

## Returning to the Puritans



As a professor in a law school, I should begin by stating that I am on record testifying that Professor Sacvan Bercovitch changed the course of my career. Here's how. I met him in 1987, at the School for Criticism and Theory, then housed at Dartmouth College. I was in his class, centered on *the American Jeremiad*, and I found the experience a revelation, absolutely eye-opening. I'd been a trial lawyer for five years at that point, and a law professor for another seven. I was lonely and miserable in my chosen profession. I was at loose ends, a woman unbound, lost in the world-before-binders for my kind.

At the time there were very, very few women and virtually no women of color in legal academia. When I began teaching, I was one of six women of color teaching in law schools in the entire United States: four African Americans, one Latina, and one Asian American. Things were to change rapidly after that, but they hadn't at that point.

Given all this, I had decided to go back to school and get a PhD in English in order to wipe the slate clean, start all over again, try something that wasn't so seemingly completely and insurmountably an exclusive gentlemen's network within an exclusively male preserve.

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Anyway, I loved Professor Bercovitch’s class, and not only because he was such a fabulous teacher. There was also the context of that moment in my own life, for I grew up in Boston, literally atop the bones of the Puritans and their dour inheritance. Boston, where in high school we had to read John Winthrop and John Cotton and Samuel Danforth. Now, if there’s anything that can make adolescence even more miserable than it is as a constitutional matter, it’s growing up in a world where, just beyond one’s window, the rest of the world was popping with joyous color, with Peter Max posters and rainbow coalitions, and music thrumming openheartedly to the strains of Miles Davis and the Rolling Stones and Nina Simone, and cultural fireworks like Haight Ashbury and the Freedom rides and women’s liberation, while you are stuck indoors with the Puritan divines.

So there I was, an earnest nerdy grind whose only popular recognition in tenth grade was being elected “most ladylike”—for that *is* the kind of reward one gets for being perpetually locked away in one’s room slogging through “Errand into the Wilderness.”

That’s how I came to be in Professor Bercovitch’s class, bitter and cheerless and, like Miranda in *The Tempest*, bracing myself both for, as well as against, this brave new world that had such literary people in’t. Yet, despite that dreary weight of expectation, I was electrified. To visit these Puritan texts anew, through adult eyes and under Professor Bercovitch’s tutelage, was a revelation. As a lawyer, I had never remarked on the jeremiads’ indelible shaping of legal argumentation. As an activist, I had never remarked on the jeremiads’ indelible shaping of the form of those most powerful speeches during the civil rights movement—and I mean, even the straightforward knock-you-over-the-head stuff like Martin Luther King’s “I Have a Dream” speech. It must seem obvious in retrospect, perhaps, but at the time it was all new.

When this roundtable was originally organized, we were asked to consider whether there is still a place for synthetic, totalizing interpretations of what Bercovitch called “the meaning of America.” I don’t know. But it’s not just his exposition of Americans’ Puritan rhetoric but also his critique of it that has given me the equipment to play with and against that singular American vocality, which extends most especially to legal discourse.

Without Professor Bercovitch’s transformative lens, I wonder if I’d have appreciated the peculiar covenantal appeal of Barack Obama’s clever play with the conventions of the immigrant narrative, back during the 2008 election. If you recall, Obama spoke of his immigrant father—not of a white European immigrant father who came to these shores in search of the American dream, but

a Kenyan father, a black immigrant, who came to these shores in search of heaven on earth. And his “single mother” wasn’t the instant present-day consensus of must-be-a-black-woman, but an unexpected white single mother, more in the older tradition of Horatio Alger’s now-miscegenous legacy.

This calculated unsettling reorganization of racial tropes played havoc with political and media expectations, and—for at least a little while—there was a grace period of suspended stereotypification as Obama inscribed himself within a very mainstream narrative trajectory of political candidacy. People just didn’t know what to make of him—the finest example of such hand-wringing being then-Senator Joe Biden’s amazement that Obama was just so “clean and articulate.” It’s hard to remember that tremulous moment of suspended judgment for what it was, because it so quickly evaporated; and, ultimately, Obama was not just exoticized but rendered so familiarly alien that even his birth certificate hasn’t yet completely resolved the issue.

By the same token, cases like Citizens United have so vexed the notion of personhood that we find ourselves quivering in a world where expenditure of money is speech, and speech is the incarnation of puritan economy, and the very recognition of monetized speech becomes the equivalent of personhood incarnate. Without having had the benefit of Professor Bercovitch’s insights, I wonder if we’d fully appreciate the deep-rooted appeal of the Tea Party’s pandering, panicked eschatology of despair.

But there’s a more idiosyncratic dimension to my debt to Professor Bercovitch as well. Halfway through that summer of 1987, he gave us a homework assignment, to write an essay. For the life of me I can’t remember the topic of that assignment, but whatever it was, I was so inspired by it that I sat down and wrote an essay that changed the course of my career. My essay had nothing to do with Puritanism or jeremiads *per se*, so I think the assignment must have been more open-ended, something about persuasion or rhetorical form, or constructing a polemic in some broader sense. That piece of mine was entitled “On Being The Object of Property,” and it was a lamentation about chattel slavery and personhood. I wrote it quickly, in a single evening—it just came pouring out sparked by that homework assignment, a detailed answer to that question from Professor Bercovitch that now I cannot remember. It was an immensely satisfying project, and to this day I’m really proud of it; I still believe it’s far and away the best thing I’ve ever written.

To make a long story short, Professor Bercovitch liked that piece too, and sent it over to Harvard University Press, which asked me to render it into a book, which then became *The Alchemy of Race and Rights*, a publication that opened all kinds of other doors for me. So, weirdly enough, the book that I wrote as an escape hatch from the legal profession ended up drawing me back into it, as I became both hailed and assailed for being genre-busting, and quirky.

I’ve been wandering about academia ever since, always in search of that original inspiration—Sacvan Bercovitch’s inspiration. I have the answer, I keep

telling myself. I just cannot quite remember the question ...

This article originally appeared in issue 14.4 (Summer, 2014).

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Patricia Williams is the James L. Dohr Professor of Law at Columbia Law School in New York.