

# The Conspirator: Film on Lincoln assassination trial misses the mark

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*Directed by Robert Redford, written by James D. Solomon and Gregory Bernstein*

*The Conspirator*, directed by Robert Redford, is a historical drama centered on a little-known aspect of the assassination of President Abraham Lincoln: the trial by military commission of Mary Surratt (Robin Wright), who ran the boarding house frequented by Lincoln's assassin, the actor John Wilkes Booth. Surratt became the first woman to be executed by the US government (the next would be Ethel Rosenberg in 1953, a victim of Cold War anticommunist hysteria).

The film is an intelligent and well-acted telling of the events and generally stays close to the historical record. Screenwriter James Solomon spent some 14 years researching the story.

James McAvoy plays Union war hero Frederick Aiken, who defended Surratt at the request of her attorney, Maryland Senator Reverdy Johnson (Tom Wilkinson). Reverdy, a border state Southerner, was accused of disloyalty to the Union by members of the tribunal. Though he was able to avoid disqualification, he felt Surratt would be better served by having a Northerner of unimpeachable loyalty argue her case.

The film opens with a scene of carnage, the aftermath of a fierce battle. Dead and wounded Union soldiers strew the field, a reminder of the enormous toll of the Civil War. Aiken, severely wounded, tells jokes to cheer up a wounded colleague while they await help.

The scene shifts forward. It is April 1865, and Washington is celebrating the fall of the Confederate capital of Richmond, Virginia, and the surrender of the South's foremost military leader, General Robert E Lee. President Abraham Lincoln attends a play at the

Ford Theatre in downtown Washington. Meanwhile, Booth and his co-conspirators make their preparations.

The assassination of Lincoln and the stabbing by a second conspirator of Secretary of State William Seward, who survives, shock the population. There is a massive outpouring of grief. Great crowds turn out to line the route of the train carrying Lincoln's body to Illinois for burial. Secretary of War Edwin Stanton (Kevin Kline) orders a full mobilization to hunt down Booth and his associates, who also intended to kill Vice President Andrew Johnson.

After eluding capture for almost two weeks, Booth is trapped in a barn and shot dead by Union soldiers. Another seven men are arrested in connection with the plot to kill Lincoln. They, along with Surratt, are to be tried before a military commission on the grounds that Lincoln, as president, is commander in chief of the Union armies.

Initially, Aiken is reluctant to defend Surratt, since he is convinced of her guilt. Doubts gradually emerge. In the end, he accuses an overzealous Stanton of railroading Surratt to the gallows.

Historians differ on the degree of Mary Surratt's involvement in the conspiracy. Many positively assert she knew about and participated in the assassination plot, while others take a more cautious approach. The evidence presented in court was somewhat sketchy. Members of the military commission, though voting to find her guilty, petitioned the Johnson administration for clemency on the grounds of her age and sex.

Mary's son John Surratt, a Confederate spy who initially eluded capture, was suspected of involvement in the plot. Mary's reluctance to incriminate her son complicates Aiken's defense. Ironically, John Surratt later escaped the gallows.

It is known that the assassination plot against Lincoln

grew out of an earlier scheme to kidnap the president and take him to Richmond with the intent of ransoming him for Confederate prisoners of war. With the fall of the Confederate capital, Booth decided to change the ransom scheme into an assassination plot.

The portrait of Stanton seems heavy-handed. Apparently in the strained interests of making an analogy to the Bush-Cheney assault on civil liberties (continued under the Obama administration), Stanton is portrayed as arrogant, overbearing and vengeful. While it is true that Stanton reacted aggressively to the murder of Lincoln, this response seems justified given the enormity of the crime and the fact that there were still Confederate armies in the field.

Asked about the similarities to contemporary events, director Robert Redford told one interviewer, “There are obvious parallels with how this country is today. We’re not making something up here to make a political point. It’s there.”

However, there are far more differences than similarities. The “war on terror” was largely concocted. The US government seized on the tragic and unexplained events of September 11, 2001, to justify a vast and open-ended expansion of executive power and the trampling of basic constitutional rights in the name of the struggle against a nebulous enemy. Hundreds were arrested and held without charges, and many tortured. Neo-colonial wars have been launched, with devastating consequences.

The assassination of Lincoln took place in the context of a Civil War, provoked by the rebellion of the southern slavocracy, that had gone on four years and cost more than 600,000 lives. While nearing a conclusion, hostilities had not formally ended. Confederate soldiers remained under arms in various parts of the South, and there was talk of the Confederate government continuing resistance in Texas, which remained largely unconquered. There was an active network of Confederate agents and sympathizers operating in the North.

Moreover, the struggle of the Northern armies to destroy slavery was a thoroughly progressive and, in fact, objectively revolutionary act. The assassination of Lincoln, which Karl Marx described as an event that had “a colossal impact throughout the world,” was a blow delivered by deeply reactionary forces.

Stanton had no way of determining, at least initially,

whether or not the murder of Lincoln was part of a wider conspiracy. Though the tribunal denied certain due process—e.g., the accused were not allowed to testify in their own defense—the defendants were apprised of the charges against them, had access to legal representation and were not subject to torture.

Despite that, Mary Surratt subsequently was turned into something of a martyr by sympathizers of the defeated Confederacy. The public perception that she had been unfairly dealt with was heightened by the fact she was tried before a military commission, rather than a civilian court, as well as the murky circumstances surrounding the dismissal by the Johnson administration of the clemency petition—Johnson would later claim he was not shown it.

The attempt to massage certain historical facts, to use this possibly unnecessary and vindictive act, in the interest of drawing a false analogy between the US Civil War and the “war on terror” seriously undermines *The Conspirator* and, perhaps unintentionally, provides current American government policy a legitimacy it does not deserve.

That being said, *The Conspirator* does not hammer the audience over the head. Its serious approach to historical questions is to be welcomed, and I hope this will not be the last such film directed by Redford.



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