Early in *The Scarlet Letter* (1850), as Hester Prynne faces public discipline, the narrator halts to comment, “In fact, this scaffold constituted a portion of a penal machine, which now, for two or three generations past, has been merely historical and traditionary among us, but was held, in the old time, to be as effectual an agent in the promotion of good citizenship, as ever was the guillotine among the terrorists of France” (55). In a subtle reading of this passage Larry Reynolds notes the anachronistic use of “scaffold”—the normal instruments of punishment in the Massachusetts Bay Colony were the whipping post, the stocks, and the pillory—to argue that Nathaniel Hawthorne self-consciously alludes to public beheadings, especially the regicidesal revolutions in seventeenth-century England and eighteenth-century France. But none of Hawthorne’s many critics has noted the anachronistic use of *good citizenship*, a phrase that suggests the rich historical layering of Hawthorne’s nineteenth-century romance about seventeenth-century New England Puritans.

Of course, *citizen* existed in English in the seventeenth century, but it was used primarily to designate an inhabitant of a city, as Hawthorne does when he mentions “an aged handicraftsman . . . who had been a citizen of London at the period of Sir Thomas Overbury’s murder, now some thirty years agone” (127). The official political status of residents of Boston in June 1642 was not that of citizens, but subjects of the King, a status suggested when Hester leaves the prison and the Beadle cries, “Make way, good people, make way, in the King’s name” (54). Historically resonant itself, this cry reminds us that it was precisely in June 1642 that civil war broke out in England (Ryskamp, Newberry). In fact, the book’s action unfolds over the seven years in which the relation between the people and their sovereign was in doubt, the years generally acknowledged as the time when “the Englishman could develop a civic consciousness, an awareness of himself as a political actor in a public realm” (Pocock 335);
that is, as a citizen as those in the nineteenth century would have understood the term. Even so, it was not until after the French and American Revolutions that good citizenship came into common use.

When Hawthorne inserts the nineteenth-century term good citizenship into a seventeenth-century setting he subtly participates in a persistent national myth that sees US citizenship as an outgrowth of citizenship developed in colonial New England. Hawthorne’s participation in this myth is important to note because much of his labor is devoted to challenging its standard version. According to the standard version, conditions for democratic citizenship flourished the moment colonists made the journey to the “New World.” If the people in the 13 colonies were officially subjects of the king, the seeds of good citizenship were carried across the Atlantic, especially by freedom-loving Pilgrims, who found a more fertile soil for civic participation than in England. A recent example of this version of the story comes in the work of the noted historian Edmund S. Morgan. Describing “the first constitution of Massachusetts” in 1630 when the assistants of the Massachusetts Bay Company were “transformed from an executive council to a legislative body,” Morgan writes, “the term ‘freeman’ was transformed from a designation for members of a commercial company, exercising legislative and judicial control over that company and its property, into a designation for the citizens of a state, with the right to vote and hold office. . . . This change presaged the admission to freemanship of a large proportion of settlers, men who could contribute to the joint stock nothing but godliness and good citizenship (Puritan Dilemma 91).” When Morgan designates freemen citizens, he projects onto Puritan New England his awareness of political changes still to come just as most studies of colonial American literature project the country’s present political boundaries backward and treat only the 13 colonies that eventually became the US.

This tendency to read the Puritan past teleologically is a product of the antebellum period. For instance, in his multivolume History of the United States, which found its way into nearly a third of New England homes (Nye, George 102), George Bancroft attributed the “political education” of people in Connecticut “to the happy organization of towns, which here, as indeed throughout all New England, constituted each separate settlement as a little democracy in itself. It was the natural reproduction of the system, which the instinct of humanity had imperfectly revealed to our Anglo-Saxon ancestors. In the ancient republics, citizenship had been an hereditary privilege. In Connecticut, citizenship was acquired by inhabitancy, was lost by re-
moval. Each town-meeting was a little legislature, and all inhabitants, the affluent and the more needy, the wise and the foolish, were members with equal franchises.” Quoting this passage, an anonymous reviewer for the American Jurist and Law Magazine enthusiastically adds that in colonial New England’s “institutions lies the germ of all that distinguishes our government from others, which are more or less founded in individual freedom” (230).

Clearly, the “mild” and “humane” laws of Bancroft’s Puritans are not those of Hawthorne’s (229). Indeed, much of Hawthorne’s notorious irony is directed against the idealization of New England ancestors by Bancroft and others.3 For instance, if Bancroft celebrates New England as the breeding ground of democratic citizenship because of the people’s civic participation in town hall meetings and the like, Hawthorne’s image of the scaffold reminds us that good citizenship requires obedience. If Bancroft stresses the freedom entailed in good citizenship, Hawthorne reminds us of the repressions required to produce good citizens. Hawthorne’s irony reaches a peak late in the book when he calls Chillingworth, the book’s villain, a “reputable” “citizen” (233). Truly good citizens, it seems, cannot be distinguished from those who simply appear respectable.

In different ways some of Hawthorne’s best historically minded critics have noted his challenge to the standard version of the Puritan origins of US citizenship. But for all of their brilliance, none have noted Hawthorne’s anachronistic use of the term citizen. On the contrary, like Hawthorne, some of these same critics refer to Puritans in seventeenth-century Boston as citizens in the political sense of the term (Berlant; Colacurcio, “Woman’s Own Choice”; and Pease), just as does the allegedly ahistorical Frederick Crews (149). In doing so they unconsciously participate in the very myth they think they are demystifying, a participation that makes it impossible for them to recognize Hawthorne’s important contribution to it.4

We can start to identify that contribution by noting that Hawthorne employs little or no irony at the end of his romance when Hester returns to Boston and devotes herself to serving the unfortunate. Having “no selfish ends,” not living “in any measure for her own profit and enjoyment,” counseling those bringing to her “their sorrows and perplexities” (263), Hester in her unselfish commitment to her community has by most measures earned the label good citizen. By most, but not by all. For instance, Judith Shklar identifies the two most important attributes of US citizenship as the right to vote and the right to earn a living. Although Hester earlier earned her keep with her needlework, economic self-sufficiency is not a defining aspect of her citizen-
ship. Nor is the right to vote. Indeed, as a woman, Hester in the seventeenth (even in the early nineteenth) century could not fit definitions of *good citizenship* in either the economic or the political spheres.

Even so, rather than abandon the concept of *good citizenship*, Hawthorne through Hester expands our notion of what it can entail by stressing the importance of actions within what political scientists call *civil society*, “a sphere of social interaction between economy and the state, composed of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication” (Cohen and Arato ix). Acutely aware that the stress on civic participation could obscure important interior matters of the heart and spirit, Hawthorne does not, as many critics argue he does, retreat from public to private concerns, but instead tells the tale of how a “fallen woman” finds redemption by helping to generate within a repressive Puritan community the beginnings of an independent civil society. In telling that tale Hawthorne provides more than a civics lesson. He participates in and helps to shape the contours of a powerful civic myth.  

1. Working on/with Myth

But what is a civic myth? The term comes from *Civic Ideals: Conflicting Visions of Citizenship in US History* (1997), Rogers Smith's exhaustive study of how the law both reflects and helps to produce attitudes toward citizenship in the US. In Smith's complex account, US citizenship has been determined not only by liberal civic ideals, but also by civic myths, which he defines as “compelling stories” that explain “why persons form a people, usually indicating how a political community originated, who is eligible for membership, who is not and why, and what the community's values and aims are” (33).

Literature's potential to generate civic myths was the topic of an 1834 speech called “The Importance of Illustrating New England History by a Series of Romances Like the Waverley Novels,” which was given in Hawthorne's home town of Salem by the Whig lawyer Rufus Choate. Alluding to the Scottish nationalist Andrew Fletcher's often-quoted statement that “I know a very wise man . . . [who] believed if a man were permitted to make all the ballads, he need not care who should make the laws of the nation” (108), Choate argues that a proper literary treatment of the past would mold and fix “that final, grand, complex result—the national character.” In doing so it would make the
country forget its “recent and overrated diversities of interest” and “reassemble, as it were, the people of America in one vast congregation.” “Reminded of our fathers,” he argues, “we should remember that we are brethren” (1: 344).

Choate understands how works of literature can serve as civic myths, but he also reveals why Smith worries about the effects of civic myths and their “fictional embroidery” (33). The stories Choate advocates would not, he admits, be a full disclosure of the past. A literary artist should remember that “it is an heroic age to whose contemplation he would turn us back; and as no man is a hero to his servant, so no age is heroic of which the whole truth is recorded. He tells the truth, to be sure, but he does not tell the whole truth, for that would be sometimes misplaced and discordant” (1: 340). Aware that “much of what history relates . . . chills, shames and disgusts us,” producing “discordant and contradictory emotions,” Choate, therefore, counsels writers to leave out accounts of the “persecution of the Quakers, the controversies with Roger Williams and Mrs. Hutchinson” (1: 339). Literature as civic myth would seem to allow authors to avoid altogether those embarrassing national events that historians should not ignore, even if there is, as Herman Melville puts it, “aconsiderate way of historically treating them” (55).

But the Hawthorne that Melville so admired presents a more complicated case. He had, for instance, already written about precisely the topics that Choate says should be avoided, evidence of a critical attitude toward the past that has caused so many critics to focus on his ironic demystifications. But, as we have seen, Hawthorne does more than demystify prevailing myths. As George Dekker shrewdly puts it, Hawthorne’s “best hope for both short- and long-term success was to make the great American myths his own” (148). Hawthorne is neither solely a mythmaker nor a critical demystifier. Instead, to use Hans Blumenberg’s phrase, he “works on/with myth.” Effectively working on/with the myth of the nation’s relation to its Puritan past, *The Scarlet Letter* as civic myth does not advocate obedience to the state or even primary loyalty to the nation. Instead, it illustrates how important it is for liberal democracies to maintain the space of an independent civil society in which alternative obediences and loyalties are allowed a chance to flourish. It should come as no surprise then that the novel’s power comes more through its love story than through its politics, or perhaps better put, its politics reminds us of the importance love stories have for most citizens’ lives.

Of course, most readers of *The Scarlet Letter* do not need to be reminded that its mythopoetic power lies in its love story. Effectively working on/with the myth of the nation’s relation to its Puritan past, *The Scarlet Letter* as civic myth does not advocate obedience to the state or even primary loyalty to the nation. Instead, it illustrates how important it is for liberal democracies to maintain the space of an independent civil society in which alternative obediences and loyalties are allowed a chance to flourish.
All the more noteworthy, therefore, that recent political readings of the novel have tended to divert our attention from the love story or downplay its significance. What those readings fail to acknowledge is that the love plot is a vital part of Hawthorne's civic vision because it is in the love plot that he explores the possibilities of life in civil society. He does so by working on/with the great exceptionalist myth that America offers the hope for a radical break with the past and the promise of a new start.

2. Begin All Anew

Hawthorne's romance is an extended account of various efforts to begin anew. It starts with reflections on the Puritans' attempt to establish a fresh start in the New World and the narrator's whimsical comment that "[t]he founders of a new colony, whatever Utopia of human virtue and happiness they might originally project, have invariably recognized it among their earliest practical necessities to allot a portion of the virgin soil as a cemetery, and another portion as the site of a prison" (47). It then opens the second half with "Another View of Hester" and Hester's realization that the radical reforms she imagines would require "the whole system of society to be torn down, and built up anew" (165). Hester's radical speculations are in turn linked to the book's emotional climax in the forest scene when Hester pleads to Dimmesdale, "Leave this wreck and ruin here where it hath happened! Meddle no more with it! Begin all anew!" (198).

Even though each of these efforts is frustrated, much of the story's emotional tension has to do with readers' hopes—secret or not—that one or the other—or all—will succeed. Of all the attempts, however, that of Hester and Dimmesdale has awakened most readers' hopes. Confronted with a book of memorable scenes, readers past and present have found the forest meeting between Dimmesdale and Hester the most memorable. It is so powerful that, as anyone who has taught the book knows, students have to be carefully guided to those passages in which the narrator in fact condemns the lovers' sentiments. To understand The Scarlet Letter as civic myth, we need to understand why, after marshaling all of his rhetorical force to make us sympathize with his lovers, Hawthorne does not allow them a new beginning.

Puritan authorities might have answered that question by relying on John Winthrop's distinction between natural and civil liberty. "The first is common to man with beasts and other creatures. By this, man, as he stands in relation to man simply, hath liberty to do what he lists; it is a liberty to evil as well as to good."
In contrast, civil liberty has to do with the "covenant between God and man, in the moral law, and the politic covenants and constitutions, amongst men themselves. This liberty is the proper end and object of authority, and cannot subsist without it; and it is a liberty to that only which is good, just, and honest" (83–84). Significant for a novel about adultery, Winthrop's analogy for political covenants is marriage. Assuming the common law doctrine of coverture in which husband and wife become one corporate body with the husband granted sole legal authority, Winthrop compares a woman's willing subjection in marriage to an individual's subjection to the magistrates who govern the political covenant to which he consents. "The woman's own choice makes such a man her husband; yet being so chosen, he is her lord, and she is to be subject to him, yet in a way of liberty, not of bondage; and a true wife accounts her subjection her honor and her freedom. . . . Even so brethren, it will be between you and your magistrates" (238–39). In turn, both marriage and political covenants are analogous to "the covenant between God and man, in the moral law" in which a Christian can achieve true liberty only through total submission to Christ. For the Puritans, the political institutions of civil society and the civil ceremony of marriage are governed by the moral law because they have God's sanction. A political covenant is not simply a contract among men; like the marriage contract between a man and woman, it needs God's witness.

To apply this doctrine of covenant theology to The Scarlet Letter is to see that for the Puritans Hester's greatest sin would not have been her adultery, whose visible evidence they see in the birth of Pearl, but a remark that Dimmesdale alone hears her make: her defiant cry that what the two lovers did "had a consecration of its own" (195). Resonating with so many readers, this proclamation is in fact sinful because it implies that Hester's and Dimmesdale's love is a self-contained act, not one in need of God's sanction. As such their love exists in the realm of natural, not civil, liberty and must be contained.

The nineteenth-century version of Winthrop's distinction between natural and civil liberty is the distinction often made in political oratory between license and liberty. The Scarlet Letter is a civic myth about the importance of civil society, not about the glories of natural man or woman, because Hawthorne, despite the sympathy that he creates for his lovers, recognizes with Winthrop the dangers of natural liberty. But if Hawthorne shares Winthrop's distrust of natural liberty, he does not share the Puritan's belief that the only way for political subjects to achieve civil liberty is through absolute submission to civil authority.
Because Winthrop speaks of a political subject's participation in a covenant rather than of his relation to a monarch and because of Hawthorne's own reference to good citizenship, critics who evoke Winthrop while writing on *The Scarlet Letter* have assumed that he is describing the situation of citizens, not subjects. But he is not. Winthrop's subjects are still subjects, and citizens for him remain residents of a city, as is the case for John Cotton, who in 1645 declared that the best way to unite or combine people together into "one visible body" was a "mutual covenant" between "husband and wife in the family, Magistrates and subjects in the Commonwealth, fellow Citizens in the same citie" (qtd. in Norton 13). This distinction between subjects and citizens is not just a quibble over terms. As a political category, not simply a resident of a city, citizen implies the capacity to rule as well as be ruled. The relative independence of citizens would, therefore, undercut Winthrop's analogy between the wife in a marriage under coverture and the subjects of a commonwealth. For instance, as Linda Kerber has shown, covenant theology's strict analogy between marriage and political covenants broke down in the Revolutionary era. On the one hand, independence generated an ideological disjunction. Founded on the principle that the terms of political obligation of British subjects could be renegotiated to create US citizens, the nation was ruled, nonetheless, by men who for the most part wanted to retain a family structure in which a wife owed her husband eternal obedience (13). On the other hand, the rhetoric of citizenship generated a new republican model of marriage that challenged the doctrine of coverture. As Merril Smith puts it, "Tyranny was not to be considered in public or private life, and marriage was now to be considered a republican contract between wives and husbands, a contract based on mutual affection" (51).

Hawthorne's challenge to Winthrop's belief in the absolute authority of magistrates is thus as important a part of *The Scarlet Letter*'s function as civic myth as is their shared distrust of the potential dangers of natural liberty. Winthrop claims absolute authority because he lives in a theocracy in which, as Hawthorne puts it, "forms of authority were felt to possess the sacredness of divine institutions" (64). Distrustful of granting civil authority divine sanction, Hawthorne questions the capacity of the Puritan magistrates to judge Hester. Their problem is not that they are evil men. "They were, doubtless, good men, just and sage" (64). Their problem is that "out of the whole human family, it would not have been easy to select the same number of wise and virtuous persons, who should be less capable of sitting in judgment on an erring woman's heart, and disentangling its mesh of good
and evil" (64). Assuming the moral position of God, the magistrates lack what Hester develops over the course of the book: the "power to sympathize" (161).\(^4\) That power causes a political dilemma. If on the one hand Hawthorne appeals to sympathy to temper the rigid and authoritarian rule of a system in which "religion and law were almost identical" (50), on the other he warns of the dangers of having that sympathy lapse into a sentimental embrace of natural liberty with all of its potential dangers.

That dilemma is, of course, precisely the dilemma Hawthorne's readers confront when they sympathize with his two lovers in the forest. Hawthorne's answer to it is not, as critics too often assume, to advocate absolute submission to the existing civil authority. It is instead to imagine alternative possibilities for human relations within the civil order by drawing on the power to sympathize. Both that capacity of the imagination and the power to sympathize flourish best in Hawthorne's world in the space of civil society not directly under state supervision, a space prohibited in the Puritan theocracy at the beginning of Hawthorne's novel.

Hester will help generate that space, but she first has to acknowledge the importance of civil society by recognizing her sin. For Hawthorne that sin is not so much—as it would have been for Winthrop—a sin against God's law as it is a sin against the intersubjective agreements that human beings make with one another. Indeed, her adultery is another example of a premature effort to begin anew. After all, Hester's adultery with Dimmesdale takes place with her assuming, before the fact, that her husband is dead. When Chillingworth appears, therefore, he appears not only as a vengeful, cuckolded husband but also as a figure from a not-yet-buried past prepared to block Hester and Dimmesdale from achieving her dream of starting anew. To expand our understanding of why Hawthorne does not allow that new beginning, we need to look again at that "reputable" "citizen" (233), Hester's husband.

3. Another View of Mr. Prynne

Hawthorne may elicit our sympathy for Hester and Dimmesdale while condemning their adultery, but he generates little sympathy for Hester's husband. From Chaucer's January to various figures in Shakespeare to Charles Bovary to Leopold Bloom, the cuckolded husband has been treated with varying amounts of humor, pathos, sympathy, and contempt. Few, however, are as villainous as Roger Chillingworth. Hawthorne's treatment of him
starkly contrasts with the sympathetic treatment some courts gave to cuckolded husbands in the 1840s, when various states began applying the so-called unwritten law by which a husband who killed his wife's lover in the act of adultery was acquitted. Arguments for those acquittals portrayed avenging husbands as "involuntary agents of God." In contrast, lovers were condemned as "children of Satan," "serpents," and "noxious reptiles" with supernatural power allowing them to invade the "paradise of blissful marriages" (Ireland, "Libertine" 32).

In *The Scarlet Letter* this imagery is reversed. It is the avenging husband who stalks his wife's lover with "other senses than [those ministers and magistrates] possess" and who is associated with "Satan himself, or Satan's emissary" (75, 128). In the meantime, we imagine Arthur, Hester, and Pearl as a possible family (Herbert 201). The narrator so writes off Chillingworth as Hester's legal husband that he refers to him as her "former husband" (167), causing Michael T. Gilmore to follow suit (93) and D. H. Lawrence to designate Mr. Prynne Hester's "first" husband. A legal scholar writing on adultery goes so far as to call Hester an "unwed mother" (Weinstein 225).

By reversing the sympathy that courts gave to cuckolded husbands taking revenge into their own hands, Hawthorne draws attention to the importance of seeking justice within the confines of the written law. Feminist historians have, for good reasons, stressed the ideological function of laws condemning adultery as a way to guarantee the legitimacy of patriarchal lineage. As accurate as this account is, in the nineteenth century an alternative account, stressing the law's positive function, was available. Oliver Wendell Holmes, Jr., summarized much nineteenth-century writing on law's anthropological function when he wrote: "The early forms of legal procedure were grounded in vengeance" (2). Adultery is a case in point. Prior to the sixth century, revenge for adultery in England was carried out by the wronged husband and his kinship group. This reliance on *vendetta* resulted in long-standing blood feuds. To stop the social disruption caused by cycles of revenge, Aethelberht created his Code of Dooms that gave responsibility for punishing adultery and other crimes to the state. In his famous *Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas* (1861), published a decade after *The Scarlet Letter*, Sir Henry Maine drew on similar evidence from Roman law to argue that criminal law served the social order by taking from individuals responsibility for punishing wrongdoers. The hoped-for result was a state monopoly on violence, for if the state alone could resort to vio-
lence to mete out justice, socially disruptive cycles of violent revenge could be avoided (Weinstein).

Dramatizing the dangers of achieving justice outside the law, Chillingworth illustrates natural liberty's potential for evil as well as for good. On the one hand, it prompts Hester to question the law in the name of a more equitable social order. On the other, it can allow Chillingworth to take the law into his own hands for personal revenge. If Hester's desire to create the world "anew" suggests utopian possibilities, Chillingworth's revenge, driven by "new interests" and "a new purpose" (119), suggests the potential for a reign of terror. Hawthorne links these two seeming opposites through the secret pact that Hester and her husband forge on his return. Hester's dreams of a new social order result from her having "imbibed . . . a freedom of speculation" growing out of a new way of thinking that challenges "the whole system of ancient prejudice" (164), but during her prison interview with her husband she imbibes a draught he has concocted out of the "many new secrets" he has learned in the wilderness from Indians (72). Chillingworth's "new secrets" might be associated with a "primitive" realm that Hester's vision of an enlightened future hopes to overcome, but the "promise of secrecy" that once again binds husband and wife suggests a possible connection between the two (170). Their secret bond in turn parallels the secret bond of natural lovers that Hester and Dimmesdale contemplate in their meeting in the forest. The two bonds even have structural similarities. For instance, just as Hester's new bond with her husband can be maintained only because he has taken on a new name, so Hester counsels her lover, "Give up this name of Arthur Dimmesdale, and make thyself another" (198). More importantly, the secrecy in which both bonds are made isolates everyone involved from the human community. As such, both are in stark contrast to the bond created by the civil ceremony of marriage whose public witness links husband and wife to the community.

Much has been made of Hester's adulterous violation of her marriage vows. Not much attention, however, has been paid to her husband's violation of his vows, even though the narrator comments on it. For instance, in prison Hester asks her husband why he will "not announce thyself openly, and cast me off at once?" His reply: "It may be . . . because I will not encounter the dishonor that besmirches the husband of a faithless woman. It may be for other reasons. Enough, it is to my purpose to live and die unknown" (76). In legal terms, Chillingworth's fear of dishonor makes no sense inasmuch as he has committed no
crime. But if some antebellum courts displayed great sympathy to cuckolded husbands through the unwritten law, there was a long tradition—still powerful in the seventeenth century—of popular and bawdy rituals mocking cuckolded husbands (Ramsey 202–07). No matter what other motives Chillingworth might have, the narrator makes clear that the man “whose connection with the fallen woman had been the most intimate and sacred of them all” resolves “not to be pilloried beside her on her pedestal of shame” (118). That resolve explains “why—since the choice was with himself—” he does not “come forward to vindicate his claim to an inheritance so little desirable” (118).

According to coverture, that undesirable inheritance was not only Hester, but also her child. Fully aware of his husbandly rights, Chillingworth tells his wife, “Thou and thine, Hester Prynne, belong to me” (76). Nonetheless, he refuses to acknowledge his inheritance, telling Hester in the same scene, “The child is yours,—she is none of mine,—neither will she recognize my voice or aspect as a father” (72). The doctrine of coverture was clearly a patriarchal institution; nonetheless, it was not solely to the advantage of the husband. It was also a means to hold him responsible for the well-being of his wife and children. Chillingworth might not be Pearl’s biological father, but he was her father in the eyes of the law. That legal status adds another dimension to the recognition scene that occurs when Chillingworth walks out of the forest and finds his wife on public display for having committed adultery. “Speak, woman!” he “coldly and sternly” cries from the crowd. “Speak; and give your child a father!” (68). Commanding his wife to reveal the name of her lover, the wronged husband also inadvertently reminds us that at any moment Hester could have given Pearl a legal father by identifying him. Even more important, Chillingworth could have identified himself. But the same man who knows his legal rights of possession as a husband refuses to take on his legal responsibilities as a father.

Pearl, in other words, has not one but two fathers who refuse to accept their responsibilities. Having lost his own father as a young boy and doubting his ability financially to support his children on losing his job at the Custom House, Hawthorne was acutely aware of the need for fathers to live up to their name. In fact, by the end of the novel he ensures Pearl’s future by having her two fathers finally accept their responsibilities. At his death Dimmesdale publicly acknowledges his paternity, eliciting from Pearl a “pledge that she would grow up amid human joy and sorrow, nor for ever do battle with the world” (256). At his death Chillingworth bequeaths to his once-rejected inheritance “a con-
siderable amount of property, both here and in England” (261). Even so, the book’s emphasis on failed fathers raises the possibility that Hester will earn her claim to good citizenship through her role as a mother.

4. A Mother’s Rights

_The Scarlet Letter_, according to Tony Tanner, is a major exception to the “curiously little interest” the novel of adultery pays to the child of an illicit liaison, “even on the part of the mother (or especially on part of the mother)” (98). Indeed, Hester’s relation to Pearl is a major part of Hawthorne’s story. Accompanying her mother in almost every scene in which Hester appears, Pearl embodies a major paradox: although there is perhaps no better symbol of the hope for a new beginning than the birth of a child, Hester’s daughter continually reminds her mother of her sinful past. Like the scarlet letter to which she is frequently compared, Pearl serves therefore as an agent of her mother’s socialization. Part of Hester’s socialization is in turn to socialize her daughter. Worried that Pearl is of demon origin or that her mother is not doing a proper job of raising her, some of the “leading inhabitants” are rumored to be campaigning to transfer Pearl “to wiser and better guardianship than Hester Prynne’s” (100-01). In response Hester concocts an excuse to go to the governor’s hall, only to find Governor Bellingham and Reverend Wilson convinced of their plan when Pearl impiously responds to their interrogations. Desperately turning to Dimmesdale, Hester implores: “I will not lose the child! Speak for me! Thou knowest,—for thou hast sympathies which these men lack!—Thou knowest what is in my heart, and what are a mother’s rights” (113).

As much an anachronism as Hawthorne’s evocation of the concept of good citizenship, Hester’s appeal to a mother’s rights helps to locate Hawthorne’s attitude toward motherhood. In the seventeenth century no mother threatened with losing custody of her child could have successfully evoked the idea of a mother’s rights. On the contrary, as we have seen, under the doctrine of coverture the child belonged legally to the father. In fact, in custody disputes between husband and wife a common law court did not grant custody to the mother until 1774. Even in this landmark case Chief Justice Lord Mansfield acknowledged the “father’s natural right” while ruling that “the public right to superintend the education of its citizens” had more weight (qtd. in Grossberg 52). Mansfield’s seemingly revolutionary ruling, in
other words, would have confirmed the Puritan elders’ sense that for her own good and that of the commonwealth Pearl, who had no father willing to claim her, could be taken from her mother. It was not until the courts were convinced that the education of children as citizens was best accomplished by their mothers that the idea of a mother’s right to her child could gain force.

That process began in a few highly publicized cases in the US just before Hawthorne began writing *The Scarlet Letter*. These cases in which a mother won custody from a father coincided with a challenge to coverture posed by the rise of republican rhetoric that opposed coverture’s image of marriage as a corporate body presided over by the husband with the image of marriage as a contractual relation, with husband and wife bringing to the union complementary, if not identical, duties and obligations. Not yet willing to grant women an active role in the political sphere of the new republic, this rhetoric still gave them an important role to play, that of raising children as citizens in service of the nation. Emphasizing the nurturing role of the mother, this cult of republican motherhood bolstered a wife’s claim to gain custody of her child, especially one of “tender” years. Indeed, in the D’Hauteville case, one of the most publicized custody battles, the wife’s lawyers contrasted the increasingly progressive republican nature of marriage in the US to the outmoded feudal concept of coverture maintained by her Swiss husband (Grossberg).

In her plea for a mother’s rights Hester echoes the antebellum rhetoric of republican motherhood, which, like Hester’s appeal to Dimmesdale, emphasized the capacity for sympathy. A product of “paternal” and “maternal” qualities, a proper republican citizen was not simply the obedient subject produced under the paternal regime of both coverture and seventeenth-century Puritanism. Instead, a good citizen should also have the moral quality of sympathy nurtured through a mother’s love. Hawthorne dramatizes the marriage of these two qualities in the final scaffold scene when Dimmesdale, the biological father, elicits Pearl’s pledge of obedience, a pledge that comes in the form of tears produced because the scene has “developed all her sympathies” (256).

It would, nonetheless, be a mistake to assume that Hester becomes a model citizen by the end of *The Scarlet Letter* through her role as a mother. If republican mothers were supposed to raise citizens for the nation, Pearl does not become a “citizen” of Boston. Whereas, in typical Hawthornian fashion, we are not completely certain where Pearl ends up, circumstantial evidence indicates that she has successfully married and lives somewhere
in Europe, most likely on the continent, not even in England. Measured by the most important standard of success for a republican mother, therefore, Hester fails. Rather than raise a child inculcated in proper values to serve the nation/commonwealth, Hester raises a child who finds "a home and comfort" in an "unknown region" (166, 262), just as Hawthorne ends "The Custom-House" imagining himself a "citizen of somewhere else" (44).

To the patriotically minded, Hester's failure to produce a representative of the new generation bound by loyalty to the nation would seem to disqualify her as a model citizen. In fact that failure helps to suggest how Hawthorne expands our sense of good citizenship. As the cult of republican motherhood demonstrates, the republican challenge to authoritarian forms of government involved more than exchanging the political status of subjects for that of citizens. It also tempered hierarchical rule with sympathy, which because of its capacity for identification across barriers of status is a decidedly unhierarchical emotion. Even so, much republican rhetoric continued to channel sympathy into service of the state by implying that sympathies cultivated in the family would lead to local and regional ones before culminating in identification with all members of the nation. Within this developmental narrative, the function of the state is to enforce the civil order in the name of "the people" sympathetically bound together as a nation. In contrast, Hawthorne suggests an interactive, not developmental, model for the relation between sympathy and the state. Also stressing the need to temper harsh, hierarchical rule with a capacity for sympathy, Hawthorne does not see sympathetic identification with members of the nation as necessarily an expansion of the moral capacity of individual citizens. On the contrary, his continual stress on the importance of local attachments suggests that the state should guarantee a civil order in which such attachments can be cultivated because they are valuable in themselves, not because they will eventually lead to an attachment to the nation. National sympathies for him are not inevitably of a higher order than more local ones.17

Hawthorne's interactive model is compatible with a belief shared by many, if not all Americans, indeed, by many, if not all citizens of liberal democracies. The primary goal for them is not necessarily to produce citizens who display loyalty to the state as representative of "the people" bound together as a nation. The goal instead is to produce independent citizens capable of choosing where they can best develop their capacities. To be sure, this goal is in part conditioned by the ideology of liberal democracies, like the US, which values freedom of choice. In the US of Haw-
thorne’s day that freedom was officially endorsed through the government’s support of a citizen’s right to expatriation, whereas British subjects owed perpetual allegiance to their sovereign (Tsiang; James).18

Of course, it is one thing to emphasize freedom of choice and quite another to provide the conditions making it possible. If much recent criticism of US literature has used this disparity to question how “free” freedom of choice “really is,” we should also not forget that it is one thing to acknowledge that a preference for freedom of choice is in part a product of ideology and quite another to claim that such a preference makes no difference. The power of The Scarlet Letter as civic myth has to do with its dramatization of the difference that a preference for freedom of choice can make and how important the existence of an independent civil society is for its cultivation. That difference is most poignantly dramatized in Hester’s decision to return to Boston at the end of the book.

That decision is freely chosen in the sense that no one forces Hester to make it, but it is certainly not a decision made without pressure from many complicated historical and psychological factors, just as one’s decision as to where to maintain or seek citizenship is not simply a rational choice about possibilities for political or economic freedom but one conditioned by numerous factors that one cannot control, such as where one was born and where one’s intimate ties are located. In this regard Hester’s return is especially important because she returns no longer primarily defined by relations of status that so governed the women of her time; that is, the status of lover, mother, or wife. On the contrary, with her lover and husband dead and her child apparently married and in another country, she returns as a woman, a woman devoted, nonetheless, not to individual fulfillment but to the interpersonal relations of civil society. It is in this space, which incorporates “many of the associations and identities that we value outside of, prior to, or in the shadow of state and citizenship” (Walzer, Introduction 1), that Hester provides us paradoxically with a model of good citizenship that no liberal democracy can afford to do without.

5. Hester’s Unexceptional Return

At the start of the novel the scarlet letter has “the effect of a spell” on Hester, “taking her out of the ordinary relations with humanity, and inclosing her in a sphere by herself” (54). As the novel goes on, however, it assumes the scaffold’s role of promot-
ing good citizenship. With Hester's return and her willing resumption of the letter—"for not the sternest magistrate of the period would have imposed it" (263)—the scarlet letter has, as Sacvan Bercovitch has argued, finally done its office. But just as Hester's actions change the meaning that people give to the scarlet A, so too they alter the sense of good citizenship with which the book begins.

The book begins with an image of good citizenship as the sort of absolute obedience that Winthrop wanted his subjects to give to their magistrates. The distance Hawthorne moves away from that image can be measured by a comparison between Dimmesdale and Hester. Tempted in the forest to break completely with the dictates of civil authority, Dimmesdale goes back on his resolve and instead seeks salvation by submitting totally to the existing civil order through participation in the civic activities of the election-day ceremonies. His submission culminates in his sermon that teleologically projects a utopian vision of a cohesive—and, it is important to emphasize, closed—Puritan community into the future. Dimmesdale, in other words, becomes the obedient subject that Winthrop desires. He is joined during these public ceremonies by almost the entire Puritan crowd, which submits "with childlike loyalty" to its rulers (250). Hester, however, is not among that crowd. Her good citizenship comes because of, rather than despite of, her failure to submit so loyally.

Through her return Hester acknowledges the civil law in a way that she did not in her rebellious earlier days. Nonetheless, she does not, as Dimmesdale does, submit totally to the state. On the contrary, she receives the Puritan magistrates' toleration of—and even admiration of—actions that are not directly under their supervision. Concerned with counseling and comforting those who feel marginalized by official Puritan society, especially women whose attempts at intimacy had failed, those activities extend the parameters of good citizenship to an interpersonal realm concerned with affairs of the heart that no affairs of state seem capable of remedying. If Dimmesdale simply channels his capacity for sympathy into total service to the state, Hester dramatizes how important it is for the state to promote spaces in which the capacity for sympathy can be cultivated while simultaneously guarding against the dangers of natural liberty. Thus, even though Hester has no place within the civic sphere, she, unlike Dimmesdale, helps to bring about a possible structural realignment of Puritan society by having it include what we can call the nascent formation of an independent civil society.

Stressing the importance of the civil order, the Puritans, as
represented by Hawthorne, had no place for an independent civil society because they felt the need to control all aspects of life. As the narrator notes regarding the concern over Pearl’s upbringing, “Matters of even slighter public interest, and of far less intrinsic weight than the welfare of Hester and her child, were strangely mixed up with the deliberations of legislatures and acts of the state” (101). Indeed, the relative independence granted to Hester at the end of the book markedly contrasts with an earlier description of her cottage which she could possess only “by the license of the magistrates, who still kept an inquisitorial watch over her” (81).

If the Puritan theocracy, like all absolutist forms of government, has no room for an independent civil society, such a society is an essential feature of liberal democracies. In Michael Walzer’s words, “It is very risky for a democratic government when the state takes up all the available room and there are no alternative associations, no protected social space, where people can seek relief from politics, nurse wounds, find comfort, build strength for future encounters” (Introduction 1). It is so risky that one of the functions of the state in liberal democracies is to ensure that alternative associations and protected spaces exist. In dramatizing the importance of their existence, Hester’s activities on her return to Boston indicate the kinds of nonpolitical transformations that for Hawthorne were necessary for democratic rule to emerge from the Puritans’ authoritarian rule.

By emphasizing the Puritans’ authoritarianism rather than their democracy, Hawthorne works on/with the antebellum myth of the Puritan origins of American democracy. That myth has been perpetuated by both supporters of the country’s claim to foster democratic rule and critics of it, such as Bercovitch and Lauren Berlant, the two best recent readers of Hawthorne’s politics. Like most recent critics, including myself, both Bercovitch and Berlant read The Scarlet Letter’s seventeenth-century moment of representation as a comment on its antebellum moment of production. But, unlike me, they do so by turning a nineteenth-century liberal democracy into a secular version of the Puritans’ seventeenth-century theocracy. Fitting The Scarlet Letter into the project he has conducted throughout his distinguished career, Bercovitch plots a complicated narrative of secularization in which the New England Way becomes the American Way, while Berlant without elaboration simply posits the continuities of the “Puritan/American project” (158). Supplementing her narrative of secularization with Louis Althusser’s account of the ideological interpellation of subjects, Berlant reads Hawthorne’s portrayal of seventeenth-century Boston allegorically to
solve the "problem of understanding national citizenship in early national America" (6), assuming that Winthrop's subjects have the same relation to the state as citizens in a nineteenth-century democracy, a relation that "in theory" allows "neither a private part to which the state is not privy, nor a thought outside of the state's affairs" (98). But if Althusser's model, in which all aspects of civil society are simply part of the state's ideological apparatus, might conceivably work for a seventeenth-century theocracy and its demands for absolute obedience, it does not work for liberal democracies. Convinced that it does, Berlant feels compelled to look for resistance to the total control that Althusser attributes to the state and finds it, as do I, in Hawthorne's portrayal of "the scene of everyday life relations and consciousness" (95). What she fails to realize is that, far from challenging the ideology of liberal democracies, locating the potential for resistance in such everyday associations is a vital part of that ideology.

Bercovitch is acutely aware of how resistance to the state can serve the ideology of liberal democracies. Nonetheless, his need to see the US's nineteenth-century democracy as a secularized version of the Puritans' seventeenth-century theocracy betrays his otherwise magnificent reading of Hawthorne's novel in two important ways. First, since the great crisis for Puritanism was the antinomian controversy, Bercovitch needs to assert that "the only plausible modes of American dissent are those that center on the self" and then to read *The Scarlet Letter* as a book about Hester's individualism (31). But Hester, I hope I have established, is defined much more by her commitment to interpersonal relations than by her individualism, which is not to say that Hawthorne does not value the independence that she displays in contrast to the "childlike loyalty" of other Puritan subjects. But that independence for Hawthorne is not a product of a naturally self-sufficient self; it is instead bred and cultivated in the associational activities of an independent civil society.22

Bercovitch's second misreading has to do with Hawthorne's attitude toward the nation. Certainly many Americans see the US as fulfilling a divine mission, just as the Puritans saw themselves as the chosen people. But Hawthorne's work on/with that exceptionalist myth is too powerful to be confined by Bercovitch's narrative of secularization, however subtle and complicated that narrative is. On the contrary, Hawthorne's well-documented skepticism about revolutionary reformers questions the sacred mission they grant to themselves. For instance, both the Puritan Revolution in England and the French Revolution toppled sovereigns claiming divine authority, and yet Cromwell's mission in
England was to establish a New Jerusalem while the revolutionaries of France transferred the king's claim to absolute authority to the nation and, with religious zeal, condemned to death anyone opposed to its new principles. From a Hawthornian perspective, the danger is not that America will stray from its divine mission, but that it will follow the path of other revolutions and believe too fervently that it has such an exceptional destiny.

That ever-present danger means that, although there is a structural difference between an antebellum democracy and a seventeenth-century theocracy, perpetual work is required to guard against a patriotism that "loses all sense of the distinction between State, nation, and government" (Bourne 357). Hawthorne accomplishes that work in his introductory sketch of "The Custom-House" as well as in his novel. Hawthorne, Stephen Nissenbaum has documented, was heavily involved in local partisan politics and fought extremely hard to retain his civil service post in the Custom House. Nonetheless, his fictional version of his dismissal tells a different story. If, as Gordon Hutner puts it, Hawthorne "introduces his novel about the public history of private lives with his private history of public lives" (20), in both the novel and the sketch he ends by locating his protagonists in the space of civil society between the public and private. And just as the novel looks ironically at various ideals of good citizenship, so does the sketch. For instance, Hawthorne's portrayal of the ex-military men working at the Custom House undercut the ideal of the citizen-soldier, an ideal that contributed to the election of military hero Zachary Taylor as president and thus indirectly led to Hawthorne's dismissal. Taylor's election is a perfect example of the failure of a second ideal: people displaying and cultivating their virtue through participation in the political process. Far from a realm in which citizens sacrifice their own interests for the good of the nation, politics in "The Custom-House" has degenerated into a battle of self-interest. Its debilitating effects are most prominently displayed in the spoils system, which, especially in Hawthorne's hands, puts a lie to a third ideal: the good citizen as devoted civil servant.

Presided over by a flag that marks it as "a civil, and not a military post of Uncle Sam's government" (5), the Custom House is occupied by people who fail to heed the fierce look of the American eagle over its entrance that warns "all citizens, careful of their safety, against intruding on the premises which she overshadows with her wings" (5). Instead, they seek "to shelter themselves under the wing of the federal eagle" (5), not so much to serve the country as to be guaranteed a comfortable livelihood. The expectation that the federal eagle's "bosom has
all the softness and snugness of an eider-down pillow” (5) is the mirror-image of the childlike loyalty that causes the Puritan crowd uncritically to submit to its magistrates' rule. Choosing neither the nation's maternal protection nor its paternal authority, Hawthorne weaves a fiction in which he best serves the country not as a civil servant paid by the state but as a nonpartisan writer located in an independent civil society. Thus he portrays himself as happily leaving the Custom House so that he could once again take up his pen. The novel that he subsequently wrote, which more than any other work has become part of the “general incorporation of literature into education” and thus part of the “channel through which the [national] ethos is disseminated and . . . the means by which outsiders are brought inside it,” gives substance to the cliché that democracy is a way of life as well as a political system (Brodhead 61, 60).

6. Conclusion

If The Scarlet Letter suggests that political institutions alone cannot make a democracy, its emphasis on good citizenship in the civil as well as in the civic sphere is by no means a solution to all of the country’s problems. The issue of race, for instance, marks an important limit to that emphasis. Conflicted between loyalties to an individual state and to the federal union, Hawthorne searched for a reason to fight the Civil War. Writing to his friend Horatio Bridge, he identified the issue of slavery. "If we are fighting for the annihilation of slavery . . . it might be a wise object, and offers a tangible result, and the only one which is consistent with a future Union between North and South. A continuance of the war would soon make this plain to us; and we should see the expediency of preparing our black brethren for future citizenship by allowing them to fight for their own liberties, and educating them through heroic influences" (Letters 381). Whereas the annihilation of slavery was indeed the basis for restoring the Union, a truly equitable citizenship for blacks was, as we know, derailed by the reconciliation of white North and South.

Even though he died in 1864, Hawthorne unintentionally anticipates a reason for those derailed efforts in his metaphoric descriptions of the scarlet letter. The letter is called variously a mark, a brand, a badge of shame, and a stigma. What Hawthorne could not have known was that a few years after The Scarlet Letter appeared, Justice Taney in the Dred Scott case would use similar metaphors to deny citizenship to anyone of African
descent—free or slave. Since in a republic there is only one class of citizens, Taney argued, “the deep and enduring marks of inferiority and degradation” implanted on blacks had so “stigmatized” them that they were excluded from the sovereign body constituting the nation (416). In an effort to undo the damage done by Dred Scott, the Supreme Court after the Civil War ruled that the Thirteenth Amendment forbade not only slavery but also all “badges and incidents” of slavery. The difference between a badge and a stigma is significant. A badge can be removed; a stigma, coming from the Greek word for a brand, is implanted for a lifetime—and for Taney could be passed from generation to generation (Thomas).

_The Scarlet Letter_ ends by giving Hester a choice of whether to wear her “badge of shame” (161). She willingly chooses to wear it, in part because through her own agency the letter has “ceased to be a stigma” (263). In contrast, the possibility of achieving the status of model citizen through individual effort was denied African Americans because their race meant that, as a group, they inherited a badge of slavery, whose stigma persisted. The civil society argument about “uncoerced human associations” by itself is not adequate to deal with that problem (Walzer, “Concept” 7). Instead a much more traditional argument about active citizen participation in the political sphere would seem to be called for.

Clearly, a danger of an exclusive emphasis on good citizenship in civil society is political quietism of the sort that Hawthorne succumbed to in the 1850s when he argued that slavery would wither and die of its own accord. As regrettable as Hawthorne’s quietism was, however, that biographical fact should not be, as some critics make it, the final word on “the politics” of his most famous novel (Cheyfitz; Arac, “Politics”). _The Scarlet Letter_ does not so much reject civic notions of good citizenship as question empty platitudes about them while expanding our sense of what they can entail. That expanded sense of good citizenship is by no means sufficient to solve issues of racial inequality—as if any one course of action is—but it may be an important component of any solution. Indeed, it is not simply an accident that the movement agitating for first-class citizenship for African Americans was called the civil rights movement. To be sure, civil rights by definition are guaranteed by the state, and to be effective they have to be enforced by the state. Nonetheless, agitation for civil rights reminds us that one of the most important goals of political activism is the creation of a space where the voluntary associations located in civil society exist according to principles
of equity and fairness. As Walzer puts it, “Only a democratic state can create a democratic civil society; only a democratic civil society can sustain a democratic state. The civility that makes democratic politics possible can only be learned in the associational networks; the roughly equal and widely dispersed capabilities that sustain the networks have to be fostered by the democratic state” (“Concept” 24).  

What Walzer does not do, however, is give us a concrete sense of what a democratic civil society looks like. Thus his helpful, but too balanced, formulation needs to be supplemented by the observation that a major debate within democratic politics is how to define a democratic civil society. *The Scarlet Letter* does not provide that definition, but it does contribute to democratic politics by implying an answer to another question raised by Walzer’s formulation: which comes first, democratic state or democratic civil society? Challenging the standard account that locates the seeds of a later democracy in the political institutions of seventeenth-century New England, *The Scarlet Letter* implies that the nascent formation of an independent civil society precedes and helps to generate a democratic state. If that implied narrative has limits—and like all narratives it does—it has also served as a powerful and enabling civic myth for many, like those whom Hester counsels, whose failed efforts at sympathy make them feel marginalized by the existing—not so—civil order.  

Notes

1. Thomas Hobbes in *De Cive*, published in Latin in 1642 and translated into English in 1651, did use *citizen* to designate membership in a commonwealth. But he did not use it as Aristotle did to designate a member of a republic who has the capacity to both rule and be ruled. Instead, like the French absolutist Jean Bodin, he distinguished citizens, who had specific benefits, from other subjects, like denizens, who did not have all or any of them. In *Leviathan* (1651) Hobbes uses *citizen* more in the sense of a city dweller. For instance, he writes of a man: “Let him therefore consider with himself, when taking a journey, he armes himselfe, and seeks to go well accompanied; when going to sleep, he locks his dores; when even in his house he locks his chests; and this when he knows there bee Lawes, and publike Officers, armed to revenge all injuries shall be done him; what opinion he has of his fellow subjects, when he rides armed; of his fellow Citizens, when he locks his dores; and his children, and servants, when he locks his chests” (186–87). “Fellow Citizens” are clearly those “fellow subjects” who dwell in close proximity to the man.

2. Morgan also uses the term *good citizen* when he acknowledges that the Puritans’ phrase would have been a “civil man” (*Puritan Family* 1).
3. For an excellent summary of speeches by people like Daniel Webster, Joseph Story, and Edward Everett that share Bancroft's view of the Puritans' republican institutions, see John P. McWilliams, 25-36. On Bancroft, see Levin.

4. In noting that many of Hawthorne's critics remain as much within the myth of the Puritan origins of US citizenship as he does, I am not implying that I somehow can stand outside of and above myth to expose it as an ideological distortion. Whereas I fully recognize that The Scarlet Letter, as a work of fiction, does not give us a historically accurate account of seventeenth-century Puritan society and political thought, to dismiss it as mere ideology does not get us very far. On the contrary, since according to today's critical commonplace we are always within ideology, it is not enough to expose persistent national myths as ideological, which is how the present generation of critics of American literature has generally distinguished itself from the myth and symbol school. What we need to do as well is to evaluate the effect of various myths in terms of what Kenneth Burke called "equipment for living." Such work on/with myth might help to generate a revitalized political criticism that once again, like Aristotle, sees politics as the art of the possible.

5. Informed by events in the former Soviet bloc in 1989, where the economic sphere was controlled by the state, this and other current definitions do not include the economic in civil society, as did Adam Smith, Adam Ferguson, and Hegel.

6. My point is not that Hawthorne set out to write a story arguing for the importance of an independent civil society in the way that a political economist might. His goal was to write the most compelling story that he could. Nonetheless, in its reception, especially the role it has played in education in the US, The Scarlet Letter, with its representation of people's desires and how those desires can best be fulfilled, imparts certain attitudes, values, and structures of feeling that coincide with the attitudes, values, and structures of feeling associated with civil society arguments. Furthermore, even if Hawthorne did not self-consciously set out to make an argument for an independent civil society, he would have known about such arguments through the Scottish Enlightenment figures of Adam Smith and Ferguson.

7. The quotation comes from An Account of a Conversation Concerning a Right Regulation of Governments for the Common Good of Mankind in a Letter to the Marquis of Montrose, the Earls of Rothes, Roxburg and Haddington (1703). It might seem ironic that in making a plea for the US to unite and to forget regional differences Choate quotes a Scottish nationalist. At the same time, Fletcher advocated a federal union of Scotland and England, so he could be said to have anticipated the federal system of the US.

8. Choate is echoed by Will Kymlicka, the contemporary theorist of multicultural citizenship, who argues that finding a shared national identity in history "often requires a very selective, even manipulative retelling of that history" (189).

9. On Hawthorne and a national literature, see Doubleday. See also Arac, "Narrative Forms," who argues that The Scarlet Letter is an aesthetic narrative, not a national narrative, and that it became representative of the nation only through a retrospective process of canonization that devalued national narratives. Arac's provocative argument reminds us that literature can do many more
things than give us compelling stories about national membership and values. Indeed, many works do not even have the potential to become civic myths. Nonetheless, *The Scarlet Letter*'s engagement with the myth of Puritan origins does give it that potential. More important, Arac focuses on a work's form and content, but form and content alone do not make a narrative national; its reception plays a role as well. Whereas a study of *The Scarlet Letter*'s reception is beyond the scope of this essay (see Brodhead), the important question for me is why Arac's "aesthetic narratives," like *The Scarlet Letter* and *Adventures of Huckleberry Finn* (1884), become civic myths while more explicitly national or patriotic narratives have lost favor over time. Simply to raise that question is to suggest that literature's relation to nationalist ideologies is a complicated one. Answering it might also demonstrate, as I try to do in this essay, that those ideologies are themselves more complicated than the ones that many recent literary critics are so intent on demystifying.

10. Some of the most provocative—if conflicting—accounts of Hawthorne's relation to the Puritans are Baym; Bell; Bercovitch; Colacurcio, "Footsteps" and "Woman's Own Choice"; and Pease.

11. Almost three decades ago Colacurcio began turning critics' attention away from the novel's love story to examine the chapter "Another View of Hester" and Hester's final return. Nonetheless, he pointedly remarks on the danger of turning "away from the richness and particularity of Hester's own love story" ("Footsteps" 461). In contrast, Berlant sees the love story as a retreat from the book's more important political concerns: "Now the tale of Hester and Dimmesdale, a political scandal, is reduced to a mere love plot" (154). According to Bercovitch the dramatic reunion of Hester and Dimmesdale in the forest "is a lovers' reunion, a pledge of mutual dependence, and no doubt readers have sometimes responded in these terms, if only by association with other texts. But in this text the focus of our response is the individual, not the couple (or the family)" (122). In contrast, see Millington's claim that Bercovitch's "erasure of the book's emotional investments" is "characteristic of the present moment in the history of Americanist criticism" (6, 2).

Millington's observation helps me to address what might seem to be a contradiction in my argument. If, as I claim in note 9, a work's status as civic myth depends in large part on its reception, do not all readings contribute to that status? And if they do, how can I claim that some readings are misreadings? There is no easy answer to those questions, but I can at least suggest the direction that an answer might take. First, it is partially true that the entire reception of a work—including its misreadings—helps to give a work the status of civic myth, since without a widespread reception the book could not serve as myth. Nonetheless, the fact should not keep us from recognizing that very often popular readings tend to perpetuate commonplace myths and miss how a novel or story also works on those myths. Take, for instance, the recent Demi Moore film of *The Scarlet Letter*. By completely sympathizing with the lovers against a harsh Puritan society it misreads the novel as much as many undergraduates do. If the book were indeed that simple-minded, it would not have had a very long reception history. Even so, by responding to this emotional aspect of the book, such misreadings do give us a sense of the book's popular power that critical dismissals of the love plot miss. A novel or story that simply works on myth without working with it will have little chance of having a popular reception. My reading of *The Scarlet Letter* as civic myth tries to account for both its long and its popular reception.
12. Of this moment, when the two “recognize that, in spite of all their open and secret misery, they are still lovers, and capable of claiming for the very body of their sin a species of justification,” William Dean Howells writes, “There is greatness in this scene unmatched, I think, in the book, and I was almost ready to say, out of it” (105, 108).

13. See Colacurcio, “Woman’s Own Choice,” and his student Berlant, who asserts that for Winthrop the citizen is a woman. Citizens, we need to remember, are subjects, but not all subjects are citizens.

14. The best discussion of sympathy in the novel is Hutner.

15. For more on cases involving the “unwritten law,” see Ireland, “Insanity”; Hartog; and Ganz.

16. Adultery has a complicated history in Anglo-American law. It was not a criminal act in common law, but was dealt with in ecclesiastical courts. As a result, the legal fiction of criminal conversation developed to allow common-law courts to rule on adultery, even if under an assumed name (Korobkin). Then in 1650, Puritans in England criminalized adultery. Even before that event a number of colonies, including Massachusetts, had criminalized the act. For the actual laws of adultery in seventeenth-century New England, see Dayton; Hull; Koehler; Norton; and Ramsey.

17. See Berlant’s excellent discussion of how Hawthorne adjudicates “the different claims for federal, state, local, and private identity that circulate through the American system” (203). See also Carey McWilliams and note 23.

18. Hawthorne’s celebration in “The Custom-House” of the renewing powers of “frequent transplantation” indirectly lends support to arguments for the right to expatriation (8–9). Although he describes what, “in lack of a better phrase,” he must call “affection” for his “native place” of Salem (8), he also insists, “Human nature will not flourish, any more than a potato, if it be planted and replanted, for too long a series of generations, in the same worn-out soil. My children have had other birthplaces, and so far as their fortunes may be within my control, shall strike their roots into unaccustomed earth” (11–12).

19. Pease makes a number of interesting points about The Scarlet Letter in relation to civic duty, but he neglects the crucial role of civil society and confines himself to a discussion of the “reciprocity between the public and private worlds” (82). His sense of community also depends upon Rousseau’s “general will,” which Pease equates with an American notion of a “public will” (24). But an independent civil society is important because it allows for associations that resist potentially tyrannical conformity enforced in the name of an abstract “general will,” the most obvious example being the “reign of terror.” It is no accident that Pease champions Hawthorne’s Puritans, finding in them a positive “unrealized vision of community” (53).

20. According to Colacurcio, “If the plot leaves Hester Prynne suspended between the repressive but obsolescent world of Ann Hutchinson and the dan-
gerous new freedoms of the world of Margaret Fuller, the theme of the romance takes us very surely from the high noon of the Puritan theocracy to the dawn of the Romantic Protest in the nineteenth century" (Province 32). Both Gilmore and Herbert argue that The Scarlet Letter's world may be Puritan New England but that its major characters have a nineteenth-century moral outlook. Both follow Baym, who claims that Hawthorne "has created an authoritarian [Puritan] state with a Victorian moral outlook" (215). Baym's comment is extremely important since it reminds us of the extent to which Hawthorne's representation of the Puritans is work on/with myth, not an accurate representation.

21. Bercovitch's narrative of secularization necessarily minimizes important developments in the eighteenth century, such as the structural transformation of the public sphere and its relation to the rise of a relatively independent civil society (Habermas).

22. "Rather than revealing that . . . 'the only plausible modes of American dissent are those that center on the self,' The Scarlet Letter seems to demonstrate that the only form of selfhood worth having is generated by reciprocal connection to others—and that one may choose constraints because there are no meanings without them. Hester's deepest yearning, this is to say, is not for freedom but for a reimagined social life (the very thing that in Bercovitch's account, consensus ideology removes from view) for a lover and for a community able to accommodate the forms of connection she envisions for them" (Millington 6). To which I add: the relative freedom from state supervision provided by an independent civil society enhances the possibility of imagining and working toward that different social life.

23. In an essay that caused some to question his patriotism Hawthorne wrote: "The anomaly of two allegiances (of which that of the State comes nearest home to a man's feelings, and includes the altar and the hearth, while the General Government claims his devotion only to an airy mode of law, and has no symbol but a flag)" means that "[t]here never existed any other government, against which treason was so easy, and could defend itself by such plausible arguments" ("Chiefly" 416). He added: "In the vast extent of our country—too vast, by far, to be taken into one small human heart—we inevitably limit to our own State, or, at farthest, to our own Section, that sentiment of physical love for the soil which renders an Englishman, for example, so intensely sensitive to the dignity and well-being of his little island" ("Chiefly" 416-17).

24. Walzer continues, "The state can never be what it appears to be in liberal theory, a mere framework for civil society. It is also the instrument of the struggle, used to give particular shape to the common life." Nonetheless, he adds that it is not necessary to find "in politics, as Rousseau urged, the greater part of our happiness. Most of us will be happier elsewhere, involved only sometimes in affairs of state. But we must leave the state open to our sometime involvement" ("Concept" 24).

25. I am grateful for the comments provided by Jayne Lewis, Robert Milder, Frederick Newberry, Steven Mailloux, and audiences at the University of Oregon, the University of Washington, and the Kennedy Institute for North American Studies in Berlin.
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Works Cited


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