

MAHGNUM OPUS

updating you on the work of the
Master of American History and Government Program at Ashland University

SUMMER 2012 COURSE SCHEDULE

SESSION 1: JUNE 17 – 22

AHG 501A: The American Revolution*
 AHG 502A: The American Founding*
 AHG 503A: Sectionalism and Civil War
 AHG 510A: Great American Texts—*The Federalist*
 AHG 621A: Race and Equality in America
 AHG 660A: Topics in American History and Government
 —America and Its Music

SESSION 2: JUNE 24 – 29

AHG 502B: The American Founding*
 AHG 504A: Civil War and Reconstruction
 AHG 610A: American Foreign Policy—The Twentieth
 Century
 AHG 631A: American Political Rhetoric
 AHG 641A: The Supreme Court
 AHG 660B: The Ratification of the Constitution*

SESSION 3: JULY 1 – 6

AHG 505A: The Progressive Era
 AHG 510B: Great American Texts—*Democracy
 in America*
 AHG 510C: Great American Texts—*Uncle Tom's Cabin*
 AHG 510D: Great American Texts—Frederick Douglass
 AHG 604A: The Early Republic

SESSION 4: JULY 8 – 13

AHG 503B: Sectionalism and Civil War
 AHG 504B: Civil War and Reconstruction
 AHG 605A: The Age of Enterprise
 AHG 660C: Topics in American History and
 Government—What is an “American?”

SESSION 5: JULY 15 – 20

AHG 505B: The Progressive Era
 AHG 510E: Great American Texts—*Crisis of the House
 Divided* and *A New Birth of Freedom*
 AHG 642A: Political Parties

SESSION 6: JULY 22 – 27

AHG 501B: The American Revolution
 AHG 633A: The American Presidency II—Johnson to
 the present
 AHG 660D: Topics in American History and Government
 —World War II

*Course to be held in Philadelphia, Pennsylvania



Christian Pascarella

LETTER FROM THE DIRECTOR

Another successful summer semester is in the books, and I hope that your school year has gotten off to a good start. The fall is no less busy than the summer for us here in Ashland, as we are already preparing for the 2012 summer. In fact, we are pleased to announce our 2012 schedule (at left). Many old favorites and a few new topics are slated for the coming summer. Registration will open around December 1st.

Additionally, we are excited about two new parts of the MAHG program which will launch soon. First, after much consideration and research, the first online MAHG courses are in development. Unlike typical online courses, our offerings will utilize the latest in video conferencing to provide the same interactive experience offered by our traditional classes. We envision online coursework as a supplement to our on-campus offerings. Online coursework will be neither required nor will it replace our summer courses.

Our second new program combines MAHG's successful instructional model with the Ashbrook Center's experience offering programs at historic sites. Starting with the 2012 summer semester, several MAHG courses each summer will be offered in historic Philadelphia. Much like our Presidential Academy program, students will study the nation's founding surrounded by the places at which history was made. You will learn more about both new options in an upcoming issue of *MAHGnum Opus*.

Finally, I wish to congratulate our latest graduates. Rusty Eder of Maryland, Sara Whitis of Ohio, and James Zenes of Illinois all completed their degrees with the summer term. You can read about Sarah's work, and that of our spring graduates, in the next pages. We will share Rusty and James' stories with you in an upcoming issue.

Christian Pascarella

*Director, Master of American History and Government
 at Ashland University*

PUSHING THE LIMITS OF THE STANDARD THESIS

Two recent graduates of the MAHG program focused their analyses on subjects they might have seen as beyond the horizon for such study. Kimberly Huffman wrote an analysis of the jurisprudence of Chief Justice John Roberts, a sitting justice who had served on the high court less than five years at the time she began work. **Sara Whitis** wrote an interpretation of two works by a living scholar of American government. Unusual as these thesis choices are, they did not spring from a desire to cover new ground so much as from a logical pursuit of the questions that most interested them. Both Kimberly and Sara also thought their projects would make them more knowledgeable and articulate as secondary school teachers.

Following a Living Jurist

Among her students at the Wayne County Schools Career Center, a career and technical school for high school juniors and seniors, Kimberly is known as “crazy about the Constitution” and particularly interested in the court system. Kimberly teaches American government, economics, and two sections of dual enrollment political science. Her students, studying from college texts, earn college credits at Stark State College while completing their high school degrees and learning a specific technical or career skill. Each year Kimberly asks her government students to write a biography of a sitting Supreme Court justice. In 2005, when Chief Justice Roberts was nominated and confirmed, Kimberly prepared her own biography of him as preparation for the reports students would submit. As she read about the new Chief Justice, “I really came to admire him,” Kimberly said. Approaching thesis work, Kimberly knew she wanted to work on a project related to the Constitution that would be of benefit to her students. Owning up to her fascination with the new Chief Justice, she asked Professor Jeff Sikkenga whether a capstone or thesis project on Roberts would be feasible. “He said it would be a legitimate topic.”

When studying a living jurist, “it takes time to sort out what the important sources are,” Sikkenga observed. Other scholars have not yet identified the most important primary documents. Kimberly’s research required “energy and devotion to the topic.”

She read through the 1300 pages of Roberts’ confirmation hearings as well as the twenty-some cases on which he had, to date, authored the majority opinion. She soon realized she could not cover all aspects of Roberts’ jurisprudence. Noting that the largest portion of Roberts’ written opinions concerned freedom of speech, she decided to focus on Roberts’ judgments in this area. Her thesis found that Roberts’ opinions display “a prudent regard for the proper and limited role of the judiciary, a priority assigned to certain categories of speech, and a compelling adherence to precedent.”

Roberts gives priority to speech on matters of public interest, Kimberly found, and, referring to precedent, he defines such speech as political speech “fairly relating to any matter of political, social, or other concern to the community,” (*Connick v. Myers*, 1983) or that “is a subject of legitimate news interest; that is, a subject of general interest and of value and concern to the public” (*San Diego v. Roe*, 2004; *Cox Broadcasting Corp. v. Cohn*, 1975; *Time, Inc. v. Hill*, 1967). “The First Amendment, Robert states, reflects ‘a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open,’” Kimberly writes.

Sikkenga said that Kimberly’s conclusions point to the aspect of Roberts’ rulings that has most surprised observers. “Commentators have been surprised at how aggressively the Roberts court has defended fairly expansive notions of free speech. . . . Roberts is known as a conservative, and most academic commentators expected Roberts to . . . make narrow rulings that closely adhered to precedents. In academic circles, a high regard for free speech is usually considered to be a value of the left.” Such recent opinions as *Citizens United v. the Federal Election Commission* (which



Chief Justice Roberts

Roberts concurred in but did not write) and *Federal Election Commission v. Wisconsin Right to Life* (an opinion Roberts authored) showed the Court expanding free speech during election campaigns, overruling provisions of the 2002 Bipartisan Campaign Reform Act.

Kimberly's thesis also took note of Roberts' leadership style. "Roberts announced during his confirmation hearings that he would work for more consensus and a greater number of unanimous decisions on the Court," Kimberly said, arguing that more consensus would promote greater public confidence in the Court's decisions. "He also argued for a limited role for the judiciary," she said. His record shows that he is meeting both aims. Under his leadership, the Court has delivered unanimous opinions on 43% of its cases, compared to only 31% of the cases reviewed by the Rehnquist Court. Also, the Court has declined to review cases of lesser importance that the Rehnquist Court might have taken on, the average caseload per year decreasing to seventy-four from about 100 under Rehnquist.

Roberts has been effective as a leader of the Court, Kimberly thinks, because of his collegial, respectful, and plain-spoken style. She was impressed by his clarity and humility when, as a **Madison Fellow** in 2009, she heard him speak. The Chief Justice entertained the Fellows' questions, and Kimberly asked about Roberts' expressed concern over the stagnant salaries of federal judges, relating this problem to Madison's argument in *Federalist* 78. Roberts politely declined to comment. "He said, 'It would be inappropriate for me to talk about salaries in front of a group of teachers, who work so hard and don't get paid enough,'" Kimberly recalled.

Kimberly admits to being an avid follower of Chief Justice Roberts, one who can entertain her students with anecdotes about his earlier career as a Supreme Court litigator. She recounts that he fol-

lowed certain rituals when going before the Court to argue a case: "He would pass by the statue of John Marshall and touch his feet. He would wear earphones so that, as he mounted the staircase to the courtroom, he would hear a favorite Souza march."

Kimberly can understand the impulse to reinforce one's self-confidence through such rituals. She wants an interviewer to know that she grew up as one of five children of a single, deaf mother who relied on welfare to support her children. She marvels that she achieved not only her BA degree but also her Masters, and admits that at many points "I was ready to throw in the towel, but my interest in this subject kept me going." She uses her thesis as a teaching resource that she continues to tweak. She read retired Justice John Paul Stevens' memoir, *Five Chiefs*, when it appeared this fall, hoping he would analyze Robert's jurisprudence.

Interpreting a Living Scholar

As Sara Whitis approached her thesis work, she knew she wanted to write about what Abraham Lincoln considered the central idea of the American regime: the idea of human equality. She knew it had been asserted in a bold way by the Founders and that they had had a hard time living up to it; she knew that Lincoln's statesmanship revolved around it, and that contemporary scholars still disagreed about its meaning and its role in our history. From this rather broad beginning she found her way into her thesis topic, a comparison of two important books on the statesmanship of Abraham Lincoln by a scholar of American politics, Harry V. Jaffa.

Sara had been contemplating a survey of views of equality—covering Jefferson, Lincoln, Stephen Douglas, Roger Taney, and Alexander Stephens as well as key modern historians. She knew she would have to consider Jaffa's landmark 1958 study, *Crisis of the House Divided*, as well as its sequel published forty years later, *A New Birth of Freedom*. Her advisor, **Christopher Flannery**, had told her Jaffa offered the deepest and most thorough study of the American Founders' idea of equality, and of Lincoln's statesmanship, which was anchored in that idea.

In fact, as she discovered studying Jaffa's works, in the forty years that elapsed between *Crisis* and *New Birth*, Jaffa had come to disagree with himself. As Flannery joked about his never humble professor:



Kimberly Huffman at the feet of John Marshall, Supreme Court Building, 2009.



Sara Whitis in the classroom at Ashland High School.

“Jaffa himself would consider this the most important disagreement imaginable!”

Eventually, Sara realized that examining this disagreement could become a thesis in itself. The disagreement concerned Lincoln’s interpretation of Jefferson, the man to whom he accorded “all honor” for having

. . . in the concrete pressure of a struggle for national independence by a single people . . . the coolness, forecast, and capacity to introduce into a merely revolutionary document an abstract truth, and so to embalm it there, that today, and in all coming days, it shall be a rebuke and a stumbling-block to the very harbingers of reappearing tyranny and oppression. (Lincoln, letter to Henry L. Pierce, 1859)

Did Lincoln read into the statement that “all men are created equal” something more than Jefferson really meant? Given the Founders’ failure to deal with the problem of slavery, did Lincoln creatively misread their commitment to this principle? As Sara writes in her thesis, the Jaffa of *Crisis* argues that “Lincoln had to ‘exaggerate’ the Founders’ meaning and ‘transform’ their understanding of equality, in order to ennoble the American Founding and make it worthy of respect and reverence.” The Jaffa of *A New Birth of Freedom* holds a more generous view of the Founders, tempered both by a broader reading in Jefferson and a new reading of Locke, the British philosopher often viewed as influencing the Founders’ ideas about government.

“I’ve a simple mind. I really liked trying to

understand the idea of equality, and decided to keep focusing on this until it became clear,” Sara said. The process “has helped me learn to better read primary documents, which is something we do in our history classes at school: we study the Declaration and the Constitution, for example. In our government class we are thinking about Locke.” Sara teaches at Ashland High School, “just down the street from the university.” She works as an intervention specialist in the general education curriculum, often helping students with learning disabilities and co-teaching in economics, government, and US history classes.

Much like Kimberly Huffman, Sara gained inspiration for her teaching work from her thesis work. Studying the statement about human equality in the Declaration, Sara “learned how beautiful” it is. “The Founders didn’t have to declare that idea when they declared independence. Yet our whole plan for limited government and democratic freedoms derives from this idea. Working on this project helped renew my spirit and my gratitude for what the Founders accomplished, and it reminded me of the responsibility we have to live up to this idea of equality.”

While Huffman awaits the judgments of biographers and scholars to confirm her assessment of Chief Justice Roberts, Whitis enjoyed a more immediate affirmation of her conclusions. Professor Flannery shared her thesis with Jaffa, and the eminent scholar was so impressed by it that he obtained Whitis’ phone number from the Ashbrook Center and paid her a complimentary call. He told her what he had already told Flannery—that “he doesn’t know of any better explanation of the development in his own thought than what you find in Sara Whitis’ master’s thesis.” Sara found the call “very humbling. . . . I tried to tell him how much I had learned from Professor Flannery and other MAHG instructors who had studied with” Professor Jaffa at Claremont Graduate University “and he responded good-humoredly that ‘Well, I guess I taught them [Flannery, Schramm and others] pretty well, then!’”

In like manner, these recent graduates of the MAHG program have discovered the rewards not only of studying the writings of statesmen of the past, but also of engaging the work of those—a major scholar and our pre-eminent jurist—who are still living and working.

NEW COURSE COVERS JAFFA'S STUDIES OF LINCOLN

A new **Great Texts** course will be taught by Professor **Chris Flannery** in summer 2012. Inspired in part by Sara Whitis' successful thesis, Flannery proposes to teach Harry V. Jaffa's major works on Abraham Lincoln, *Crisis of the House Divided* and *A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War*. While advising Sara as she grappled with Jaffa's complexly layered analysis of Lincoln's statesmanship, Flannery said he "came to think there was a good course there."

"Big chunks of these books are extended analyses of great American texts. *Crisis* is a study of the Lincoln-Douglas debates, but it not only examines in great detail Lincoln's arguments and Stephen Douglas's arguments in those debates; it also offers, for example, an extensive analysis of Lincoln's Lyceum speech and Temperance Address, including outlines of both speeches," Flannery noted. Jaffa's *New Birth of Freedom* is an extended commentary on the Gettysburg Address and as part of that commentary the book offers careful analysis of Lincoln's First Inaugural Address and his July 4, 1861 address to Congress in Special Session; it also analyses Jefferson's "Summary View of the Rights of British Americans" and James Madison's essay on sovereignty among other great American texts, Flannery continued. "I saw that we might use Jaffa to help us become better readers of important American works."

Beyond that, Flannery argues that Jaffa's work represents a milestone in the political historical study of America. Jaffa challenged the established orthodoxy of twentieth-century scholarship in his effort to understand the Founders and their great heir, Lincoln, "as they understood themselves." To do this, he had to overcome "tremendous barriers" modern



Harry V. Jaffa

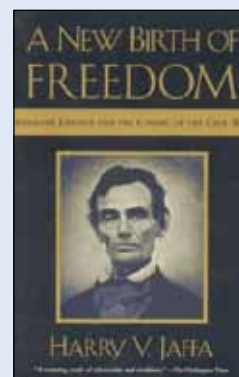
historians placed between students of America and the country they were trying to understand.

To illustrate this point, Flannery cites the influential American historian Carl Becker, whose book *The Declaration of Independence* (1922; 1942) "Jaffa still says is the best book ever written" on

the Declaration. Even so, Jaffa profoundly disagrees with the book's central assumption, which is indicated in Becker's statement, "To ask whether the natural rights philosophy of the Declaration of Independence is true or false is essentially a meaningless question." Such a view, which Jaffa holds to be characteristic of the contemporary history and political science disciplines, would astonish Jefferson and Lincoln, who regarded the statement "All men are created equal" as a "self-evident" truth.

Jaffa, in contrast, seriously poses the question Becker called meaningless, examining the truth of the natural rights philosophy of the Declaration. Only by interrogating this idea, Jaffa maintains, can one take the measure of Jefferson's and Lincoln's statesmanship.

Even though it repudiates the current scholarly attitude toward statements about natural rights, Jaffa's work has won the admiration of other American historians. One noted authority on Lincoln and the Civil War, Mark E. Needly, Jr., went so far as to say in the journal *Civil War History* that "*Crisis of the House Divided* has shaped the thought of a generation of Abraham Lincoln and Civil War scholars." Professor Flannery's praise is higher. "Jaffa's scholarly work presents as great an American text in the academic realm as Jefferson's Declaration or Lincoln's Gettysburg Address offer in the political realm," he says.



USING HISTORICAL FILMS IN THE CLASSROOM

Many teachers use historical films in their classrooms. Yet one may well question whether—or with what provisos—this medium is appropriate for conveying historical knowledge. **Amy Fagnilli** set out to investigate this question in the capstone project she completed last spring. “I love movies, and do use them in class; many teachers do. Yet we never talked about how we used them; we just kind of used them,” Amy said, explaining her choice of topic. “There is the stereotype of using movies as a crutch to teaching. I myself always used them in an interactive way, but still I wondered, ‘Should I be using them?’” Amy worried about the historical accuracy of the depictions, and originally aimed at a thesis that would examine a particular feature film, assessing its fidelity to historical sources. But when she began her research, she found a number of studies on the use of movies as a teaching tool. Reading these, she realized that films are best taught not as simple vehicles of historical content but rather as examples of historical interpretation.

Amy concluded that when using films, teachers should aim above all at building critical viewing skills. In fact, she argues, “it is not a question of whether one should use films or not,” for students are going to be viewing films that purport to carry historical content in any case. Moreover, today’s students are exposed to historical information through other kinds of popular media, notably video games. Amy describes one such game, *Call of Duty*, that engages students in using battle tactics for a range of historical war settings: the trench warfare of World War I, the tank warfare of the European theater in World War II, “jungle warfare” as in the Asian theater of World War II or as in Vietnam, and even the desert conflict that has characterized recent wars. Students who’ve played this game come to history class recognizing “the names of tanks, the insignia of

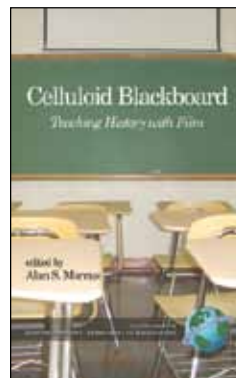


Amy Fagnilli

uniforms, and all kinds of arcane weaponry . . . The question is: what are you as a teacher going to do about it?” How can teachers “get in the middle of” this conveyance of historical ideas through film “and mediate the student’s experience?”

Amy’s advisor, John Moser, outlined her approach to the capstone. “Trying to provide something of value to other teachers, Amy designed a three-part project. She conducted a survey of teachers on their use of film in the classroom, she wrote a very competent review of the literature regarding the pedagogical use of film, and then she wrote a deep analysis of the historical value of two film episodes.”

Before attempting her own study of how best to use film in the classroom, Amy wanted to see what films other teachers, “outside of my own school’s history department,” were using. Amy is a Madison Fellow and guessed that she would get a good response if she queried other Fellows, a highly accomplished subset of American teachers. Working with the director of the Madison program, she was able to collect the responses of 140 teachers. Some of them saw no benefit in teaching through historical films, declaring flatly “I do not use feature films in my classroom.” Of those who did admit to using films, Amy found a range of practices, from simply showing the film without commentary, to using film guides or study sheets the students must complete, to giving lectures covering the ways in which the film departed from or creatively interpreted the history. But she did not see evidence that teachers were actively teaching what she calls “visual literacy.”



Surveying the literature on teaching with film, Amy found a collection of short studies, *Celluloid Blackboard: Teaching History with Film* (ed. Alan S. Markus, 2006) that she calls “an invaluable resource . . . It offers example after example of ways to use film, many different techniques.” Most useful in the book, Amy found, was a model for teaching visual literacy by Scott Metzger.

Metzger, an assistant professor at the Penn State College of Education, guides teachers and students through a three-part analysis of historical films. At first, he offers tools for analyzing the “content coverage and period representation,” that is, “what historical knowledge is included in the film, what has been left out, and what has been compressed or altered?” Going further, he recommends examining the way the film constructs its historical narrative using real-life or composite characters. Even the most meticulously sourced films often reduce the number of historical actors involved in an event so as to facilitate viewer comprehension. They can also be more or less realistic in their depiction of social groups involved in historical events and the power relationships between those groups. A third type of analysis focuses on the point of view the film adopts, and the way it positions its audience to react to the past, in order to evoke “empathy” with the historical figures portrayed or a “moral response” to their choices.

Amy applied Metzger’s model to two historical miniseries treating aspects of World War II: *Band of Brothers* and *The Pacific*. Amy felt these miniseries had real pedagogical potential, since the directors and producers claimed to have aimed at a certain degree of historical accuracy and to have based them on copious research into primary sources, sources which they named and which she could independently examine. To test these claims, Amy chose one episode from each series to examine critically. Before writing her analyses, Amy watched these episodes multiple times, in between studying the history they depict, learning such details as how often pilots carrying paratroopers into Normandy were able to maintain the optimal speed and elevation the paratroopers needed for a safe and accurate jump. She was able to identify particular characters in one series whose virtues and vices were heightened to achieve dramatic



effect. She contrasted points of view employed by the two series, examining the way the focus on a single battalion in *Band of Brothers* heightened dramatic interest, while the coverage of a broader cast of characters in *The Pacific* acknowledged greater historical complexity. Her analyses helpfully demonstrate what seems to be an unavoidable tension between historical accuracy and narrative clarity.

Given the thoroughness of Amy’s critical analyses of the two episodes, one must ask whether the current standards-driven classroom can devote adequate time to mastering critical viewing techniques. Amy agrees that the task is time-consuming for teachers, but insists it is “absolutely worth it. It is probably something a teacher would have to work through for the first time during a couple of weeks of the summer break. It really requires you to investigate the film you plan to use as well as the history it is based on.” Teachers most likely could attempt the in-depth analysis of only one film a year, she conceded.



In her own classroom, Amy asks students to do independent film analysis as they study World War II and the Holocaust. She has acquired a number of reputable films about this era of history, and she loans these out to teams of students. Each team picks a ten or fifteen-minute excerpt and subjects it to careful analysis, then shows this excerpt to the class with their commentary. “Some kids do a tremendous job, and other kids really struggle with this project. Either way, they are acquiring experience in the practice of critical viewing, a skill they all need.”

Professor Moser praised Amy for her thoughtful project design. “The sheer amount of work involved in Amy’s project is very impressive,” he said, adding that this demonstrates a fact about capstone work worth underlining. “Sometimes students choose capstones because they think they are less work. But this is not the defining characteristic of the capstone. What distinguishes the capstone is that it is nontraditional.”



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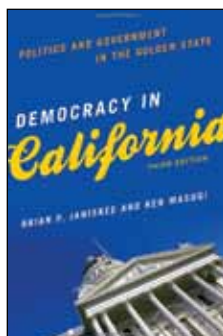
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RECENT FACULTY PUBLICATIONS

Ronald Reagan biographer **Steven Hayward** muses over the legacy of that president in “The Liberal Misappropriation of a Conservative President,” (*Commentary*, October 2011; online at <http://www.commentarymagazine.com/article/the-liberal-misappropriation-of-a-conservative-president/>).

Ken Masugi’s book *Democracy in California: Politics and Government in the Golden State* has appeared in an updated third edition. Co-authored



with Brian Janiskee, the book surveys the constitution of the state as well as its fiscal practices, party politics, and the social diversity that influences politics. It covers local government as well as each branch of state government, and incorporates case studies in each chapter. Moreover, the book takes inspiration from the classic work of Tocqueville

and uses his insights into the principles, problems, and prospects of democratic life as a starting point for meditations on the issues facing California.

Professor **John Moser** continues his exploration of simulation games as a teaching technique in “Senate Baron: A Simulation of Politics in the U.S. Senate, 1933-1942,” *Simulation & Gaming* 42:4 (August 2011), pp. 496-525.

Professor **Mackubin T. Owens** of the US Naval War College spoke at an Ashbrook Center colloquium on September 30 about his latest book, *US Civil-Military Relations After 9/11: Renegotiating the Civil-Military Bargain* (Continuum, 2011). You can find the audio archive of his talk at <http://www.ashbrook.org/events/colloqui/2011/owens.html>.

