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Culture and Citizenship, the Role of Law and Literature in Critical Thinking in Society: English Language and Wider Society

Mark J. R. Wakefield[1]

[1] CETAPS-FLUP/University of Aveiro, Portugal
https://orcid.org/0000-0002-3069-8310
E-mail: profmarkjrwakefield@gmail.com

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Abstract

This text seeks to explore the concept and contours of freedom within recognized civilizations and delicacy of such systems. It also seeks to highlight the vital role played by literature in fostering and defending critical thinking and this in turn permits further growth in society. Acknowledgement is also given to the existence of barriers of different kinds between people which serve a dual purpose: both as separators but which also allow the space for more detailed definitions of individual freedoms in an overall system of societal liberties. It concludes by noting that a sense of perspective – both historical and philosophical – is necessary if the faculties of proper judgement are to be profitably brought to bear upon specific cultures and societies.

Keywords: Literature, Law, Critical Thinking, Civilization, Borders, Culture

Introduction

Let me begin by quoting the late and much-lamented, great astronomer, Carl Sagan who did so much to put things into perspective. Writing in his book *Cosmos*, Sagan observed that:

> (…) The Earth is a place. It is by no means the only place. It is not even a typical place. No planet or star or galaxy can be typical because the Cosmos is mostly empty. The only typical place is within the vast, cold, universal vacuum, the ever lasting night of intergalactic space, a place so strange and desolate that, by comparison, planets and stars and galaxies seem achingly rare and lovely. If we were randomly inserted into the chance that we would find ourselves on or near a planet would be less than one in a billion trillion trillion (10^{33} a one followed by 33 zeroes). In everyday life, such odds are called compelling. Worlds are precious. (…) (Sagan, 1995, p.21).

Our little place called Earth is indeed the only home we know and is filled with all kinds of people. All kinds of people ensure the existence of all manner of ideas, desires and values. A superficial examination of this reality would suggest that this is a healthy state to be in, but the realists in the world have long-since asserted their authority in respect of the complex realities that persist when any concentrated numbers of people need to co-exist with one another.

Discussion

Sagan was quite right to say that worlds are precious, but each of us may have a different conception of what our world actually is to us. As Sagan reminds us, the odds are compelling even under the most inhospitable circumstances. Moreover, nobody does or can exist in a vacuum since we are denizens of civilization, whether we like it or not.

While inanimate matter in the voids of space is governed by little more than gravity, living beings on the pale blue dot we call home are subject to more specific forces designed particularly to regulate the conduct of citizens and all conceivable forms of behaviour and property.

Indeed, as I noted in a previous paper:

> (…) Expression of thoughts and concerns forms a central part of being a perceptive human being and attests to our reflexive and curious nature. Doing so affirms our very existence and gives form to our experiences and reflects a person's unique ability to account for their own personal journey (…) It is a person's unique ability to speak (in contrast to other animals) which bestows this facility to sketch the contours of one's own values and desires through a process of comparison and negotiation (…)
>
> (…) While much of this freedom that allows people to express themselves without inhibitions is often problematic and sometimes hazardous, it is a genuine desire and an ongoing struggle. Equally valid is the claim that identity is contested within the public sphere as varying cultural currents come into contact with one another by accident or design. In the case of the latter, artificial barriers have been an abiding feature of organised societies since early times. These barriers vary in form, but all have the objective of regulating or controlling the creation, debate and propagation of unfettered thought by means of which people can attain greater awareness of their own situations, needs and desires. (…) (Wakefield, 2021, p.73).

So, as we can see society at large is a complex organism and derives its contours and sustenance from the values within the culture it is accommodated by. Such values reflect the norms present in a particular society and these are subsequently manifested in the wider culture by elements such as law, music, art, philosophy, literature, cinematic

activities and televisual industries. Overall, however, one must acknowledge the powerful role played by the law and the legal system in providing a framework for cultural activities by means of copyright laws, censorship and contractual provisions in addition to other normative factors (Wakefield, 2023, p.76).

A Society of Laws?

An obvious implication of living in a society regulated by laws and norms means that there are many freedoms, but this also means the existence of particular limitations. This has the effect of permitting certain rights and benefits which include, from a democratic perspective, include the right to access information and innovation from the commercial perspective – this liberty has a cost. For example, 'when we wish to use techniques or information that have been copyright or patented by commercial entities we are obliged to pay for the privilege. However, when commercial interests interfere directly in the process of scientific inquiry and the divulging of the results thereof, we face a conflict of interest which can be very difficult to resolve. The difficulties in these situations arise from the fact that funding for certain research activities may come from commercial entities such as influential corporations who may wish to block the release of inconvenient research findings or governments would rather ignore and suppress 'controversial' results' (Wakefield, 2024, p.5). We shall return to this last issue later.

At this juncture, I wish to examine the wider utopian notion of freedom from the perspective of H.G. Well's well-known book *A Modern Utopia* (1905), in which he traces out the contours and implications of the meaning of true liberty. Well's notes that:

The idea of individual liberty is one that has grown in importance and grows with every development of modern thought. To the classical Utopists freedom was relatively trivial. Clearly they considered virtue and happiness as entirely separable from liberty, and as being altogether more important things.

We can see that for Well's, liberty is all important and the concept seems as expansive as the human mind with the passage of time. He links high-minded conduct with contentment, which he in turn associates with the rights of the individual where he states: But the modern view, with its deepening insistence upon individuality and upon the significance of its uniqueness, steadily intensifies the value of freedom, until at last we begin to see liberty as the very substance of life, that indeed it is life, and that only the dead things, the choiceless things, live in absolute obedience to law. To have free play for one's individuality is, in the modern view, the subjective triumph of existence, as survival in creative work and offspring is its objective triumph. But for all men, since man is a social creature, the play of will must fall short of absolute freedom. Perfect human liberty is possible only to a despot who is absolutely and universally obeyed. Then to will would be to command and achieve, and within the limits of natural law we could at any moment do exactly as it pleased us to do. All other liberty is a compromise between our own freedom

of will and the wills of those with whom we come in contact. In an organized state each one of us has a more or less elaborate code of what he may do to others and to himself, and what others may do to him. He limits others by his rights, and is limited by the rights of others, and by considerations affecting the welfare of the community as a whole.[1]

The conscientious reader quickly realizes that Well's recognizes the reality that since people live in a community, freedom cannot be absolute and for that state of being to be kept in check, a set of laws is necessary. The wider well-being of the community at large is a primary concern in this respect as one person's rights end where the next person's set of rights begin. Few rights are absolute and mutual recognition of each person's presence and dignity is a fundamental duty of each citizen. Thus, we can say that all freedom is a result of an agreed compromise – at least that is how it works in a civilized society. While we seek to live in harmony as a community, some individuality and separation is desired and often necessary to protect cohesion. A community of individuals though unity achieved by separation, cohesion possible only under certain circumstances. Perhaps at a safe distance…?

Securing Liberty through Set Divisions

We can see manifestation of this attitude American poet Robert Frost's poem *Mending Wall*, which I would like to recite here. Originally published in 1914, Frost's thought-provoking poem retains a powerful sense of irony and relevance in the current era. I do not intend to engage in an exhaustive analysis of the work, but rather look at the broader insights and implications it inspires. Frost wrote as follows:

Something there is that doesn't love a wall
That sends the frozen-ground-swell under it,
And spills the upper boulders in the sun;
And makes gaps even two can pass abreast.
The work of hunters is another thing:
I have come after them and made repair
Where they have left not one stone on a stone,
But they would have the rabbit out of hiding,
To please the yelping dogs. The gaps I mean,
No one has seen them made or heard them made,
But at spring mending-time we find them there.
I let my neighbor know beyond the hill;
And on a day we meet to walk the line
And set the wall between us once again
We keep the wall between us as we go.

[1] H. G. Wells (2005/1905) *A Modern Utopia*, pp. 27-28

To each the boulders that have fallen to each.
And some are loaves and some so nearly balls
We have to use a spell to make them balance:
'Stay where you are until our backs are turned!'
We wear our fingers rough with handling them.
Oh, just another kind of outdoor game,
One on a side. It comes to little more:
There where it is we do not need the wall:
He is all pine and I am apply orchard.
My apple trees will never get across
And eat the cones under his pines, I tell him
He only says, 'Good fences make good neighbors.'
Spring is the mischief in me, and I wonder
If I could put a notion in his head:
'Why do they make good neighbours? Isn't it
Where there are cows? But here there are now cows
Before I bult a wall I'd ask to know
What I was walling in or walling out,
And to whom I was like to give offense.
Something there is that doesn't love a wall,
That wants it down.' I could say 'Elves' to him,
But it's not elves exactly, and I'd rather
He said it for himself. I see him there
Bridging a stone grasped firmly by the top
In each hand, like an old-stone savage armed.
He moves in darkness as it seems to me,
Not of woods only and the shade of trees
He will not go behind his father's saying,
And he likes having thought of it so well
He says again, 'Good fences make good neighbours.'[2]

Boulders Braving Separation

Delving right into the central issue of the poem: barriers and the need that some people have to have a separation between them and others. Frost's poem tells us that 'Something is there that doesn't love a wall' – this can be construed in a number of ways, but for present purposes my reading is that outside forces act against the existence of barriers, particularly man-made barriers. These forces can be other people, or indeed, nature itself.

Frost writes off 'a frozen ground swell under it and spills the upper boulders in the

[2] *Complete Poems of Robert Frost*. New York/Chicago/Washington: Holt, Rinehart and Winston (1964) pp. 47-48

sun' – this can be seen as the forces of nature, perhaps the phenomenon known as frost-heave acting on the densely constituted stones that are usually impenetrable to the human hand, but can in fact be defeated by the entry of a small quantity of water into a discreet fracture in the stones themselves. On freezing water expands and thus the stones are cracked open. What was previously believed to be virtually indestructible is defeated by a discreet process of nature when conditions are right.

The line 'the work of hunters is another thing' indicates that despite the best efforts of the landowners, trespassers invade the property and take authority into their own hands as they vandalize the stone structure which constitutes the wall. Despite the best efforts of the well-intentioned, the forces of anarchy can manifest themselves randomly and defeat boundaries of imagined civilization which is hinted at in the line '*But they would have the rabbit out of hiding, to please the yelping dogs.*' This can be interpreted as unleashing raw violence on an assuming and mostly-defenseless target in order to satisfy a braying mob – who in this case are presented by a group of hunters trespassing on private land.

We can see that as the season's roll around each year, it becomes a cue for a process of renewal as the two landowners – who remain unnamed – comply with the ritual of their annual meeting to check and repair the wall behind their properties. The season of Springtime, representing hope and renewal marks the occasion for when these two character's meet where: '*But at spring mending-time we find them there. I let my neighbor know beyond the hill; And on a day we meet to walk the line.*' And so the ritual is again repeated and the process of renewal of both acquaintance and the structural integrity of the physical wall.

As the process of surveying and rebuilding of the wall advances, Frost exposes the procedure: '*We keep the wall between us as we go. To each the boulders that have fallen to each.*' It seems evident that each man respects the other's space and they remain on their own side of the border between their properties as they each take responsibility for the debris that has landed on their respective sides. This is indicative of a strong sense of private property, a major feature of modern life in the Western world and reflects the near-sacred status of private property in the liberal capitalist system under we live, which in turn is heavily dependent on the legal mechanisms enacted through formal legislation that promotes and protects this kind of culture. It is essentially the foundation of modern life in the Western world and provides an enormous contribution to the way our society is organized and closely mirrors the reality asserted by H. G. Well's who remarked, as noted above, that: '*He limits others by his rights, and is limited by the rights of others, and by considerations affecting the welfare of the community as a whole*.' Thus, we are free but our freedom is limited by the needs of others to co-exist with us, which in turn implies our resources are finite.

Frost goes on to write: '*We have to use a spell to make them balance: Stay where you are until our backs are turned!''* – it is as if the two characters are engaged in an

exercise of make-believe to the extent that if they both pretend that everything is alright, they can both believe it. Such is the temporary and transient nature of life, it is impossible to balance all the forces in the world in our favour in the long run. *Mending Wall* demands that we examine the limits and boundaries the separates one person from another, one set of peoples from others.

Frost teases the reader in how he goes on to write:

He is all pine and I am apple orchard.
My apple trees will never get across
And eat the cones under his pines, I tell him
He only says, 'Good fences make good neighbors

Although people have more in common than what divides them, we can each have our own tastes in life; in food, experiences and the company we keep. This does not mean we cannot find a way to live in harmony. Frost challenges the reader to question why a fence or a wall should be necessary at all. However, the neighbour abruptly observes: 'Good fences make good neighbors' – so does this mean that it is only possible for a civilized relationship to persist between people only when we have erected barriers between us? This is rather ironic in the sense that while the wall is designed to divide and designate each owner's respective land, the fact that the wall requires intermittent maintenance creates the occasion to bring the neighbours together again. The duality here is evident: an instrument of division can just as easily be an instrument of unity of purpose. The poem advances to more profound depths in this respect where it says: *'Before I built a wall I'd ask to know, What I was walling in or walling out, And to whom I was like to give offense.'* These are key questions: what is the fundamental purpose of a wall or any barrier? To keep people in or to keep people out? And which people do we mean? How do we include or exclude any one individual or group of people and on what basis? Examining this from a critical reflective perspective will yield varying answers, but some of the central issues are that this deals with human rights, material wealth, private property and the nature of the organization of the society in which we live and wish to live.

As the neighbour watches his less enlightened counterpart, he notes: *'Bridging a stone grasped firmly by the top, In each hand, like an old-stone savage armed. He moves in darkness as it seems to me'.* Frost is alluding to the fact that perhaps the excess faith and trust placed by the neighbour in this mantra separate-is-better is rather ignorant and that this person has little interest in exploring his own motivations and beliefs. This reluctant materializes in the following concluding phrases of the poem: '*He will not go behind his father's saying, And he likes having thought of it so well, He says again, 'Good fences make good neighbours'.* The values the neighbour lives by have been passed down to him by his father and perhaps each generation before. Pride and habit ensure he does not wish to interrogate the contours of his own family culture, the culture by which he now lives. This he makes clear when he repeats the central message: *'Good fences make good*

neighbours'.

It would be easy to suggest that all divisions or all walls are blunt instruments capable of nothing more than separating people from one another. To an extent this is true, the obvious historical example is the Berlin Wall which divided Communist Germany from a democratic Germany. Indeed, Frost himself was sent on a diplomatic mission to the USSR in his twilight years in the hope of achieving a thaw in relations between the US and the Soviets. Unfortunately, his efforts failed. However, this does not mean his work has also failed as it remains a testament to the resilience of the human spirit and our ability to find ways to sustain the way of life which best reflects our values. Moreover, these values are in many cases respected and protected by human rights legislation and other constitutional freedoms. It is to the law that people can resort to if they find their rights and freedoms are being threatened or eroded by opposing forces.

Conclusion

Mending Wall reminds us that while an old wall is far from being an invincible barrier, it does serve to demarcate people's rights as property owners in the first instance, but also as measure of protection to sustain individual rights which include the right to bodily autonomy, privacy and the right to an individual conscience. Ultimately, these rights and freedoms mean very little without legal guarantees to bolster and defend them. As the respected legal scholar Prof. Ronald Dworkin once observed:

> There can be no democratic joint venture unless individuals are granted a private sphere within which they are free to make the most religious and ethical decisions for themselves, answerable to their own conscience and judgment, not that of a majority. No one can regard himself as a full and equal member of an organised venture that claims authority to decide for him what he thinks self-respect requires him to decide for himself. That is the basis of the First Amendment's guarantee of religious freedom, and also the due process clause guarantee – so far only imperfectly realized – of independence in the fundamental ethical choices that define each individual's sense of why his life is valuable and what success in living it would mean. (…) (Dworkin, 2006, p.134).

Dworkin reminds us of the central important of individual conscience in being able to assert our individual liberties and make choices of our own. Only then can be said to enjoy freedom. While each person lives in the wider world within their own communities, we must defend our right to assert our own individual values within our own individual worlds in sense that, as Carl Sagan observed: 'Worlds are precious'. It is in that spirit that we must defend our own right to a conscience as we navigate the world around us, since without this ability our individuality and ultimately our freedoms will dissolve. As Robert

Frost challenged us to think about how ‘Good fences make good neighbors’, but it is in the act of separation that the contours of our conscience acquire the freedom to properly materialize. Would it be wise to ignore his challenge?

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