978-0-8476-9431-0.

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A MEDITATION ON STATESMANSHIP, AMERICA, AND LINCOLN

George Anastaplo styles his new book on Lincoln a “constitutional biography.” The genre is unfamiliar. What should readers expect? An account of how Lincoln came to his constitutional views and how they evolved? Or perhaps a description of the various constitutional crises and problems which Lincoln confronted?

As it turns out, Anastaplo’s book does not attempt either of these projects. His “constitutional biography” of Lincoln bears little connection to conventional understandings of “biography.” The book, made up entirely of previously published essays, is a meditation on prudent statesmanship and the basic principles of the American political regime, as exemplified principally, but not exclusively, by Lincoln. In fact, Lincoln figures rather little in the first half of the book, which includes chapters on such topics as the Declaration of Independence, the Northwest Ordinance, “The Common Law and the Organization of Government,” and Tocqueville. Anastaplo explains in the book’s prologue that these chapters are intended to “suges[t] the constitutional, political and social background out of which Lincoln emerged.” (p. 2). The book’s second half consists primarily of detailed exegesis of Lincoln’s writing and speeches. Anastaplo has rounded up the usual suspects – the Lincoln-Douglas debates, the inaugural addresses, the Emancipation Proclamation, the Gettysburg Address, and so on – but he also gives us a chapter on Lincoln’s poetry.

Anastaplo’s treatment of all these topics is heavily influenced by the late Leo Strauss, the brilliant and controversial political philosopher who taught at the University

of Chicago. As a substantive matter, Anastaplo’s Straussianism leads him to dwell repeatedly on the distinction between the natural and the conventional, the importance of natural right, the tension between equal rights and unequal virtue, and, especially, on the indispensable role of prudence in politics. As a methodological matter, Anastaplo’s Straussianism means that his argument proceeds via the meticulous dissection of texts. Anastaplo tries to squeeze insight out of every word, phrase, and grammatical pattern.

I don’t mind a dollop of Straussian theory now and again. Indeed, I think that Harry Jaffa’s *Crisis of the House Divided*[1] is a great book, and I find some of Strauss’s commentaries – for example, his book on Machiavelli[2] – provocative and interesting. But Anastaplo’s application of the technique to Lincoln struck me as heavy-handed. For example, Anastaplo devotes three paragraphs to the fact that Lincoln’s clerk erroneously repeated the “sixty-two” in “1862” when transcribing the Preliminary Emancipation Proclamation of September 22, 1862 (p. 215). Anastaplo speculates that the clerk’s “inadvertent repetition” of “sixty-two” suggests that the clerk “made much of the date” and that, in particular, the clerk wished to emphasize that by 1862 (unlike in 1861) the Civil War had entered a mature stage (Id.). Anastaplo then wonders whether Lincoln “ever noticed this slip of the pen and, if so, what he (a master psychologist) thought of it” (p. 216). Well, maybe Lincoln would have thought the error reflected a deep political insight on the part of his clerk. I doubt it, though. Sometimes a clerical error is just a clerical error. I suspect Lincoln (a master

psychologist, but not a Straussian) understood that.

The book has other quirks, all of them more or less annoying to the non-Straussian, but easily brushed aside if one chooses. There is another, deeper problem. Straussian readings are most compelling when they emphasize the distinctive subtleties of various texts and thinkers, or when they disclose interpretive possibilities that are novel and arresting, perhaps even shocking. So, for example, one of the nice features of Harry Jaffa's argument is his claim that Lincoln self-consciously departed from Jefferson's understanding of the Declaration of Independence.[3] In this book, unfortunately, Anastaplo flattens documents. The Declaration of Independence, the Northwest Ordinance, and everything Lincoln wrote all seem to end up embodying virtually the same political theory, and that theory in turn seems all too consistent with the claims propounded by Strauss and endorsed by Anastaplo himself.

If, moreover, our goal is to fashion a general understanding of Lincoln's constitutionalism, textual exegesis (no matter how imaginatively applied) has its limits. Lincoln was a practical politician, not a treatise-writer or essayist. To be sure, as both Jaffa and Garry Wills[4] have demonstrated, close reading of Lincoln's speeches can pay huge dividends. Nevertheless, some of Lincoln's most interesting constitutional judgments were expressed as much or more through action than through argument. For example, Lincoln's suspension of the writ of habeas corpus gets remarkably short shrift (pp. 193-94) in a book that purports to be a "constitutional biography" of Lincoln.

As it happens, one of the most intriguing of Anastaplo's chapters is also one of its least methodologically Straussian. Anastaplo's chapter on "The 'House Divided' Speech" (pp. 149-56) departs from the book's general method; in fact, it almost ignores the text of Lincoln's famous speech. Instead, Anastaplo criticizes Jaffa for suggesting that were it not for Lincoln's speech, American slavery might have persisted until the present day. Anastaplo says that the "Jaffa approach tends to overestimate the significance of Abraham Lincoln" (p. 150). Conversely, Jaffa underestimates "the power of the principles of the American regime" and the extent to which "Lincoln was shaped by the United States" (Id.). Why does Jaffa, whom Anastaplo greatly admires, fall prey to these mistakes? Because, Anastaplo speculates, "[t]he politi-

cal is very much concerned with one's own[.]" and Jaffa is writing about "his greatest hero (if not even his Moses) from childhood, Abraham Lincoln" (p. 152).

Similar comments might apply to many biographies, and especially to books and articles about Lincoln, that great vessel of America's dreams and aspirations. Some readers of Anastaplo's "constitutional biography" will wonder whether Anastaplo's own book is really a biography of Lincoln – or whether, to the extent that it is biographical at all, it is autobiographical. After all, the essays were composed and published over a forty-year period, and so span much of the author's adult life; moreover, Anastaplo himself remarks (in his essay on the "House-Divided Speech") that "[a]ny commentator who plumbs the depths of Abraham Lincoln's words generously shares with others the beauties of his own soul ..." (p. 156). Whatever else might be said of Anastaplo's book, one comes away impressed with the author's moral conviction and character, his reverence for the great texts of American political history, and especially his enduring, optimistic dedication to a noble version of the American political experiment. For Anastaplo's fans, the book will no doubt be a treat. For other readers, dipping into the chapters (I would recommend the ones on the "House-Divided" Speech and the Emancipation Proclamation, which together provide a fair representation of Anastaplo's position) can provide an illuminating encounter with one thoughtful understanding of the American polity.

Notes

[1]. Harry V. Jaffa, *Crisis of the House Divided: An Interpretation of the Issues in the Lincoln-Douglas Debates* (2nd ed.) (Chicago: University of Chicago Press, 1982).

[2]. Leo Strauss, *Thoughts on Machiavelli* (Chicago: University of Chicago Press, 1958).

[3]. Jaffa, *Crisis of the House Divided*, 318-29.

[4]. Garry Wills, *Lincoln at Gettysburg: The Words that Remade America* (New York: Simon & Schuster, 1992).

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