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Reading between the Texts: Benjamin Thomas's 'Abraham Lincoln' and Stephen Oates's 'With Malice Toward None'

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READING BETWEEN THE TEXTS: Benjamin Thomas's *Abraham Lincoln* and Stephen Oates's *With Malice Toward None*, by Robert Bray, Illinois Wesleyan University

Stephen Oates has said that in *With Malice Toward None* (1977) he "immodestly undertook to write a Lincoln biography for this generation."[1] Without knowing precisely what Oates meant by "this generation," we can at least infer that he considered previous biographies outdated in their research, their interpretations, or both. Such is the conventional justification for new books on old subjects, but it also points to the strong intertextual relationship among Lincoln biographies, going all the way back to William Herndon.[2] Put simply, and I hope not tautologically, Lincoln biographies tend to be about the subject of Lincoln biography even as they purport, one descending from another, to elicit the "man himself." Oates, as will appear, goes to great lengths in *With Malice Toward None* to disguise intertextuality. Yet he hints at it in the preface when he calls his book the first "full-scale biography to appear in seventeen years."[3] The unnamed predecessor, one assumes, is Reinhard Luthin, whose *The Real Abraham Lincoln* appeared in 1960. Yet other than a declared devotion to the doctrine of biographical

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[1]Stephen B. Oates, *Abraham Lincoln: the Man Behind the Myths* (New York: Harper & Row, 1984), xi.

[2]By "intertextual relationship" or "intertextuality" I mean the "multiple ways in which any one literary text echoes, or is inseparably linked to, other texts, whether by open or covert citatations or allusions, or by the assimilation of the formal and substantive features of an earlier text. . . ." [M. H. Abrams, *A Glossary of Literary Terms*, 5th ed. (New York: Holt, Rinehart and Winston, Inc., 1988), 247. See also Thomas Greene, *The Light in Troy* (New Haven: Yale University Press, 1982), 16: "We as students of literature are interested in chains of words--images, sentences, passages, texts. In our province, the interplay between change and stability can be located most clearly in a work's intertextuality--the structural presence within it of elements from earlier works. Since a literary text that draws nothing from its predecessors is inconceivable, intertextuality is a universal literary constant."

By "going all the way back to William Herndon," I mean both the Herndon-Jesse Weik biography of 1889 and the vast amount of original source materials Herndon collected in the months and years immediately following Lincoln's death--letters, interviews and notes, all from people who had known Lincoln (especially in his pre-presidential Illinois life). The book Herndon wrote from this research thus became the "Gospel of Mark" of Lincoln studies: that text from which all others--synoptic, canonical or apocryphal--are derived.

[3]Stephen B. Oates, *With Malice Toward None* (New York: Harper & Row, 1977), xv. Subsequent page citations given parenthetically.

”realism” (Oates wished to “depict the Lincoln who actually lived [xv]),” the two authors and their books have almost nothing in common. *The Real Lincoln* is written in plodding prose and an awkward narrative, wholly unlike Oates's splashy style and flair for dramatizing. Nor has *The Real Lincoln* been a serious candidate for the laurels of “standard one-volume life of Lincoln,” an honor Oates was apparently seeking and which more than one important expert has accorded him.[4] Oates, despite the oblique reference to *The Real Lincoln* in his preface, and the occasional citation of the book in his notes, owes practically no artistic or intellectual debt to Reinhard Luthin.

Yet there is someone standing behind Luthin whom Oates *was* striving to supersede: Benjamin Thomas, whose *Abraham Lincoln* (1952) was greeted upon publication—and almost by consensus—as the prized “standard one-volume life” and remains an important Lincoln book nearly forty years later. *Abraham Lincoln* was intended, he said in the preface, “for the reading public rather than for the expert,” though he hoped of course that the experts would approve of it.[5] Thomas, wonderfully, managed to satisfy Lincoln specialists and popular readers alike, to make a book that was both readable and authoritative. He had two important advantages over earlier biographers: first, access to the Robert Todd Lincoln collection in the Library of Congress and, second, a thorough knowledge of Lincoln's speeches and writings gleaned from consulting editorially on the *Collected Works* publishing project. But in the end Thomas succeeded through his own talent and industry. As the biography of choice for Oates's

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[4]Richard N. Current has recently judged that "Oates's [Lincoln] must be considered, on the whole, the finest of the one-volume biographies." Current calls the work of Luthin and Benjamin Thomas "somewhat old-fashioned by comparison." ("Oates and the Handlins," in *The Historian's Lincoln* , Gabor S. Boritt, ed.; Urbana: University of Illinois Press, 1988; 378.) Writing in the *American Historical Review* a decade earlier, however, Current had been somewhat more restrained in his enthusiasm, praising mainly the "up to date quality" of the book (82: 1075). And Hans L. Trefousse, reviewing *With Malice Toward None* in *Civil War History* , calls it "an excellent biography which deserves to stand beside Benjamin Thomas' as a standard and modern treatment of the Great Emancipator." (23: 172).

[5]Benjamin P. Thomas, *Abraham Lincoln* (New York: Alfred A. Knopf, 1952), [vii]. Subsequent page citations given parenthetically.

father's generation, Thomas's *Abraham Lincoln* was surely the main competition for *With Malice Toward None.* Yet one would not know this from Oates himself, for he does not reveal that an intertextual battle has been joined: the preface and narrative are silent where Thomas is concerned. And, while *Abraham Lincoln* is cited perhaps a dozen times in the reference notes at the end of *With Malice Toward None*, these are mostly to note borrowings of primary-source quotations which Oates has not traced back to their origins. Since Oates never names other biographers in his text (he reduces them to the impersonal with rhetorical devices like "as one writer has said"); and since, in the interest a "clear-text" page, he does not use numbers for his reference notes (which most readers would not study in any case), Thomas's presence in *With Malice Toward None* is invisible, or at best dimly discerned as the author of just another not very important book on Oates's subject.

What I wish to show, however, is that Thomas's *Abraham Lincoln* is in fact a major unacknowledged source--an informing subtext--for *With Malice Toward None*, especially in the first two-hundred pages or so of the latter—approximately the two-fifths of the book treating Lincoln's life before the presidency. I have determined that Oates, for whatever reason, has freely used Thomas's information, his language and even his narrative structure at many points in *With Malice Toward None* . And he has done so without crediting Thomas's work.

Let me begin with a single incident from Lincoln's early life in Indiana, the death of his mother, Nancy Hanks Lincoln. Here is how Thomas tells it:

> In the late summer of 1818 a dread disease swept through southwestern Indiana. Known as the "milk-sick," it is now believed to have been caused by cattle eating white snakeroot or rayless goldenrod and passing on the poison in their milk. All that the pioneers knew about it, however, was that it struck quickly and usually brought death. In September both Thomas Sparrow and his wife came down with it. The nearest doctor lived thirty miles away; even if his services had been available, he could have offered little help. Within a few days both sufferers died. Thomas Lincoln knocked together two crude coffins and buried the Sparrows on a near-by knoll. Soon afterward Nancy Hanks Lincoln became ill and died on October 5. Again Thomas put together a rude coffin, and

again the awfulness of death afflicted the little group in the wilderness cabin. The body lay in the same room where they ate and slept. The family made all the preparations for burial, and conducted the simple funeral service, for no minister resided in the neighborhood. The woods were radiant with autumn's colors as they buried Nancy Lincoln beside the Sparrows.

Once again the Lincolns had hard times. Twelve-year-old Sarah cooked, swept, and mended, while Thomas, Abraham, and Dennis Hanks hewed away at the forest and tended the meager crops. Their fortunes ebbed. Deprived of the influence of a woman, they sank almost into squalor (11).

Now Oates's version:

The following summer an epidemic of the dreaded “milk-sick” swept through the area. Many settlers died, including Thomas and Elizabeth Sparrow, and then Nancy too fell sick and died. She was only thirty-four years old. While Thomas fashioned a black-cherry coffin, the dead woman lay in the same room where the family ate and slept. Then came the funeral on a windy hill, with Thomas, Sarah, Abraham, and Dennis Hanks huddled around the grave. In subsequent years Abraham said little about his mother's death, as reticent about that as he was about her life and family background. But he once referred to her as a wrinkled woman with “withered features” and “a want of teeth.”

Dennis Hanks now moved into the Lincoln cabin and shared the loft with Abraham. Twelve-year-old Sarah tried to fill her mother's place, to make and mend clothes for the menfolk, to clean, cook, and wash for them. But it was hard without a woman, and the Lincoln homestead sank into gloom and squalor (8).

The intertextual relation between the passages is clear, first and most obviously in the common language. Thomas: “dread disease swept through,” “the body lay in the same room where they ate and slept,” “Twelve-year-old Sarah cooked, swept, and mended,” “Deprived of the influence of a woman, they sank almost into squalor.” Oates: “dreaded 'milk-sick' swept through,” “the dead woman lay in the same room where the family ate and slept,” “Twelve-year-old Sarah tried to fill her mother's place, to make and mend clothes for the men, to clean, cook, and wash for them. But it was hard without a woman, and the Lincoln homestead sank into gloom and squalor.” This last parallel is particularly telling. Not only are “twelve-year-old Sarah,” “sank” and “squalor” verbatim from Thomas, but the syntax is also similar. Moreover, Oates's narrative structure—the selection of events and details and their ordering—strongly resembles Thomas's, though Oates has at some points compressed the story, at others expanded it (as in the curious quotation, anachronistic in this context, from Lincoln's letter to Mrs. Orville H. Browning

concerning Mary Owens, written nearly twenty years after Lincoln's mother's death—if in fact it is truly Nancy Hanks rather than his stepmother, Sarah Bush Lincoln, being referred to).

Is this an instance of plagiarism?[6] On its face, yes, though possibly the passages have come down independently from a common ancestor, in which case Oates might not have been re-writing Thomas and *both* biographers were plundering the same source. Because neither biography uses numbered notes, and Thomas's does not even give page references, it is difficult to know precisely what documentation each is using for any given narrative segment, and even harder to discover whether any discrete fact or assertion derives from specific pages in a source, once that source is identified. Thomas, as readers may remember, makes only general references, chapter-by-chapter, to the important books, articles and documents *he may be employing*, while Oates often gives blanket page citations that are no help whatever in isolating details and can be misleading besides (see the example of his references for pages 7-9). Thus the best that can be done is to note the sources Thomas and Oates both cite and check these carefully. In the instance of the "milk-sick" episode, the single such source is Albert J. Beveridge's *Abraham Lincoln* (1928), which is generally accepted as the most circumstantial account of Lincoln's Indiana boyhood written before Lewis Warren's *Lincoln's Youth: Indiana Years* (1959)--cited by Oates but not the pages that describe the epidemic.[5] Beveridge's account (1: 47-50) has many of the same facts but spread over several pages and

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6The original Latin meaning of "plagiary" was a kidnapper or man-stealer. According to Harold Ogden White, the Roman poet Martial first used the word to refer to literary theft: "Someone had 'kidnaped' a few of Martial's poems by claiming them as his own" [*Plagiarism and Imitation During the English Renaissance* (Cambridge: Harvard University Press, 1935), 16]. The earliest English citation is Ben Jonson's from 1601:"Why? the ditt is all borrowed: 'tis Horaces: hang him plagiary" (*Oxford English Dictionary*). I subscribe to the definition of plagiarism promulgated by my professional organization, the Modern Language Association of America: "Plagiarism is the use of another person's ideas or expressions in your writing without acknowledging the source" [*The MLA Style Manual* (New York: the Modern Language Association of America, 1985), 4]. A *prima facie* instance of plagiarism would be one like the following: Thomas writes, "With them came Dennis Hanks, an illegitimate son of another of Nancy's aunts. . . (11)." And this Oates carries over nearly verbatim: "With them came Dennis Hanks, illegitimate son of another of Nancy's aunts. . . (8)."

embodied in a different style from either Thomas or Oates. In Beveridge the “milk-sick” comes in the autumn rather than the summer and isn't “dread” but “mysterious as forest shadows;” Thomas Lincoln “whip-sawed” the boards for coffins; and Beveridge does not have Nancy Hanks Lincoln's body lying in the cabin or the family's sinking into squalor or otherwise being much worse off than before her death.[6]

Another example of this sort of striking parallelism in the two narratives is the description of the “winter of the deep snow” in Illinois in 1830-31. Again, Thomas first:

> In the autumn almost all the Lincoln family came down with fever and ague, common afflictions of the Illinois country in the pioneer days. They became so discouraged that again they decided to move. But they stayed on through the winter—a hard winter. In December a raging blizzard set in. For days it showed no letup, until snow piled three feet deep on the level, with heavy drifts. Then came rain, which froze. More snow. When the weather cleared at last, a lashing northwest wind drove the sharp crystals across the prairie in blinding, choking swirls. Tracks made one day were wiped out by the next. The crust would support a man, but cows and horses broke through. Deer became easy prey for wolves as their sharp hoofs penetrated the icy surface and imprisoned them. Much fodder still stood in the fields, and feed for stock ran low. Day after day the temperature rose no higher than twelve below zero. For nine weeks the snow lay deep. When the spring thaw came, floods overspread the country (20-21).

And the same material in Oates:

> . . . . That autumn everybody on the Lincoln claim fell sick with the ague, a malarial fever attended by flaming temperatures and violent shakes. Then in December a blizzard came raging across the prairie, piling snow high against the Lincoln cabin. Then it rained, a freezing downpour that covered the snow with a layer of ice. Now a wind came screaming out of the northwest, driving snow and ice over the land in blinding swirls. Cows, horses, and deer sank through the crust and froze there or were eaten by wolves. For nine weeks the temperature held at about twelve below zero. Settlers called it the winter of the “deep snow,” the worst they had ever known (15).

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[6]Albert J. Beveridge, *Abraham Lincoln, 1809-1858* (Boston: Houghton Mifflin Co., 1928), 1: 47-9. Oates cites Beveridge, 1: 70, which in narrative time is well *after* Nancy Hanks Lincoln's death and mostly about Lincoln's reading , a subject not mentioned by Oates on pages 7-9. Ironically, the only place I have been able to find the detail of the "black-cherry coffin" is in Reinhard Luthin's *The Real Lincoln* (Englewood Cliffs, N. J.: the Prentice-Hall Co., 1960), 9; and William H. Herndon employs the word "dread" to describe the "milk-sick" outbreak on the Indiana frontier (*Herndon's Life of Lincoln*, Paul Angle, ed.; New York: Da Capo Press, 1983; 25). Oates cites neither Luthin nor Herndon in this context.

Once again, the only source in common is Beveridge, whose own ur-source is a venerable oral history from 19th century central Illinois, Edward Duis's *Good Old Times in McLean County, Illinois.* From Beveridge Oates cites I, 77-109, of which the relevant pages are 104-5. Yet, significantly, Beveridge's account of the Lincolns' first Illinois homesteading does not include a reference to autumnal ague. Nor does Beveridge mention that terrible northwest wind, "lashing" in Thomas, "raging" in Oates, but driving the snow in "blinding swirls" in both. Beveridge mentions the wolves, to be sure, but has them going hungry along with the other animals rather than preying upon them; moreover, his account lacks the detail, common to Oates and Thomas, of animals falling through the snow crust and thus perishing. Beveridge notes that "the cold was intense, often ten to twenty degrees below zero." Twelve below is rather more specific and seems to come from Thomas's thermometer. By conflating two of Thomas's sentences ("Day after day the temperature rose no higher than twelve below zero. For nine weeks the snow lay deep.") into one ("For nine weeks the temperature held at about twelve below zero."), Oates ends up with a climatological absurdity—even for Illinois during this winter of winters. In addition, Oates's lead sentence for the first full paragraph on page 16 is "When the snow melted that March, rivers overflowed and floods washed across the prairie," a syntactic echo of Thomas's last sentence in the quoted passage. And, finally, Thomas calls the episode "the winter of the Deep Snow" in his next paragraph (21), as does Oates (omitting the upper case). Beveridge does not use the phrase.[7]

Before turning to a more extended parallel that will require structural as well as stylistic analysis, here are a few other glaring similarities of language, detail, and syntax, taken from the first several chapters of the two biographies.

* * On political parties in 1834—

Thomas: "Party lines had become more definite now, and the Whig

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[7]Beveridge, 1 : 104-5.

and Democratic organizations were beginning to take form (41)."

Oates: "By now party lines had solidified. . . .In Illinois, Democratic and Whig organizations had begun to form. . . (26)."

* * On John T. Stuart—

Thomas: "Kentucky-born, a graduate of Centre College, at Danville, Stuart had enjoyed all the advantages denied to Lincoln. His father, a Presbyterian minister, was professor of classical languages at Transylvania College. Widely read, with Southern grace and charm of manner, Stuart had studied law in Kentucky and begun practice in Springfield in 1828. Only two years older than Lincoln. . . (42)."

Oates: "Lincoln observed . . . how graceful and charming he was. A fellow Kentuckian, Stuart was two years older than Lincoln and enjoyed advantages Lincoln had never had. Stuart's father was a Presbyterian minister and a professor of classical languages at Kentucky's Transylvania College. . . (27)."

* * On the State Legislature at Vandalia—

Thomas: ". . . flights of frontier eloquence were sometimes interrupted by the crash of falling plaster. . . .
"Almost all of them were young. Very few had been born in Illinois. (46)"
"As Lincoln left for home at the end of the session, he pocketed $258 for his services and traveling expenses. . . . Back in New Salem after a bitter ride in sub-zero weather. . . he. . . resumed his law studies. . . (48)."

Oates: "Most of the legislators were professional men, all were young, few were natives of Illinois. As they debated the issues of the day, falling plaster often punctuated their orations. . . . When the legislature adjourned in February, 1835, Lincoln pocketed $258 for his labors, rode back to New Salem in sub-

zero weather, and resumed his legal studies. . . (28)."

* * On becoming a lawyer—

Thomas: "On March 24, 1836 he satisfied the first requirement for admission to the bar when the Sangamon Circuit Court certified him as a person of good moral character (53)."
"At last Lincoln mustered courage for his bar examination. It proved easier than he expected. After answering some more or less perfunctory questions, he followed the practice of treating his examiners to dinner (54)."
"Near the end of the session Lincoln satisfied the last requirement for practicing law when the clerk of the Supreme Court enrolled his name as an attorney (64)."

Oates: "In March, 1836, he took his first step toward becoming a lawyer when the Sangamon County Court registered him as a man of good moral character. . . . At last he got up his courage and took the exams, sailed through without mishap, then treated his examiners to dinner according to the custom of the day (32)."
"On March 1 [1837] the clerk of the Illinois Supreme Court enrolled his name as a lawyer (39)."

In checking sources for these extracts, I have not found most of Oates's information or language anywhere but in Thomas, even when they both were citing a source in common.[8] And in the last example, Lincoln's becoming a lawyer, Oates unaccountably does not cite *any* source for the details in the paragraph from page 32.

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[8]An important book covering the years in the Illinois state legislature was cited by both biographers: William E. Baringer, *Lincoln's Vandalia* (New Brunswick: Rutgers University Press, 1949). Oates unhelpfully cites pages 3-62 from *Lincoln's Vandalia* , but in all that text the only detail/language I have found that Thomas and Oates both employed is the phrase concerning the delapidated statehouse in Vandalia: "Falling plaster frequently punctuated the eloquence of earnest debate (40)." Baringer's portrait of John T. Stuart (47) is very different in style and substance from those found in Thomas and Oates; he does not, so far as I could find, characterize the legislators as Thomas does on page 46 (Oates 28); and he has Lincoln being paid "more than a hundred dollars" (63) rather than the $258.

Looking at his reference notes for pages 30-33 (440), and remembering that he claims ("[s]o far as possible") to have listed sources in the order he employed them in the narrative (437), we find that the citations cover the state and national political campaign of 1836, then move to Lincoln's romance with Mary Owens—jumping over the matter of his formal legal preparation. Elsewhere, Oates cites John J. Duff's *A. Lincoln: Prairie Lawyer* (1960) as his principal source for Lincoln's legal training and career. So why not here? Perhaps for the very good reason that Duff does not show Lincoln taking a bar examination or treating his examiners to dinner.[9] It is difficult to know where Thomas may have discovered the information about Lincoln's bar exam and dinner celebration, since his own main authority on the subject is Albert A. Woldman's *Lawyer Lincoln* (1936), and Woldman declares that Lincoln was not obliged by law to take a bar examination and points out that there is no record of one having taken place.[10] It appears, therefore, that the incident of an exam followed by dinner is Thomas's alone—and one silently appropriated by Oates.

Turning now to the longest sustained parallel passages I have found—accounts of the Lincoln-Herndon law partnership—it is necessary to recall that both Thomas and Oates use the same narrative structure and format in their biographies. That is, long chapters comprised of small discrete segments of narrative which do not have numbered sub-headings. Often these segments even lack formal syntactic connection to one another, marked only by white space, asterisks and extra-spacing and no indenting for the type of

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[9] John A. Duff, *A. Lincoln: Prairie Lawyer* (New York: Bramhall House, 1960): "It is not recorded that the event of March 1, 1837 was signalized by the customary celebration, which 'took every form from dinner to drinks all around' (33)." Duff's context makes it clear he thinks that the 1 March events would have included both the bar examination and the final enrolling of Lincoln as an attorney--supposing, of course, that there was an examination, of which he finds no evidence. Thomas, following *Lincoln Day-by-Day* , lets the 9 September 1836 Supreme Court licensing be (by implication) the date of the oral bar examination, which Oates follows. Harry E. Pratt, *Lincoln Day-by-Day, 1809-39* (Springfield: Abraham Lincoln Association, 1941), 56.

[10] Albert A. Woldman, *Lawyer Lincoln* (Boston: Houghton Miffline Co., 1936), 22-3. Beveridge (1: 206) accepts 1 March 1837 as the day Lincoln received his law license but makes no mention of an exam or dinner.

the first word or phrase of a new section (Thomas); and by white space, extra indenting and a large, boldface capital to indicate the same thing in Oates. This similarity of structure is significant for two reasons: first, it gives both writers more narrative and dramatic freedom from the usual conventions of linked story and analysis; second, it allows the reader to see parallel narrative development more easily and clearly.

Thomas discusses the Lincoln-Herndon partnership on pages 96-100; Oates on 71-75. Thus both segments are about four pages long, with Thomas using thirteen paragraphs to Oates's nine. As can be seen from the highlighted areas of the illustrated pages, there is quite a lot of similar and some identical language between the texts. Yet it is the parallel structure in the two passages that is most arresting. While Oates includes some information not in Thomas, and vice-versa, for the most part they write about the same things, in recognizably similar fashion, though in somewhat different order. The following schematic gives the sequence of topics/incidents in both accounts.

	THOMAS	**OATES**
Incident	**[order & page]**	
end of Logan partnership	[1 : 96]	[1 : 71]
Lincoln chooses Herndon	[2 : 96]	[2 : 71]
H.'s background	[3 : 96-7]	[4 : 72]
L.'s reasons for choice	[4 : 97]	[3 : 72]
office routine	[5 : 97]	[7 : 73]
sketch of H	[6 : 97]	[5 : 72]
work habits	[7 : 98-9]	[6 : 72-3]
H. not socializing with L	[8 : 100]	[9 : 74-5]
conclusion: how they		

cared for each other [9 : 100] [8 : 74]

Oates may have thought to improve the coherence and flow of the episode by inverting incidents 3 and 4 and putting the amusing material about the Lincoln-Herndon office after the portrait of Herndon (somewhat expanded) and the description of how they worked together (which he shortens). And he may have decided to heighten the color of the partnership narrative by including a few details—not incidents—absent from Thomas, such as the doubtful story told by John H. Littlefield of seeds sprouting on the dirty floor of the office—which sounds like a tall tale out of Lincoln's beloved old southwestern humor.[11] These are a writer's prerogatives, certainly, without which the making of new biographies on seasoned subjects could not proceed. But the overall similarity of the two accounts suggests that Oates's may have been written out of Thomas's and demands, once more, a close look at the sources they employed in common.

Oates says in the reference notes that his "account of the Lincoln-Herndon partnership draws from Donald, *Lincoln's Herndon* , 6-49 and *passim* ; Duff, *Prairie Lawyer* , 94-117; Herndon, *Herndon's Lincoln* , 261-293. . . (443)." The first and last of these were also crucial to Thomas, while Duff's book, as the best later treatment of the legal career, would be a necessary resource for Oates.

In *Lincoln's Herndon* I found, not surprisingly, a great many of the details of the Lincoln-Herndon partnership scattered through pages 6-49, but little of the actual language used in Oates and Thomas (the Lincoln biographers speak of Herndon as "younger" or "junior" by nine years; Donald turns the disparity around: Lincoln is "older by nine years in time and a generation in discretion"[12]). An example of Oates's using

[11]Oates probably took this from Duff, although Duff himself thought the story "a mite too fanciful to swallow (112)."

[12] David Donald, *Lincoln's Herndon* (New York: Alfred A. Knopf, 1948), 22.

Donald *passim* is the description of Herndon's person in the middle of page 72. Most of the details are taken from a passage on page 129 of *Lincoln's Herndon* :

> It was not Lincoln's appearance that drew Herndon, for Billy
> with his erect five feet nine inches, his jet black hair, his
> penchant for patent-leather shoes, kid gloves, and top hats,
> cut a much more distinguished figure than did his partner.[13]

Clearly, Thomas used some of this for his own impressionistic sketch of Herndon at the bottom of page 97. Yet the most evocative detail of all—"he had sharp black eyes set in crater-like circles"—is not found, on page 129, or elsewhere, in Donald. Oates not only mentions Herndon's "black eyes" but like Thomas colors the hair "raven black" rather than the "jet black" of Donald. Since Herndon's person and dress are not described in Duff's *Prairie Lawyer* [14] (and Herndon, to my knowledge, draws no such self-portrait in *Herndon's Lincoln*), I conclude that Oates relied as much on Thomas as on the other sources, imitating his sketch and borrowing some of his tonal details.

Donald, with the leisure that a specialized study affords, could devote ten times more space to the partnership. His account is full of information and (appropriately) contains more analysis than narrative. Thus the section on Lincoln-Herndon's office is concentrated into three pages (32-4), while the analysis of what went on there occupies an entire chapter. In all this documentation, however, there is occasionally something missing—like Herndon's "raven eyes"--that turns up in Thomas and Oates. For instance, Donald duly mentions the irresistible detail of Lincoln's stovepipe hat's containing all manner of papers, which is originally from Herndon.[15] And both Thomas and Oates also pick it up, with the latter quoting Herndon's remark that the hat was "an extraordinary

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[13] Donald 129.

[14] Based on scrutiny of Duff, *Prairie Lawyer*, pages 94-117, and a check of the index under "Herndon."

[15] *Herndon's Lincoln* 254.

receptacle." But on the same page in Herndon is something Donald did not use: the bundle of documents with Lincoln's endorsement, "When you can't find it anywhere else, look in this."[16] Thomas and Oates quote Lincoln's injunction, but with a fascinating difference from Herndon: they italicize the "it." "When you can't find *it* anywhere else, look in this." When Herndon found the bundle of papers after Lincoln's death he noted Lincoln's writing but apparently not his emphasis. Where did Thomas learn of this subtle textual variant? Most likely, from the manuscript, which he may have examined as a part of his editorial research on the *Collected Works* . For this Lincoln one-liner did in fact become an entry in the *Collected Works* and can be found, with the "it" italicized, on page 424 of volume 8.[17] So where did Oates get *his* emphasized "it"? Either from the *Collected Works* or from Thomas.[18]

As a last aspect of the Lincoln-Herndon parallels, I would like to consider an interpretive question addressed in both accounts, the sort of issue one-volume biographies are expected to handle yet without having the writing room for much argumentation: Why did Lincoln choose William Herndon for his new law partner in December, 1844? According to Donald, after surveying the speculations—pity for poor, parentally-abused Billy, because Joshua Speed asked him to, because of political expediency, etc.--the best reason is the one Herndon himself gave: "I don't know and no one else does."[19] In other words, Donald believes there are many possibilities, none of which is cardinal. Thomas and Oates both say that Lincoln's community was "surprised" at his choice of Herndon,

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[16] *Herndon's Lincoln* , 254. The original editions of Herndon had this material as a footnote: William Herndon, *Herndon's Lincoln* (Chicago: Belford-Clarke Co., 1890), 315n.

[17] Abraham Lincoln, *Collected Works*, Roy P. Basler, ed. (New Brunswick, N.J.: Rutgers University Press, 1953), 8: 424.

[18] Oates does cite the *Collected Works* for this quotation (443). It is noteworthy, however, that Oates's other principal source for the Lincoln-Herndon partnership, Duff's *Prairie Lawyer* , uses the "look for it" quotation without the emphasis--evidently following Herndon rather than the *Collected Works* (117).

[19] Donald, *Lincoln's Herndon* 20, quoting Herndon's letter to Jesse Weik, 24 Feb. 1887, Herndon-Weik Collection.

then go on to explain it by mentioning several of the reasons from Donald's list. But is there a "thesis" argued in either version, a "controlling reason" from the list that orders the others and makes them cohere? If so, is such a thesis the same in both biographies? I think the answers are yes and yes. Thomas ends his paragraph of reasons on page 97 with this statement: "Moreover, Lincoln could train him according to his own methods and would no longer be dominated by an older man." What follows in Thomas's narrative is consonant with this interpretive key: opposites attracting, working well in "double harness," Herndon's hero-worshipping of Lincoln, and a relationship between them that deepened into something like father-son love. John Duff, in *Prairie Lawyer* , recognizing the cogency of Thomas's thesis, quotes it in his own analysis of the partnership and adds that Thomas's "life of Lincoln. . . must be considered as one of the great American biographies."[20]

This is lavish praise indeed, the more remarkable because Duff's monographic study cites Thomas's one-volume complete life for an interpretation! Is Oates also following Thomas's thesis? Readers must judge for themselves, but I think so. Oates writes, "At thirty-five, with a Congressional seat awaiting him, Lincoln wanted to run his own firm, be his own boss (71)." And on the next page he asserts that since Herndon was "young and inexperienced, he wouldn't contest Lincoln's decisions, wouldn't argue with him about which cases to accept (72)." The rest of the segment follows Thomas pretty closely, as we have seen, and the few significant departures tend to flesh out the "older-younger," "big and little" idea, as in the quotation from a Herndon letter to Joseph Fowler: "'He moved me by a shrug of the shoulder,' Herndon sighed. "He was the great big man of our firm and I was the little one. The little one looked *naturally* up to the big one' (74)."[21] If one could discount the similarities in language, and even the parallel

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[20] Duff, *Prairie Lawyer* 100.

[21]Oates does not identify this letter as to Joseph Fowler, though Donald does (*Lincoln's Herndon* 129. And it is fair to say that no one knows whether Herndon wrote these words with a sigh.

structure of the incidents in the two segments, there would still be this matter of thesis and argument. Benjamin Thomas had an idea about the Lincoln-Herndon partnership, a modest idea in a large context, growing modestly out of his sources, notably Donald's *Lincoln's Herndon* . But after all it remains a product of his mind and art. And for this he deserves at least a citation in the reference notes to *With Malice Toward None* .

While I could adduce many other instances of remarkable textual parallels between the books, I would like instead to turn to the related matter of Oates's theory and practice of biography. As indicated earlier, Oates strongly champions "realism," believing, I suppose, that biography is closer to history than to literature. He takes his theory from a book called *The Art of Biography* by Paul Murray Kendall, whose characterization of the genre he warmly espouses as his own:

> [T]rue biography is a unique province of literature whose mission is to 'perpetuate a man as he was in the days he lived—a spring task of bring to life again.' Long on realism and short on romance, true biography resists the lure of fictional imaginings so as to be faithful to biographical art—to what actually happened.[22]

It is this test of "realism" that Oates applies so severely to Carl Sandburg's *Abraham Lincoln* and which Sandburg predictably fails. For Oates, Sandburg was a mythographer whose work "cannot be regarded as authentic biography, as a careful and accurate approximation of the real-life Lincoln."[23] Oates is even harder on historical novelists. In a well-known essay entitled "William Styron's War Against the Blacks" he condemns and executes Styron for ignoring evidence that the historical model for the protagonist of *The Confessions of Nat Turner* was married and had children. The moral of this is "that an historical novelist, while free to speculate on deeper motivations, does not have the

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[22] Stephen B. Oates, "Carl Sandburg's Lincoln," *Our Fiery Trial* (Amherst: University of Massachusetts Press, 1979), 100.

[23] Oates, "Carl Sandburg's Lincoln," *Our Fiery Trial* 109.

license to impose on real human beings temperaments and physical traits they did not have, living conditions they did not experience."[24]

As philosophical claims, these strictures will not, I suspect, hold up (the subjects of biography or historical fiction, for example, are not "real human beings;" some of them *were* real human beings, of course, and as such they lived not the ordered, comprehended lives of characterization, but concatenations of sensations over time that formed consciousness of existence.). And even as rules for writing lives they are extraordinarily tough. How well, in light of his theory, does Oates meet such high standards? That is, does he practice what he preaches? Very briefly, let us look at examples of three levels of biographical narrative in *With Malice Toward None* and test each for "actuality."

1. Assertions of fact supporting a characterization. A favorite "spin" in Oates's narrative is Lincoln as master of language. And so he was, most of us would probably agree. The trick for the biographer is convincingly showing how he became so masterful with written and spoken English; it is still one of the opaque mysteries of Lincoln's life, despite the scrutiny of more than a hundred years. Perhaps aware of this, Oates begins early, giving Lincoln a boyhood "interest in poetry," based apparently on the fact that he wrote a couple of egregious quatrains in a copybook (10-11). Soon we find young Lincoln borrowing and reading the *Revised Statutes of Indiana* (15), though the cited source (Duff's *Prairie Lawyer*) calls this episode "distinctly on the improbable side," and goes on to remark that "[t]he story of the Indiana statute book is but one of a multitude of examples of the temptation that Lincoln's life affords to mingle fact with fiction." Then in the legislature at Vandalia in 1834 we hear that Lincoln, as a freshman, "did his most influential work in drafting bills and resolutions for other Whigs, who could not write so lucidly or logically as he. In truth, his writing abilities earned him the most accolades in

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[24] Oates, "Styron's War Against the Blacks," *Our Fiery Trial* 4.

those early days in the Illinois legislature (28)"—this despite his main source's contradictory claim that Lincoln was valued as a scribe, for his penmanship, and not as a particularly good writer.[25] Later we are told that Lincoln's poem called "My Childhood Home I See Again" was "a difficult poem for him to write, especially the stanzas on Matthew Gentry, but he stayed at it, revising and polishing the lines until he had them right (71)." Thus by 1846 Lincoln is represented as a self-conscious literary artist, though Oates's warrant for showing him "revising and polishing the lines" is nowhere found in the reference notes (443). Now all of these things concerning Lincoln and language may well be true. But given Oates's evidence, I simply cannot tell. Are they matters of fact or interpretations ? It certainly makes a difference "to the life as actually lived" whether Lincoln loved poetry as a boy, was good at composing legislative prose, and carefully and laboriously crafted his verse.

2. Dramatizing the emotions of characters. When Lincoln writes to Mary Owens from Vandalia on December 13, 1837, there is "a cold and windy rain spattering against his windows (33)," the perfect objective correlative to his melancholy. But where on earth did Oates get this weather report? There is nothing in the letter itself, and it is hard to imagine what other source than Lincoln himself would bother to note the weather on an insignificant December day in Vandalia, Illinois. To take another example, Oates tells us that when, in August, 1842, James Shields read the "Lost Townships" letters he "was transported with rage" and "burst into" the office of the editor of the *Sangamo Journal* , demanding "to know who had written those letters (61)." How can Oates know that Shields was "transported with rage," especially since the cited evidence suggests that he did not "burst into the office" but sent someone to ask for the author in his stead?[26] In the

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[25] Duff, *Prairie Lawyer* 5-6. "His proficiency in penmanship, not his knowledge, was being used." Baringer, *Lincoln's Vandalia* 62.

[26] Beveridge (whom Oates cites) and Herndon (whom he does not) both say that John D. Whiteside went to editor Simeon Francis's office to ask for the name of the author (Beveridge 1: 345; *Herndon's Lincoln* 192-

summer of 1855, according to Oates, Lincoln "despaired of ever extinguishing slavery by peaceful means." Indeed, his hopes of this were "shattered," and "[n]ever had things seemed so out of control (121)." As elsewhere in *With Malice Toward None* , Oates chooses strong verbs which, in this case, point to a much disturbed interior Lincoln. Yet no source for this language is cited. The next paragraph begins, "And then came a letter from Joshua Speed, like an anguished cry from the dark of night (121-22)." Granted, there is a simile at work here, but the natural inference of the reader is that Oates has Speed's letter upon which to base the author's putative "anguished cry." Oates leads the reader further along this path by asserting that Speed was "painfully certain that his and Lincoln's views differed now, and he set forth his feelings about slavery (122)." The trouble with this is that Speed's letter to Lincoln is not extant; Oates has built up a paragraph from Lincoln's reply to Speed (24 August 1855), from which one might fairly infer that one of Speed's subjects was slavery but not that he was "anguished" over it. This sort of narrative is not biographical by Oates's professed standards, but fictive. The license he is writing under is poetic. Thomas, incidentally, also has several similar paragraphs (163-4) on this important Lincoln letter, but he does not try to guess Speed's mood or to suggest that he and Lincoln are now anything other than "old friends."

3. Entering the mind of the subject. This is something even Gore Vidal declined to try. And we would not expect to see it in a "realistic" biography, given the relative paucity of clear documentary evidence of Abraham Lincoln thinking. Yet now and then Oates does get into Lincoln's mind. One of the most dramatic instances of this occurs in the context of Lincoln's seeking the Republican nomination for senator in 1858 and his worry that eastern Republicans will convince the Illinois party to choose Douglas instead. In a paragraph on pages 139-40 Oates represents Lincoln thinking through a series of rhetorical questions-cum-comments. Then follows this remarkable passage:

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3). Oates also asks us to "[s]ee also Harry E. Pratt, *Concerning Mr. Lincoln* . . . 18 (442)," but there is nothing relevant to the Shields affair on that page or any other in the book.

> If Douglas was involved in a plot to nationalize slavery, how could Eastern Republicans shake his hand and pat his back and talk of supporting him? Did they not understand that he was the same old Douglas? That there remained profound and irreconcilable differences between him and the Republicans? We must not hook on to Douglas's kite, Lincoln warned Republican leaders. We must maintain our own Republican identity. Douglas is not your man for the Senate. *I am your man. I, a pure Republican.* (140, italics in original)

Rhetorical questions indicating thought in narrative are of course themselves fictional devices. But I am concerned more with Oates's last two sentences. Italicized first-person language is often conventionally used in modern fiction to imitate a character's consciousness. Without being certain, I would say that this may be what is intended here—a glimpse into the private, innermost Lincoln. Does Oates want us to believe that Lincoln actually thought the represented thought? Taking "biographical license" in its broadest sense, we would still expect Oates to produce evidence that Lincoln said or wrote the equivalent of "*I am your man. I, a pure Republican* ." I can find no such evidence in Oates's reference notes (447), and even if a documentary warrant should appear, it would merely narrow, not bridge, the vast epistemological distance between something written and something thought. It may be that the scrutiny of any text causes it to begin to unravel, to "deconstruct" as the popular critical theory insists. All I know is that the closer I looked at passages like the one ending "*I am your man. I, a pure Republican*, the less "realism" and the less "Stephen Oates" I found. And the parts that *were* Oates were often not the realistic ones.

So why did Stephen Oates employ a poetic license in *With Malice Toward None* that he denies to others and to biography generally? And why, to ask a related question, did he plagiarize from Benjamin Thomas? My best guess in the first case is that Oates wanted to be esteemed both an artist and a historian in his work. As an artist, he would use what he called "the techniques of dramatic narration and character development, of

graphic scenes and telling quotations. . . (xvi).” As a historian he would depict “the Lincoln who actually lived (xv).” If my analysis of some of the early parts of *With Malice Toward None* is sound, I think we can say that the artistic and historical motives were sometimes in conflict—and that when they were art drove history, just as it would in a historical novel like Vidal's *Lincoln* .

The doctrine of biographical “realism” is also problematic for Oates. Intertextuality in Lincoln biography makes it impossible for any new biographer to make the subject itself new. Oates tried hard to create the illusion of the “real Lincoln.” As can be seen on any of his “clear-text” pages, his goal was to make the author seem to stand in an unmediated relationship with his subject: Abraham Lincoln and Stephen Oates and nothing else. But when he did not know enough, or perhaps did not care enough, as in the case of Lincoln's early life, he turned to someone who knew immensely more, someone who had already written that part of the life superbly well (and carefully). By hiding both the intertextual relation and the presence of Benjamin Thomas in *With Malice Toward None*, Oates has ironically confirmed the importance of both: plagiarism is absolute intertextuality.

To those Lincoln experts like Richard Current who have endorsed Oates's biography as the best one-volume life, and to the many reviewers, professional and popular, who have praised its artistry, I would humbly offer this advice: go back and read *With Malice Toward None* again—for the first time.