



Who Put the You in Utopia?

Curriculum Unit 04.01.05
by Priscilla L. Luoma

Introduction

“No state shall make or enforce any law which shall abridge the privileges or immunities of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”
- From *Amendment XIV of the Constitution of the United States*

It is a rare person who does not act in his own self-interest, and our interests vary depending upon what we individually believe. Throughout this unit students will examine texts and explore how American society has been established in relation to the individual. When America is such a vastly diversified nation, how is it that the interests of every citizen are equally treated? Did the Founding Fathers find the magic mixture and create the “perfect union” in America? Students will read literature from the Puritan period to present day to assess the effectiveness of America as a truly equal state. To provide students with information that will help them develop informed opinions and judgments student will read the writings of men who worked to form a new society in the New World. Some of these writings include John Winthrop’s , *A Modell of Christian Charity* ; excerpts from Benjamin Franklin’s, *The Autobiography* ; Thomas Jefferson’s *Declaration of Independence* , and sections of the *Constitution of the United States* . They will also examine texts that depict the society in action such as Nathaniel Hawthorne’s, *The Scarlet Letter* ; the Supreme Court’s decision in *Brown v. Board of Education* ; and Michael Moore’s, *Fahrenheit 9/11* . Of course, any or all of these specific texts may be substituted for others of the respective periods. It is my hope that students will broaden their understanding of their nation and of their perspectives of themselves as citizens. Why in these past two centuries have so many people flocked to America? Why has America been revered as a utopian destination? Is it the proclamation guaranteeing individual liberties and equal rights to all that has drawn the crowds? Is equality in America real or imagined? Are all people actually provided equal protection under the law? Is equality an idealistic aim? Is it true that the *you* , the voice of the individual, is the foundation of our American utopia, or is the American dream is just that?

When my English students begin the text for the American Literature survey course, they seem to feel that they have little connection to the material. The object of the unit is to enable them to see the idea of society, and particularly theirs, in a different way. This ability to navigate their world with awareness is an important skill for my students. Despite the fact that they are eleventh-grade, honors students, many have limited first-hand exposure to diverse conditions, cultures, and perspectives. To take on a different approach to a seemingly familiar theme is challenging. Introducing the concept of utopia is an appropriate way of forcing students to examine, or reexamine, their understanding of society, their perceptions, their values, themselves. Adolescents generally think in an idealized way. Moreover, they often express dissatisfaction about the way things are at school, home, in their community, the nation, and the world. Their knowledge base is often insufficient to enable them to engage in profound discourse about their world and even, again, themselves. It is my hope that this unit will provide my students with a better understanding of major themes and ideas that give rise to a society and a state.

The Puritan Period

What was the intention of the colonial Puritans? Was it only in an effort to avoid persecution that they fled England, or did they want to build a society on their own ideologies and beliefs? Did it work? How were they able to maintain social cohesion and what was the role of the individual? The Holy Bible was the text that provided Puritans with spiritual, moral, social, and legal guidelines. Their theocracy was based on the exegesis of the clergy. It was the Puritan's devout belief that assured social cohesion and compliance by the individual. It was also the threat of punishment that maintained the cohesion. The Puritans believed that it was their responsibility not only to monitor their behavior but also to rid their society of any evil influences. This responsibility required citizens to be aware of their neighbor's actions and attitudes. Within the Puritan belief system existed the premise that Earth was a battleground for good and evil and; therefore, anything that existed was on one side or the other. It was especially true in the New World.

Puritan literature was often written in a biblical style. The advent of the printing press and King James' newly translated Bible made the book the most well known text in Renaissance England. The Bible had a dramatic effect on literacy rates, and its poetic style and didactic tone are echoed throughout the Puritan's writings. The earlier writings in particular were dramatically influenced by the struggle to survive. The forest, for example, was consistently used as a metaphoric and symbolic device to depict the darkness of nature, human or otherwise. The inclusion of the natural surroundings into the Puritan rhetoric only strengthened the belief in, and obedience to, Puritan theocratic law. The culmination of the Puritan practice in the Salem Witch Trials created a stark reality that resonated with many individuals' suspicions of a government with unquestionable authority.

A City Upon a Hill

John Winthrop's text, *A Modell of Christian Charity*, defines the structure of an ideal community. Written aboard the *Arbella* in anticipation of landing in New England, Winthrop addresses the common elements of all societies in the light of the Puritan perspective. This piece serves as an excellent backdrop for the period because Winthrop itemizes, in effect, the elements of his utopian community, and he states the rationale for his position. In his very first paragraph, which is one sentence in total, he establishes the necessity of a caste system which, he explains, is ordained by God. Students will benefit from analyzing this text and identifying its arguments and will be able to refer to the text as they are introduced to new perspectives. The themes Winthrop includes in his rationale for division by class are diversity, orderly regulation, dependence versus independence, and one source of all authority. From a literary perspective, Winthrop's text is an exploration in biblical analogies and similes. His rhetoric is persuasive because it implies consequences of varying behavior.

Winthrop sees the diversity in humanity as an intentional aim of God to create variety in man as it exists in nature as well as to create order in society "for the preservation and good of the whole" (Winthrop 1). He goes on to list a number of human flaws and of God's corresponding graces, indicating that status indicates likely, particular weaknesses. He stresses that the importance of order is to maintain a bond, arguing that dependence is preferable to independence. Later in the work he discusses the human impulse to self interest by reasoning that interest in others is interest in oneself. He cleverly weaves his blanket of society through examples: "each discernes, by the worke of the Spirit, his oune Image and resemblance in another, and therefore cannot but loue him as he loues himself" (Winthrop 6). Individuals are linked inextricably through God. Dependence is necessary for self-fulfillment.

Winthrop's society is one in which individuals are, admittedly, not socially, economically, or politically equal but have an equal spiritual opportunity. Each was equal in terms of being flawed in some way and needing God's grace. It is in a dual mode in which individuals operated as spiritual beings in earthly conditions. "There are two rules whereby we are to walk one towards another: Justice and Mercy" (Winthrop 2). Mercy is the means by which justice should be administered-but by whom? Is it the "riche and mighty," the "poore and inferior," the "mean and in submission," or the "high in eminent power and dignitie" (Winthrop 1)? John Winthrop would certainly be governing in Boston, and it would be his, and others', interpretations of biblical law that would define justice. Clearly, Winthrop and his ilk believed that under God's and nature's laws not all individuals were created as equals. Moreover, Christians were to distinguish themselves from non-Christians and bind themselves together in God's love. His vision is a sincere one, which he genuinely believes is in the best interests of all. Winthrop clearly understood that the individual must believe in his society. He must agree to being ruled. This may seem paradoxical when the Puritans' belief in God as an absolute and controlling authority was so complete. However, in order to live such a disciplined and rigid life, the heart must give its consent. In order to appeal to the individual, Winthrop demonstrated the positive rewards of following God's word, while Jonathan Edwards, as we will see, motivates through fear. So, what does Winthrop's "cittie upon a hill" look like? How did it function? Why is the bonding of individuals so essential to his vision? What provisions did he make for the satisfaction of the individual? Was his idea (ideal) a good one? Was it realistic or not? Does it bother you? Why did it change? Students will explore the text and identify the characteristics associated with class distinction. They will also identify what values, principles, and/or conditions exist in current society, and in which society (current or Puritan) they, as individuals, would have preferred.

Jonathan Edwards

Like Winthrop, Edwards is sincere. Both men are genuine in their conviction that individuals should indeed act on their consciences and not simply out of fear of the law. But it is fear which Edwards uses to motivate a real change in the individual hearts of his congregation. He is not desirous of compliance for the mere sake of it; he wants individuals to invest, buy into the idea that God is a supreme being to whom all are subject. Perhaps the role of the individual is best and most concisely defined in Edwards' famous sermon, *Sinners in the Hands of an Angry God*. Spiritually there is no distinction between men. Edwards asserts that the individual exists only as a despicable object of God's loathing, regardless of worldly distinctions. The individual can do nothing for himself, save to hope for God's mercy. Still Edwards makes a call to the congregation for its individuals to accept their salvation. They are powerless and can only wait on the undeserving mercy of God. His sermon begins with a generalized didactic approach. He teaches the concept of salvation. His focus then shifts as he addresses individuals. He imagines aloud just what each sinner might be thinking. He works on the conscience of the individual to cause the sinner to feel convicted. Additionally, he creates startling imagery for those who fail. This approach of Edwards is possibly the most profound because it is designed not to simply force a behavior but to change a belief, which is the seat of behavior. Edwards recognizes that fear alone is not a proper motivational tool and that people must believe that they are acting in their own best interest.

The Scarlet Letter

"The bow of God's wrath is bent, and the arrow made ready on the string, and justice bends the arrow at your heart . . ."

- Jonathan Edwards

One of the major themes of this text is the irony in the social status and personal courage of the two main characters and their relationship with the law. As students will see in Nathaniel Hawthorne's, *The Scarlet Letter*, no one character is above reproach or has greater justification for his or her behavior. Yet, it is Hester Prynne's partner in sin who plays an admittedly reluctant role in her public shaming. The novel is a retrospective piece of fiction, and Hawthorne has the benefit of knowing the effects of Puritanism. Hawthorne's approach is an arguably cynical one in which the coercive nature of Puritan law creates an alternate existence, which is kept hidden, mainly in the forest. Under the bright lights of Winthrop's utopian model the dark, authentic nature of the human condition thrives. These human conditions are dark only because Puritan philosophy will not tolerate them. Hawthorne has chosen four characters from different levels in society to demonstrate how ineffective laws are in containing the human spirit while analyzing the effects of self and shared interests. Hester is the primary victim of her Puritan society. She is a woman, a second-class citizen, and a minority. Complicit in the crime of adultery is Reverend Dimmesdale, who is held in high esteem. Roger Chillingworth is a professional man whose medical expertise is sought after and respected. Finally, Pearl, Hester's daughter and the fruit of her crime, is the innocent and the hope for the future.

The novel begins with the public and legally sanctioned shaming of Hester. Hawthorne immediately demonstrates through Hester's demeanor that her heart is not in keeping with the law's punishment. The law is interested in maintaining conformity, and its proponents parade Hester in the public square as a reminder to others who may be tempted to stray. Hester's behavior has threatened the social bond of the community. The leaders are eager for her to reveal her lover because his existence among them perpetuates that threat. The only way for Hester to remove the "A" from her dress is to compromise her personal convictions and be disloyal to her lover. Yet, Hester is a paradox of sorts. Although she has committed an act that in the minds of

some should be punishable by death she demonstrates the noblest qualities. Hester maintains her personal dignity, becomes self-sufficient, raises her child in keeping with community standards, defends herself, and keeps her silence. Hester is defined by her crime, but her character is admirable. However, the structure of society and its lines of demarcation must be preserved, and despite Hester's personal courage, or because of it, she is ostracized and nearly stripped of her custodial rights.

Reverend Dimmesdale is the state's, and God's, representative, yet his character is weak, cowardly, and hypocritical. Dimmesdale benefits from Hester's suffering as a result of her loyalty to him. He is revered and admired in the community. His reputation and his outward life are exemplary, but he leads a contrasting life inwardly. Dimmesdale feels convicted by his crime and by Hester's bearing the burden of it. The result of Dimmesdale's maintaining a position which he believes he should not is a cognitive dissonance that rages within and slowly but ultimately kills him. Thus the lie no longer exists. Dimmesdale's demise is hastened by the influence of Roger Chillingworth, Hester's husband, who secretly suspects Dimmesdale's complicity in Hester's crime. As Hester's husband, Chillingworth concludes that it is in his best interest to discover and punish the man who slept with his wife. And it is to this end that he dedicates his life. As a result of Chillingworth's pursuing this sole purpose, he falls into decline and begins to physically resemble the devil. Chillingworth is cold and calculating, as his name suggests. His character represents self-interest without compassion or restraint.

Pearl's character in some ways acts as an id. She is fearless and instinctive. She rejects the scorn of the community and throws rocks at children who despise her. When the governor sees her he is compelled to speak to her, to find out whom she is. He describes Pearl as elfish and comments on her scarlet cheeks. His inexplicable delight at her presence is Hawthorne's way of illustrating the undeniable human compulsion that exists in all humanity. He is moved, pleased, charmed one might say by her uninhibited manner. Perhaps this is why he decides that Pearl should be raised by someone other than Hester. He has seen and felt the influence of this natural, unaffected girl, and it is the unrestrained spirit that breeds freedom of thought and action. Pearl is the manifestation of simple truth, a rare, honest absolute in a world of distorted perspectives.

As the drama unfolds the characters act in their own self-interests It would benefit Hester to reveal that Dimmesdale is the father of her child. She might then be forgiven, relieved of her scarlet letter, and accepted back into the community. But the community holds no interest for Hester. What does she stand to gain by association? She does not share their values. She has not bought in to the Jonathan Edwards' idea that she is a "loathsome creature." Hester understands the natural conditions of honor and shame, but she does not subscribe to the authorities' legal interpretation of God's word. By the end of the novel, she suggests to Dimmesdale that they leave the community and make a better life across the seas. She has a different experience, and there is no room for difference in the law. Eventually, Hester's reputation is mostly forgotten. Only a few spiteful people are willing to remind others just who and what Hester is. The majority, however, see the "A" as a changing symbol. They recognize Hester's goodness and begin to define her, still by the "A", but with a respectable meaning.

The Age of Reason

The emergence of the individual as a sovereign entity was both a precursor to, as well as a result of, the American Revolution. The Magna Carta had initially acknowledged that individuals had rights and had taken power from the king, placing it in the hands of the parliament, and to some extent, the people. This idea was not lost on the colonists. Though loyal subjects of the king, the colonists couldn't help but feel oppressed by England's unwillingness to negotiate. It was during this period when the mysticism of spiritual belief was in large part replaced by the individual's own sense of morality. The necessity of the will of the individual to actualize prevailed and the importance of, and reliance upon, both God and the king were diminished. Roles are reversed: instead of man serving God, pre-revolutionary speeches depict a God who is justly serving man. It was the job of the Framers of the Constitution to assign their new power wisely. As a result, society is reordered and the power is placed in the hands of the people, or so it seemed.

No one is foolish enough to believe that when the Founding Fathers wrote the Constitution they intended to create a utopia. However, their word of choice is interesting. They did not say they wanted to create "a better union" or "a new and improved union." The phrase in the Constitution's preamble, "a more perfect union," suggests that although one may not have had a clear vision of a perfect state there existed somewhere, in someone's mind, the notion of perfection, an ideal, perhaps a utopia. What follows this phrase are the values necessary to build a more perfect place: justice, peace, security, and liberty. When the Founding Fathers added liberty to the list, they were responding to their recent history under Britain's tyrannical rule and wanted to protect their sovereignty. However, this principle could not pertain to the government alone. In order to create a free nation, the individuals had to be free.

Benjamin Franklin

Franklin's work is a direct reflection of the age in which he lived. A sharp contrast to Puritan ideology, one of Franklin's most famous aphorisms is, "God helps them that help themselves." The idea is that the individual has control over his condition. Franklin's God is benevolent and understanding. His aphorisms teach social values and promote capitalism. *The Autobiography* reveals the human spirit free from authoritarian strictures. Even when Franklin's brother was imprisoned for printing offensive political material, there was no real fear of the government. Franklin jokes that when his brother is told that he "should no longer print the Paper called the New England Courant" some friends suggest that he simply change the name of the paper (Franklin 59). Franklin thrives outwardly as he reflects inwardly. His lists of virtues and precepts indicate a spirit that is self-governing, and in format and content they are much like the Bible's Proverbs. Interestingly enough, Franklin explains his virtues are a result of his desire to strive for "moral perfection," a drive to avoid committing any fault. This drive is virtually identical to the Puritan conviction of living a pure life, yet in Franklin's case, it is self-imposed. If humans are left to their own devices, will they do the right things? Maybe.

Patrick Henry

Henry's God is Franklin's God; and God is reasonable and sees things as man does. Henry asserts that the colonists are "not weak, if [they] make a proper use of those means which the God of nature hath placed in [their] power." God's power is delivered into their hands. The individual is responsible for his condition. What happens is a result of the individual's action. Henry's, *Speech in the Virginia Convention*, represents a pivotal moment in American ideological development. The seat of authority is shifting from God and king to, well, perhaps the people. One has the power, the liberty, in fact the responsibility to make a decision for himself

how he wants to be ruled. Henry ends his speech by speaking on his own behalf. He recognizes that liberty is the heart of life: without liberty one is dead, whether his blood is flowing or not. Without choice, consultation, or the sovereign nature of the individual acknowledged life is not one's own.

Thomas Jefferson

Jefferson's *Declaration* was in effect the formulation of the emotion, anger, resentment, and oppression felt by the colonists. They had suffered, labored, and created a prosperous place from which they and the king could equally benefit. *The Declaration of Independence* demonstrates a movement from ideology to legality. This document is written form of the colonists intentions not only to break from Great Britain but also their commitment to establishing a particular kind of society. The text is organized in a way that first defines what ought to be; it describes the ideal. Life and liberty, as in Henry's speech, are seen as equal partners; without one the other cannot exist. And without liberty, one cannot expect to pursue his happiness. Additionally, the language is strong and passionate. It then goes on to list the king's offenses, providing rationale explaining why the colonists can no longer be ruled by the whim of the king. After all, they were subjects, not slaves. The spirit of the individual, like a child, rises up and seizes its liberty. And liberty is a difficult thing to wrestle away when it is newly won.

James Madison and Alexander Hamilton

Factionalism is the major theme of Madison's *Federalist No. 10*. and a major concern of the Framers of the Constitution. When "happiness" can be perceived in so many different ways, how can one maintain social cohesion in determining the nature of a society's government? What is best and for whom, and who should decide? The two opposing schools of thought were debated in public through the publishing of the *Federalist Papers*. Hamilton had less faith in the individual's ability to self-govern and pushed for an authoritarian type of government. Madison, on the other hand, felt strongly about the need of the individual to assert himself and his ideas, to have self-control. If the law was created, interpreted, and judged by one entity, the likelihood of corruption was high, and the individual would feel estranged and ruled. However, if the power was spread equally among different entities, and extended to the people, no one voice decided the fate of another. Sharing power encouraged debate, the exchange of ideas, self-examination and an educating of those opposed to a particular perspective. Without the "consent of the people" government was suspect. The Framers understood that the people had to believe that the government's actions were condoned by the population. It was this system of shared power that was to keep government honest. Madison argued that, although not perfect, his proposal for a popular form of government protected by a balance of power was an improvement upon former popular governments. "The regulation of these various and interfering interests forms the principle task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government" (Madison 2). Dispersed power required a public forum and the involvement of many. In this way, the nature of the government would be one that encouraged exchange between competing interests.

The Constitution of the United States

“Actually men behave in their political lives with a disheartening illogicality. They live in a jungle of fear, filled with phantoms of what they have heard and imagined and been told. Their world is a world of a child’s nightmares – dark and brooding, crowded with dreads and anxieties, with the distortions of real objects, with the cruellest nonsequiters and anti-climaxes.”

- Max Lerner

Who wrote this document on which we now so heavily rely? Was it politicians, military men, patriots, philosophers, academics? How does this document differ in tone and intent from the *Declaration of Independence*? Many of the Constitution’s authors had political expertise, but the overwhelming common denominator was money. In his text, *Framing the Constitution*, Charles Beard suggests that the need to formalize the structure of government was urgent if the wealthy were to protect their interests. He describes the philosophies behind the two major schools of thought. Men like Jefferson, who wrote the impassioned *Declaration of Independence*, reasoned that there should be as little government as possible. They wanted to “defend the individual against all federal interference” (Beard 2). The revolution had just cost colonists their lives. They had fought hard for their national and individual independence. “A majority of the radicals viewed all government, especially if highly centralized, as a species of evil, tolerable only because necessary and always to be kept down to an irreducible minimum by a jealous vigilance” (Beard 2). Along with their suspicious and distrustful perception of government, these men believed in the inherent goodness and reasonableness of man. They were confident in their ability to self-govern and believed that “ ‘man was a rational animal endowed by nature with rights and an innate sense of justice’ . . . Occasional riots and disorders . . . were preferable to too much government” (Beard 2). Are the rights endowed here by nature the same rights Jefferson had earlier declared as endowed by the Creator? The language, word choice, indicates the changing roles of man and God. Are the rights no longer conferred through the spirit of God in man but exist inherently in man’s blood and bones, in his birthright? Because his rights may no longer come from God, man is able then to separate spirituality and religion from his civic life and to rely on his own values. The Constitution would be written with the wisdom of man.

There were those colonists who, though they had disagreed with the king’s heavy-handed ruling, agreed ideologically with the British system of government. They were not overly concerned with the rights of individuals. “The makers of the Constitution represented the solid, conservative, commercial and financial interests of the country” (Beard 5). It was true enough that the lack of government structure after the war was weakening the nation’s economy. Some practical measures had to be taken. A government that was large and powerful enough to handle all the concerns of the country’s security, financial and otherwise, had to be established. In securing the financial interests of the nation, or of those who had something to lose, the Framers knew they had to take into consideration the condition of the individual. After all, the right of the individual was one of the motivating principles on which the war was waged. They were well aware of the populist sentiment in the colonies and agreed there should be some provisions in the Constitution that give the individual power, at least over his property if not over himself. “[T]he solid conservative interests of the country were weary with talk about the ‘rights of the people’ and bent upon establishing firm guarantees for the rights of property” (Beard 3). The Framers work was underscored by rhetoric that suggested, as Madison

states, “that it was necessary to base the political system on the actual conditions of ‘natural inequality’” (Beard 8). No where had the people ever really had any significant role in their own governance. The idea of sharing power to the extent that some Framers advocated was a new, and for some threatening, proposition. It was believed by some that only men of considerable wealth had the “virtue” and character to “support consistency and permanency” (Beard 6). In fact “many members of that august body held popular government in slight esteem and took the people into consideration only as far as it was imperative ‘to inspire them with the necessary confidence’” (Beard 6). It was a difficult balance to achieve in founding a strong government that could protect personal interests as well as open itself to the will of the population at large. The Framers would provide more of an appearance of popular government than really existed. Although the Framers developed the safety mechanism of shared power, those “few” elected or appointed would still make the decisions for the good of the “many” people. At the time of the Constitution’s creation, it was certain that only fairly wealthy landowners would be elected into those positions of power.

The Constitution organized the equally empowered governmental divisions and assignments of powers and duties. Included also were the rights of the individual citizen and states. But it would be the Judicial Branch, the Supreme Court Justices, who would rule for the people on so many matters of social, economic, legal, moral, and political issues. It was the Framers’ intent to establish a concrete yet malleable document so that reason would reign. Had the Constitution been an overtly strict and explicit document, there would be little room for debate and exchange. The Framers were well aware of the vast number of personal, political, economic, religious, philosophical differences that existed. If power was to be shared with the people, there had to be some flex, some basis on which the individual could legally pursue his happiness and ensure his liberty and prosperity. At the same time the Framers guaranteed their own rights to property and, therefore, prosperity, but the unanswered and unforeseeable questions would be left to future leaders. Today many of our disagreements are resolved by the Supreme Court, which seems to have taken full responsibility for interpreting our Constitution. Since its ratification, the balance of power has swayed and we find ourselves now, more than ever, waiting to hear what the Supreme Court has decided for us. The Supreme Court’s perspective has evolved over time, and the Justices have learned, too, that the “consent of the people” plays an important role in how they rule.

Brown v. Board of Education

“They were enslaved by law, emancipated by law, disenfranchised and segregated by law; and, finally, they have begun to win equality by law.”

- Justice Thurgood Marshall

Was the Framers’ act of ratifying the Constitution the equivalent of “[m]aking a covenant with death?” Throughout the convention in Philadelphia, the southern delegates repeatedly threatened succession thereby winning the North’s acceptance of the practice of slavery, despite the North’s often strong reservations about it. There were too many men like Roger Sherman of Connecticut who had “declared his personal disapproval of slavery but refused to condemn it in other parts of the nation” (Finkelman 214). Sherman’s willingness to

compromise for the sake of a union could not be more remote from the patriots unwillingness to tolerate injustice. The memory of the colonists secession from Great Britain was still green. While it was the patriots' cause to resist unjust government through risking their lives, it was the Framers' (particularly those from the North) cause to create a union, whatever the cost. The hypocritical and paradoxical nature of the argument for slavery seems impossible to ignore from our current perspective, but "we cannot grasp the founders' own understanding of the Constitution unless we see the pervasiveness and importance of this fear of civil conflict" (Burt 44). Some of the Framers prophetically cautioned that the nation at some point would pay a blood price for the legal sanctioning of slavery. "Although some had expressed concern over the justice or safety of slavery, in the end they were able to justify their compromises and ignore their qualms" (Finkelman 224). The Framers believed that because so much was at stake there was no room for debate over the ethical nature of slavery. In fact, much of the talk of slavery was focused on taxation and representation and not the morality of slavery. Despite a conscious understanding of the inconsistency applied in administering the equality principle, the practice of slavery was sanctioned by the federal government. "Only after four years of unparalleled bloodshed could the union be made more perfect, by finally expunging slavery from the Constitution" (Finkelman 225). The benefit of maintaining a bond, a union, for which slaves were further sacrificed, was almost lost. The Civil War was the ultimate segregation debate. Instead of forcing discussion and examination of the hypocritical stance they were taking as guardians of liberty and equality, they let the open wound of slavery fester and nearly caused the amputation they had longed to avoid. "It took a bloody civil war before the thirteenth amendment could be adopted to abolish slavery, though not the consequences slavery would have for future Americans" (Marshall 4). *Brown v. Board of Education* is another legacy of the Framers' failure to acknowledge legally the injustice of slavery, a civil ideological war that was decided, again, in the interests of furthering the goal of a "more perfect union."

This case is particularly relevant to the make-up of our student body. The right to equal education was hard won yet our school is primarily Black. What are we doing in *Brown* ? Is equality the key to liberty and happiness? Are all-Black or all-White schools necessarily a bad thing? Is it more important that moral imperatives be publicly acknowledged than that individuals be truly invested in the otherwise imposed change? The argument, judgment, and result of *Brown* supports Madison's theory that the individual must give his consent in being ruled.

Brown provides important evidence of America's changing ideology. The doctrine, "separate but equal," set down as law in *Plessy v. Ferguson* was derived from an originalist interpretation of the Constitution. The rationale was that the Justices should interpret the Constitution as closely to the Framers' original meaning as possible. It was thought that the way to maintain the stability of the nation was by treating the Constitution like the Puritans treated the Bible. Our creators, the Founders of our nations' government, gave the words to us. Another parallel to Puritan philosophy that existed was the belief that only particular individuals were endowed with the ability to accurately interpret the words. Since its ratification, the Supreme Court has increasingly taken on the role of interpreter. To alter the original intention of the Constitution would be to take the law into one's own hands. The Constitution is the supreme law of the land, the glue that holds our large and diverse nation together. The assumption and fear that looking at the Constitution in a new light could affect the stability of the union was a legacy that was inherited along with the words of the document. So, at the time of *Plessy* , the predominant interpretive strategy was originalism. However, the contributions of Blacks to the nation were undeniable. The truth that there was a vast disparity in equality between blacks and whites was a glaring injustice. The Supreme Court's actions in *Brown* were opposite of its actions in the *Dred Scott* case. Justice Taney had rationalized that Dred Scott was not a citizen because citizenship for Blacks was, in his view, clearly never an intention of the Framers. As time moved forward the Justices in *Plessy* acknowledged Blacks' rights to full citizenship and to equality but, at the same time, advanced the idea of a

separate status for blacks. The equality principle of the *Declaration of Independence* and the liberty promised in the Constitution were still denied to blacks. The Justices had to take into account the changing values, economics, and social conditions. “The Supreme Court must be able to recognize when the demands of justice, or fundamental fairness, not merely to an individual litigant, but for the whole social context, demand a new beginning, a break from the rigid framework created by the past” (Bourguignon 324). Putting morality in the foreground of the decision making process was a new approach in cases concerning race. The decision in *Brown* that segregation was inherently unequal and, therefore, unconstitutional, ended a long stretch of submission to an antiquated set of ideals and legitimized interpretation of the Constitution on the basis of morality and social context. The justices in *Brown* were manipulating the social conscience of the nation. “*Brown* did not merely resolve a dispute; it regulated the future of those who were not parties in the adjudication” (Wellington 132). Suddenly, everyone had a stake in the case.

So what does *Brown* mean for my students today? They still sit in a classroom devoid of White faces. Did *Brown* fail? Was it a social engineering project spawned by the Supreme Court that was tragically flawed? Did the decision force behavior instead, like Jonathan Edwards, change individual hearts? Can or should the Supreme Court put forth moral imperatives? Are the Justices acting with the “consent of the people?” Was the decision in *Brown* a noble attempt to force change? What was the aftermath of *Brown* ? As students come to learn that *Brown* was a catalyst of the Civil Rights movement, which advanced the condition of Blacks in America, it is my hope that they understand the intent of the *Brown* Justices. These Justices knew they could not change the world, but they had a desire to achieve, more nearly, that perfect union whose ideas of equality and liberty were conferred on, yet had not been granted to, every citizen.

Fahrenheit 9/11

Michael Moore’s documentary is an acrimonious indictment alleging that President Bush abused his presidential powers and exploited the trust of the American people. It is a social commentary that closes with a quote by George Orwell suggesting that hierarchical societies necessarily thrive on conflict and inequality. One of the aims of the film is to convey in a dramatic way the great disparity between the ruling elite and the poor who sacrifice. Moore juxtaposes the individual and personal self-interests of President Bush and his administrators against the interests of those who carry out, and who are affected by, the administration’s decisions. The contrasts are intentionally sharp. In one scene Bush is speaking at a dinner attended by some very wealthy supporters. He is shown joking, calling his audience the “have’s” and the “have-more’s,” stating that they are his “base.” In another segment, Moore is sardonically trying to recruit children of Congressmen for the military, suggesting that their children should enlist as a demonstration by the nation’s leaders that they support the war not only theory but in practice. One by one he depicts America’s most “eminent in power” as mongers, corrupt, hypocritical, and ignorant (Winthrop 1).

Flint, Michigan is portrayed as the symbolic “backbone of America” where the poor have few options other than joining the military and, therefore, furthering Bush’s interests while eking out a life for themselves. The mother who has lost her son in the Iraq war asks for what cause her son gave his life. Her statements imply that if she felt there had been a noble cause, a fundamental idea or tangible thing, that stood to be lost she might be able to grieve easier. The fact that there is no benefit, no investment, for the people factors heavily in the outrage over the war and the perceived blatancy of Bush’s actions. Moore’s film is a call to the “many’s” and the “have-not’s” to take advantage of their constitutional rights to hold leaders accountable for

their actions, chiefly by voting Bush out of office.

Another intention of Moore is to reveal Bush's methods of coercing compliance with his Iraq war plans. Through interviews and the running narrative, the psycho-dynamics of fear are outlined, and a number of methods are introduced. One interviewee maintains that raising and leveling the terror alert levels in the nation has had a numbing effect on the public. Even more insidious, Moore contends, is the intentional confusion created by mixed signals from the Bush administration. In one scene Vice President Cheney is commenting on the real danger of terrorists to the nation, while in the next scene President Bush is telling Americans to get out, fly, and enjoy their country. Then there are the military recruiting campaigns, which create a false sense of propriety over the nation's fate. After all, they tell you, you can "Be an Army of One." This idea that the individual is a significant force in the life of the nation is, in Moore's opinion, a farce under the Bush administration. Throughout the film, Moore drives home his point that the American government is in fact not serving the interests of the people, but that the government is manipulating the people into believing, and therefore supporting, the government's agenda. It can be argued that the perspective Moore presents the American public is no less complete or biased than the one he claims Bush has presented. Moore's film is ironic; both he and Bush hope to spur the American people into action by appealing to their individual sense of justice and self-interest.

Just yesterday I saw a quick shot of Sean "Puffy" Combs on CNN. He was wearing a white T-shirt with large print on the front that said, "Vote or Die." The individual still speaks out, still believes he matters; what other choice does he have? The *you* in the quest for the American utopia plays a significant role, for without his or her consent, no interests can truly be furthered.

Strategies

In order to prepare students for the concepts and texts they must be engaged in and invested in the topic. They first need to examine and state their own beliefs about their world, specifically America. How do they, as individuals, fit in and do not fit in to their society? To help students recognize the importance of the individual students will read a familiar autobiographical poem, *I Rise*, by Maya Angelou, in which the word "I" is repeated throughout. After reading the poem, students will be asked to cross out all the "I's." How does this edit change the poem? The sentiments expressed in the poem certainly do not apply to everyone, so without the "I" the poem begs for a voice, an individual's voice. How would the poem be different if it belonged to each person in the room? What changes would have to be made so that it represented each student exactly? Students will begin to think about the concept of the individual and to see there is no consensus on just how one perceives or defines. Another important point to make to students is that in the English language the word "I" is capitalized, but in other romance languages like Spanish and French, the words for "I," ("yo" and "je") are not. Why, do students think, is this so?

Winthrop's, *Modell of Christian Charity*, should be taught from a sociological perspective. The value in using this piece is in its breakdown of society and its extraordinary way of justifying class distinctions. Students should be asked first to outline the breakdown of authority and power in our nation. Winthrop advocates the segregation of Christians and non-Christians, and while that line has been all but erased in our time, what new lines have been drawn? Why does Winthrop believe his new society will be attractive to individuals?

As students read the novel *The Scarlet Letter*, it is important for them to recognize the theme of appearance versus reality. People and circumstances are not always as they appear. I intend to bring in a pair of twins and ask students about their (and the general) perception of twins. Are these two people the same? Though they may have started out as the same cell and may appear the same, they certainly are not. In the novel, Hester and Dimmesdale are the exact opposite of what one might expect. Hester's "A" and Dimmesdale's preaching are masks to their true selves. What would happen to the community, and to the characters if the masks were torn off? While reading the text, students will be asked to keep a chart that will cause them to focus on the characters' inner and outer-personas. The four questions that correspond to each character on the chart will be: What does the character think of (1) him or herself, (2) God, (3) community, (4) each other? The chart will enable students to interface more completely with the text, and their responses will provide them with source material for class discussions or following assignments.

In order to broaden the theme of appearance versus reality students will learn the terms distortion, illusion, propaganda, persuasion, and rhetoric. The former two will help in assessing Moore's film while the latter three will add to the reading of the revolutionary rhetoric, for lack of a better word, and subsequent political documents. To introduce these terms I will present a series of optical illusions (these can easily be found online by typing in, "optical illusions"). Students will enjoy trying to see the varying perspectives in one picture. The teacher can then introduce related terms while demonstrating how words can create various perspectives. Additionally, the use of mini "funny house" mirrors is an effective method of conveying the meaning of distortion.

Before they even begin reading, they should be prompted to discuss orally and in writing what qualities are essential in a utopian community. What are freedom, liberty, equality, and diversity? At this point in the unit there does not need to be any definitive response to these terms. Allow students to provide the varying perspectives; there will most likely be no resolution or unanimity among them. The teacher should provide guided questioning so that the students recognize a void in their rationale and in the basis for their beliefs. Throughout the unit students will be assigned writing prompts that address concepts in the unit. These prompts will serve as the anticipatory set for daily lessons and as jump-off points for class discussions.

As students read the material they will be required to analyze the motivations of the speaker based on the historical context of the works as well as by the tone. As they read/view each piece they will discuss the source of the author's authority and compare and contrast the changes in historical context.

The major writing piece for this unit is a persuasive piece of rhetoric in which students will present an argument about segregation in relation to their school. Our school population is overwhelmingly Black, and students will have an interest in the following choices:

1. The school should remain as is and keep its doors open to whomever wants to attend; the racial makeup does not factor in an education.
2. The school should remain as is but should do its best to recruit members of various races because a diverse learning environment is preferable to a homogeneous one.
3. The school should do its best to recruit only African-Americans in an effort to create an all-Black population because a homogeneous population is preferable to a diverse one.
4. The city should require that all schools in the community maintain, as closely as possible, populations consisting of an equal number of students from all races.

The object of the paper is not as much to make a case for or against affirmative action but to convince the reader that his interest is being served by the author's proposal. This paper can be assigned as a major research project or a shorter assignment.

Themes / Concepts for reading, writing, and discussion:

authority ` individual persuasion
distortion inherent propaganda
diversity justice Puritanism
equality liberty rhetoric
faction morality self interest
ideal (ideology) natural "Separate but Equal" doctrine
illusion original intent utopia

Literary Elements / Devices:

audience historical context setting

character purpose style

figurative language repetition tone

Sample prompts for daily writing and/or oral discussion:

1. How are the Bible and the Constitution similar?
2. How far are you willing to go to stand by your beliefs?
3. Do you think shaming is an effective way of influencing behavior?
4. If you were to build a perfect society, how would it be governed?
5. How important is it to you to belong to a social group (community, family)
6. What are your fundamental values or beliefs, your guiding principles?
7. What would you do if no one in your world shared any of your values?
8. What does it take for someone to convince you to change your mind?
9. How (and why) do you convince others to change their minds?
10. Is compromising the same as winning or losing, or is it something else?
11. How do you feel and/or respond when someone tries to (or does) force a belief on you?

12. Do you have any beliefs for which you are willing to give your life?
13. Could you live by a set of values that are not your own and still feel free?
14. Is there a difference between liberty and equality?
15. Can any person be truly objective?
16. What general approach do you take when resolving a dispute?
17. What person(s) would you trust to solve a dispute for you?
18. How do you feel when you realize you have been manipulated or lied to?
19. Is there ever an appropriate reason to create an appearance of something that is different from reality?
20. How do you feel and what do you do when you realize that your perception or belief has been wrong?
21. Have you ever known in your heart that something was right but you still could not seem to act on that knowledge?
22. What does it mean to be equal, and are all people truly equal?
23. How do the meanings of words change over time?

Quotes for journaling or prompts:

“Self interest is the grand principle of all human actions and it is unreasonable and vain to expect service from a man who must act contrary to his own interests to perform it”

- Gordon Wood

“Time works changes, brings into existence new conditions and purposes. Therefore a principle to be vital must be capable of wider application than the mischief which gave it birth”

- Justice Joseph McKenna

“The American is a new man, who acts upon new principles; he must therefore entertain new ideas and form new opinions.”

- Jean de Crèvecoeur

“Democracy and socialism have nothing in common but one word, equality. But notice the difference: while democracy seeks equality in liberty, socialism seeks equality in restraint and servitude.”

- Alexis de Tocqueville

“That all men are equal is a proposition which, at ordinary times, no sane individual has ever given his assent.”

- Aldous Huxley

It is very nearly impossible. . . to become an educated person in a country so distrustful of the independent mind.”

- James Baldwin

“Whoever has experienced war at the front will want to refrain from all avoidable bloodshed.”

- Adolph Hitler

“The only stable state is the one in which all men are equal before the law.”

- Aristotle

“I’ve found you’ve got to look back at the old things and see them in a new light.”

- John Coltrane

“It is a strange fact that freedom and equality, the two basic ideas of democracy, are to some

extent contradictory. Logically considered, freedom and equality are mutually exclusive, just as society and the individual are mutually exclusive.”

- Thomas Mann

I am an aristocrat. I love liberty; I hate equality.”

- John Randolph

“We will fail unless we understand that coercion in any form is the enemy of democratic life.”

- Robert A. Burt

Curriculum Standards

The activities in this unit incorporate the following New Haven Public Schools' curriculum standards for Language Arts / English, grades 9-12:

Content Standard 1.0 Reading: The students will progress along a developmental continuum of strategic skills that ensure success in reading.

Performance Standard 1.1: Students will demonstrate successful reading behaviors.

SW read and comprehend text that is abstract and removed from personal experience.

SW make inferences based on implicit information from text and provide justification.

SW make comparisons between texts.

SW apply these strategies when studying across the curriculum.

Performance Standard 1.2: Students will demonstrate strategic reading skills before, during and after reading.

SW establish a purpose for reading (literary, information, perform a task).

SW use prior knowledge as an introduction to the selection.

SW skim and scan text for information.

SW use the structure of organizational pattern of selection.

SW use graphic organizers and note-taking techniques to organize information.

SW predict, reread, sequence, infer, paraphrase and ask questions.

SW give an initial personal reaction to text and describe its general content and purpose.

SW construct an interpretation and/or explanation of text.

SW describe the text - initial reaction, description of content or purpose.

SW interpret the text - construct interpretation and/or explanation of the text and connect text to outside knowledge.

SW move beyond the text - reflect, make judgments about its quality and meaning.

SW construct meaning through analyzing, elaborating, and responding critically.

SW compare and contrast written works

Performance Standard 1.3: Students will participate in a wide variety of reading experiences.

SW read literary, informational and persuasive materials.

SW find similarities and differences among text structures.

SW recognize social and historical changes through their study of literature.

SW read literary, informational and persuasive materials.

SW compose narrative, expository and persuasive pieces related to selection read.

Content Standard 2.0 Writing: Students will develop strategic writing skills that ensure successful communication.

Performance Standard 2.1: Students will demonstrate successful writing behaviors.

SW use standard English for all types of writing.

SW reflect, use feedback and assessments and confer with others to plan for improvement.

SW demonstrate confidence and view selves as writers.

SW use strategies when writing across the curriculum.

Performance Standard 2.2: Students will demonstrate strategic writing skills before, during, and after writing.

SW select text forms to suit purpose and audience.

SW establish a purpose for writing.

SW determine and plan for a specific audience.

SW establish a tone, theme, point of view, and type of writing.

SW use prior knowledge as a basis for writing.

SW design questions to focus on selection to be written.

SW spell correctly.

SW use graphic organizers, take notes, select and synthesize relevant information and plan text sequence.

SW write first draft.

SW elaborate on ideas, give examples, and add originality to writing.

SW check for logic, sequence, content, coherence, style, verb tense and format.

SW edit and write final draft.

SW complete legibly either by hand or word processor.

SW reread work to themselves and others.

SW exhibit and/or publish writing piece.

SW develop confidence in writing.

SW view themselves as effective writers.

SW develop competence in writing.

SW explain the goals in writing a text, and indicate the extent to which they were achieved.

Performance Standard 2.3: Students will participate in a wide variety of writing experiences.

SW write daily for different and varied purposes.

SW keep a writing portfolio that demonstrates growth.

Content Standard 3.0 Speaking: Students will develop strategic speaking skills that ensure success in oral communication.

Performance Standard 3.1: Students will demonstrate strategic speaking skills before, during, and after speaking.

SW demonstrate use of acceptable, standard English in daily discussions.

SW demonstrate appropriate language of social interaction skills.

SW demonstrate appropriate language and literacy skills.

SW demonstrate appropriate language and thinking skills.

Performance Standard 3.2: Students will participate in a wide variety of speaking experiences.

SW respond to a wide variety of questions, comments and ideas during discussions.

SW speak reflecting logical, independent, creative and critical thought.

SW express opinions and ask questions in class discussions.

SW use language to affect the listener through the use of argument.

SW make connections between literature and multimedia resources.

SW identify the intended message of verbal advertisements, entertainment programs and/or news.

SW recognize and analyze propaganda techniques.

Content Standard 4.0 Listening: Students will develop strategic listening skills by interpreting and constructing meaning from auditory cues.

Performance Standard 4.1: Students will demonstrate strategic listening skills before, during and after listening.

SW apply listening strategies developed in previous grades.

SW use graphic organizers, outlines, note taking or other aides to record information.

SW make assumptions and predictions about what will be heard.

SW construct meaning through initial understanding and interpretation (CAPT).

SW construct meaning through analyzing, elaborating and responding critically.

SW compare and contrast similar topics, themes, characters, and problems.

SW listen and respond analytically and critically to gain knowledge from formal, informal and media/viewed settings.

Performance Standard 4.2: Students will participate in a wide variety of listening experiences.

SW respond to others who are speaking by demonstrative attentive listening and responding behaviors, by asking and responding to relevant questions.

SW participate in curriculum-related listening experiences.

SW compare and contrast articulated perspectives and points of view.

Content Standard 5.0 Viewing: Students will develop strategic viewing skills by interpreting and constructing meaning from visual sources.

Performance Standard 5.1: Students will demonstrate strategic viewing skills before, during and after viewing.

SW establish a purpose for viewing.

SW use prior knowledge to prepare for viewing experiences.

SW develop questions prior to viewing.

SW use graphic organizers, outlines, note taking or other aides to record information.

SW make assumptions and predictions about what will be seen.

SW focus on message and visual clues.

SW predict, sequence, infer, paraphrase and ask questions while viewing.

SW construct meaning through initial understanding and interpretation (CMT).

SW synthesize and use relevant information from selection seen.

SW demonstrate an awareness of values, customs, ethics and beliefs from selections seen.

Content Standard 6.0 English / Integrated Language Arts: Students will read a wide range of print and media texts (1) to build a knowledge base; (2) to acquire new information which will support the needs and demands

of society and the workplace; and (3) to become lifelong readers for personal enjoyment.

Performance Standard 6.1: Students will explain how literature represents, recreates and explores human experiences through language and imagination.

SW do persuasive writing.

SW respond to literature (CAPT).

Performance Standard 6.2: Students will analyze and choose appropriate language structures, language conventions, media techniques, figurative language and genre to express and substantiate ideas and experiences.

SW read and respond to literary, informational and persuasive materials.

SW describe, interpret and move beyond the text.

SW produce works that contain standard acceptable English.

SW follow a writing process.

Performance Standard 6.3: Students will participate in a wide variety of literary experiences.

SW analyze figurative language

SW compare human experiences, motives, conflicts, cultures and values in literature to personal experiences.

Performance Standard 6.4: Students will demonstrate understanding of diversity through the study of language, literature and culture.

SW recount story elements of TV, radio, film or other technological productions.

SW view concepts and issues from diverse perspective.

SW identify attitudes/skill/knowledge for successful interaction between members of diverse groups.

Bibliography

Franklin, Benjamin. "The Autobiography" Excerpted. *American Literature* . Scribner

Literature Series. Glencoe Publishing: Mission Hills, CA. 1989

Beard, Charles. *Framing the Constitution*. Excerpted. The School of Cooperative

Individualism. WWW URL: <http://www.cooperativeindividualism.org/beard-constitution.html> Jul. 2004

Bourguignon, Henry J. "The Second Mr. Justice Harlan: His Principles of Judicial

Decision Making." *The Supreme Court Review* . Eds. Philip Kurland and Gerhard Casper. University of Chicago Press: Chicago, 1979.

Burt, Robert A. *The Constitution in Conflict* . Harvard University Press: Cambridge. 1995

Finkelman, Paul. "Slavery and the Constitutional Convention: Making a Covenant with Death." *Beyond Confederation: Origins of the Constitution and American National Identity*. University of North Carolina Press: Chapel Hill, NC. 1987

Hawthorne, Nathaniel. *The Scarlet Letter* . Bantam Books: New York. 2003

Lerner, Max. "Constitution and Court as Symbols." *Yale Law Journal* : Vol. 46, Pp. 1290-1291. 1936

Madison, James. *The Federalist No. 10* . WWW URL: <http://www.constitution.org/fed/federal10.htm> Jun. 2004

Marshall, Thurgood. "Reflections on the Bicentennial of the United States Constitution." *Harvard Law Review* : Vol. 1, Pp. 1-5. Nov. 1987

Moore, Michael. Director. *Fahrenheit 9/11* . Miramax Films. 2004.

Wellington, Harry H. *Interpreting the Constitution: The Supreme Court and the Process of Adjudication*. Yale University Press: New Haven, 1990

Winthrop, John. *A Modell of Christian Charity* . Hanover Historical Texts Project. WWW URL: <http://history.hanover.edu/texts/winthmod.html> Aug. 1996

<https://teachersinstitute.yale.edu>

©2019 by the Yale-New Haven Teachers Institute, Yale University
For terms of use visit <https://teachersinstitute.yale.edu/terms>