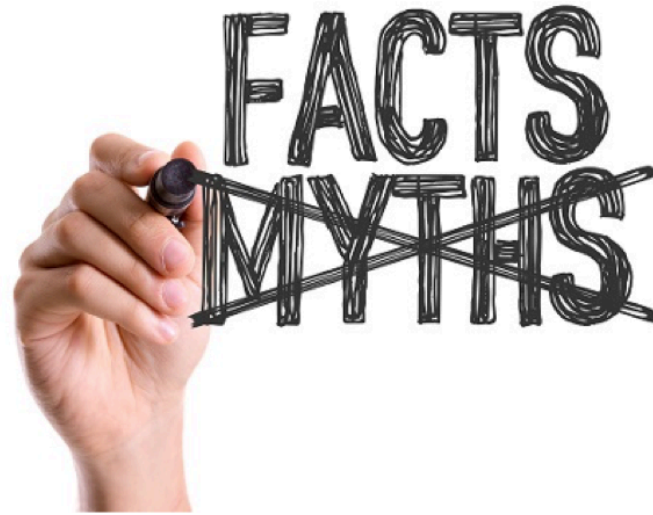


Garden State CLE Presents:

Myths, Legends
&
The Standard Stories of America



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The Nation
That Never Was



Reconstructing
America's Story

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INTRODUCTION

In the United States of the 21st century, we pride ourselves on our national commitment to diversity, inclusion, and equity, based on the firm belief that these values are inherent in the goodness of Americans and stem from our founding and the ideals of liberty and equality celebrated in both the Declaration of Independence and the Constitution of 1789.

In point of fact, the America of today did not stem from our founding. The story of America that we attribute to the founding era is actually the product of a painful, national evolution.

The following materials will explore the myths and legends surrounding our commonly adopted standard story of America and how we became the nation we are today.



I. THE STANDARD STORY OF AMERICA

Our nation begins in 1776 with the Declaration of Independence. This document purportedly celebrates liberty and equality with the concept that “all men are created equal.” Under the standard story, these values are also reflected in the Constitution of 1787. The celebrated 21st century commitment to diversity, inclusion and equity are considered to be a product of these founding documents.

The standard story has three distinct characteristics:

- a) It looks backward in time to the articulated visions of Thomas Jefferson.
- b) It is a success story – It celebrates immutable, inalienable ideals have guided us through national calamities throughout our history.
- c) Continuity – we are connected to our founders through these ideals

The standard story of America is now being challenged as inaccurate as historically inaccurate and largely fictional. Much of our current social debates pit those who seek to prop up and perpetuate the standard story against those who seek to expose what they deem to be the truth.



II. THE FOUNDING ERA AND ITS DOCUMENTS

1) What does “all men are created equal” mean today? What did it mean in 1776 by the framers?

The colonists did not treat everyone equally. They accepted established slavery in all 13 colonies at the time of the founding and enslaved people as a matter of routine.

To the founders, the idea of “all men are created equal” is a political statement attacking the divine right of kings.



2) Insiders vs. outsiders

The political class of the founding era believed in equality for insiders, but that belief did not extend to those deemed to be outsiders, people who are not part of the political community. A prime example is enslaved people. The Declaration of Independence is all about the rights of political insiders. It only refers to outsiders in the context of being a menace and existential threat to the insiders. Examples, as listed in the Declaration of Independence, include foreign mercenaries, Native Americans and enslaved people who had been encouraged by the King to stage insurrections.

Constitution of 1787 has a standard story which maintains that it was drafted to ensure the protection of the rights of liberty and equality enshrined in the Declaration of Independence. But the 1787 Constitution is neither about individual rights nor about individuals at all! It is designed to create a national government that can make the states cooperate when necessary and handle issues that cannot be left to the individual states.



III. THE CONCEPT OF EXCLUSIVE INDIVIDUALISM

The 1787 Constitution recognizes the depravation of liberty suffered by enslaved people but only because it is the source of interstate conflict. It manages it by protecting slavery. It also rewards slave states with extra political power by the 3/5th clause. This compromise clause provides slaves states with enhanced political power and translates into every branch of government a pro-slavery tilt. Essentially, the 1787 Constitution created a slave-owner's republic premised upon systemic racism.

IV. THE CONCEPT OF INCLUSIVE EQUALITY

The abolitionist movement of the 1820's began the process of charging the nature of how we view the Declaration of Independence. Under the abolitionist view, outsiders may become insiders. The government should treat people equally and promote equality.



V. THE AMERICAN CIVIL WAR

What was the role of the Civil War on advancing the notion of Inclusive equality?

In general, revolutions come in two forms: Status quo vs. regime change revolutions

The initial justification for the war from the Union perspective was simply to preserve the Union at any cost. However, in 1862, there was a strategic change in Northern war goals from preserving the Union to eliminating slavery as a primary war objective. The Civil War for the North became a struggle dedicated to regime change directed at the South's adopted philosophy of the founders.

After the civil war, the ideals of racial justice and civil equality was short-lived. Rather, the mission changed quickly back to the Declaration and Constitution. UNITY was deemed essential to bring the country back together. By sacrificing racial justice, Southern whites were able to take back control.



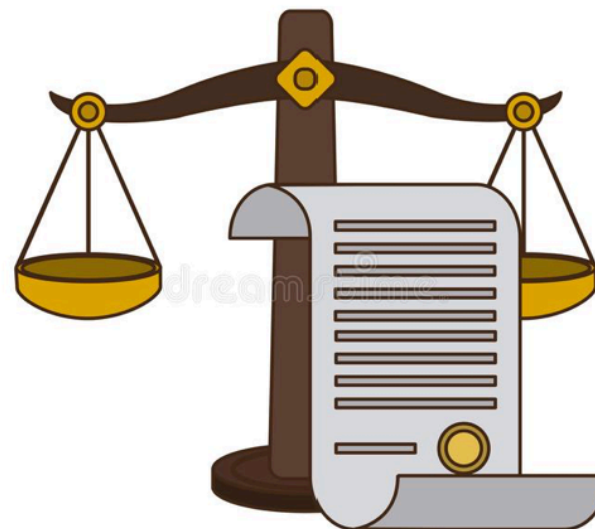
VI. QUESTIONS RELATED TO THE RECONSTRUCTION AMENDMENTS

How were the Reconstruction Amendments to the Constitution ratified?

How did the 14th Amendment affect exclusive individualism?

How and why did Congress politically annihilate the former Confederate states?

Was the vision of the founding of America destroyed in the Civil War?



VII. RECONSTRUCTION AND MODERN-DAY AMERICA

Reconstruction America is the basis of our current-day America.

Present day – The battle between exclusive individualism and inclusive equality rages on.

The first reconstruction of the 19th century failed. It was the progress made in the civil rights movement in the second half of the 20th century which began the process of creating modern America.

The future of diversity depends upon the victory of inclusive equality.

<https://www.c-span.org/video/?523455-1/reconstruction-americas-story>

