

The Allegory of the Boundary Line



There was once a large group of settlers who sought an unsettled land. They came from various nations and brought with them a diversity of ages, races, religions, cultures and languages. Most of them were virtuous people of integrity who bonded together to seek land, prosperity, and liberty from tyranny.

Their wagon train moved through wild, mountainous country until it reached a beautiful grass covered valley that gently sloped downward to a wide river in the distance. They could see steep cliffs rising above and banking the far side of the river in both directions as far as the eye could see. When they encamped in the valley that night they felt at home.

As the days passed, scouting parties discovered the valley was wide and long. Below their camp they found the river was bordered on the near side by a wide stretch of deep, sandy soil. From the bank of the river the sandy soil gently sloped upward for a considerable distance until it came to a wide, parallel span of bedrock plateau where vegetation grew in fertile topsoil. Above their camp on the plateau a narrow range of foothills rose to nearby forest-clad mountains.

The settlers voted to make the valley their home and to build their city on the bedrock plateau where there was plenty of water for irrigation. They had noticed the area was vulnerable to heavy rainstorms and flash flooding; so, by city charter they set the city limits at the boundary line between the bedrock and the sandy soil.

In some places the boundary was easy to see. In other places where soil deposits had obscured the boundary they had to dig to find it. The settlers carefully marked the boundary line at the edge of the bedrock with a fence and with signs that warned against building on the sandy soil below the boundary line. They called their city Bedrock City. It was a city where a majority of the people grew in enlightenment, virtue and integrity over time.

The original settlers soon became many thousands of citizens. As decades passed the city was expanded and modernized. The climate changed. Violent storms and flash flooding in the area ceased. The fence was allowed to fall into disrepair. Building grew closer and closer to the boundary line. Sometimes pranksters turned warning signs around the fence posts to be read facing the rock instead of the sand. Except in a few scattered sections, the boundary line fence and its signs were eventually buried or torn down.

For years, proposals of building on the sandy soil were rejected by voters until a defiant generation of young people arose who recruited followers and formed a revolutionary plan. As their numbers grew they openly denounced most of the standards of Bedrock City and secretly began to break its laws. They called themselves Utopians.

The Utopians hired lawyers who simply argued in the city courts that the city charter had marked existing city limits from the beginning, and that the city had no jurisdiction beyond its own boundary line. They won. Regardless of many warnings, homes and other buildings arose on the sandy soil.

Quickly dismissing any reference to sand in the naming of their city, they simply called their city Utopia. It wasn't long before Utopia grew much larger and more grand in appearance than Bedrock City. Utopia was a city where a majority of the people became more and more darkened, vicious and corrupt as the city grew and spread.

As things got worse, Utopian tyrants arose who secretly vowed to control the power and wealth of the entire valley for themselves and for their willing followers. They disguised their true motives and intentions while using flattery, empty promises and subterfuge to win enough support to gain control of the government of Utopia and most of its citizens.

When the tyrants came to power their first strategy was to propose to the leaders of Bedrock City that the two cities merge "for the good of all." When their idea was dismissed the Utopians increased their recruiting efforts to entice citizens of Bedrock City to move to Utopia, promising more available land, larger estates, lower taxes, less restrictive rules, more freedom and more fun. This caused quite a number of citizens of Bedrock City to pull up roots to move to Utopia.

The Utopians were not satisfied. Their next strategy was to ensnare all of the people whose buildings had encroached even a little across the boundary line by telling them the laws of Utopia now applied to them in full. Some people tore down or abandoned their encroaching property before moving to higher ground in Bedrock City. By offering bargain-priced land the Utopians managed to influence a large number to rebuild on the Utopian side of the line.

The Utopians were still not satisfied. Their next strategy was to remove all of the new warning signs that were springing up along the boundary line. As often as people from Bedrock City put up new warning signs to mark the boundary line, Utopians would steal, cover or disguise the signs. For a time the warning signs made it easy to tell where the boundary line was, but eventually the Utopians managed by their zealous efforts to get some people from Bedrock City to carelessly encroach across the boundary line and to join them.

The Utopians grew more and more dissatisfied with results. Their next strategy was to convince everyone that the original settlers were mistaken about where the boundary line really belonged. The Utopians secretly hauled some rock and placed it beneath various counterfeit boundary lines that were placed anywhere from ten meters to a kilometer inside Utopia. Then they invited buyers to test the ground there. Many people from Bedrock City did so and were deceived enough to build inside Utopia and to move there.

The Utopians grew more and more angry as Bedrock City continued to disregard their power and persuasion. Their next strategy was to launch a campaign to convince everyone the boundary line didn't matter because modern building methods made building on sandy soil faster, easier and as good as building on rock. In support of this argument they pointed out that the climate had changed and there was no more danger. They began to teach this in their schools. Much debate did not settle the matter, but persistent Utopian calls for tolerance, compromise, fairness, inclusion and equality somehow convinced more and more citizens of Bedrock City to move to Utopia.

The Utopians grew furious as Bedrock City continued to resist their power and persuasion. Their next strategy was to launch a campaign to convince everyone a boundary line can be wherever you want it to be. They began to teach that if you wish to perceive rock here but no sand then there is rock here and no sand; and if you don't wish to perceive rock here but sand then there is sand here and no rock. And likewise, if you wish to perceive there is sand here but no rock then there is sand here and no rock; and if you don't wish to perceive sand here but rock then there is rock here and no sand. Disregarding the principle of misperception, they began to teach in their schools that any chosen perception is reality. Somehow this convinced more and more citizens of Bedrock City to move to Utopia. Some Utopians who knew better quietly moved to Bedrock City.

The Utopians became enraged as Bedrock City continued to withstand their power and persuasion. Their next strategy was to launch a campaign to convince everyone that they could simply do away with any existing boundary line by popular vote. To promote their idea they used Utopian pride parades, loud and raucous music, finger-pointing taunts, vulgar chants, songs and dances, and a deluge of propaganda. During one staged event a multitude of Utopians shouted at the top of their lungs for the space of two hours "The boundary line is gone!!!" Public opinion polls were published to show the majority agreed with them. Some citizens of Bedrock City believed them and moved to Utopia. Many Utopians who knew better moved to Bedrock City. Meanwhile, the leaders of Bedrock City refused to call for a popular vote on the existence of the boundary line.

The Utopians became livid at Bedrock City defiance. Their next strategy was to use the legal system of Bedrock City to seek to overthrow the will of its people and their Constitution. They secretly had Utopian activists become citizens of Bedrock City and hired lawyers to represent them. On appeal to the city's Highest Court their lawyers accused all who opposed the idea of voting the boundary line out of existence of "viciously inciting defamatory, degrading, and hateful bigotry, discrimination, disrespect, inequality, intolerance, phobia and turmoil." They demanded "in the name of fairness, equality and peace" that a binding valley-wide vote be held. The overall plea of plaintiffs' lawyers was for "Equal Justice Under Law!"

The overall plea of the defense lawyers for Bedrock City was for "Equal Justice Under Virtuous Law!" They said their city had refused to call for such a vote as a matter of truth and virtue, arguing that the boundary line existed in truth and it would be less than virtuous to deny it. They argued that the Highest Court must, "as a matter of good judicial behavior and

character, prudently exercise good conscience in upholding justice in defense of truth and virtue.” They argued that “Only a court lacking prudence, good conscience, good character, good behavior or good judgment would do otherwise in any case.” For this they were angrily warned of contempt of court charges.

Without ruling on the meaning of “good” or its application to “good behavior,” to “good character,” to “good conscience” or to “good judgment” a thin 5 to 4 majority of justices acknowledged in their ruling that “Every judge is constitutionally bound to exercise ‘good behavior’ while in office, whatever that term may mean.” Without ruling on the meaning of “prudence” they said “There is no room for personal conscience in ‘jurisprudence,’ by whatever legal meaning that term may hold.” Without ruling on the meaning of “corrupt” they said “Only a judge who is ‘corrupt in character’ would exercise personal conscience in deciding what is or is not just under the law.” They did not address the topic of “good judgment” at all.

The four dissenting justices said in their minority opinion “There is no such thing as equal justice under any law that produces or perpetuates a vicious result in society.” Of the majority’s failure to address terminology, they said “As a matter of justice, truth and virtue every judge worthy of public office must be of good character in order to be a judge of good behavior and good judgment, and vice versa.” They said “This Court has an affirmative duty to resolve the true meaning and value of terms such as ‘good,’ ‘prudence,’ ‘corrupt,’ ‘truth’ and ‘virtue’ in order to be a court of justice, in order to constitutionally deal with the case at hand and with future cases, and in order to effectively deal with every judge of ‘bad behavior’ mistakenly appointed for life.”

Of a judge of “bad behavior” the minority opinion referred specifically to “every judge who corruptly seeks to deny or usurp the constitutional voting power of the people or of their duly elected representatives” and to “every judge who takes ‘evil license’ to unjustly establish creeping standards of falsehood or vice as legal precedents which judges of good behavior might then feel oath-bound or duty-bound to ratify or follow with blind disregard to their own better character, conscience and judgment to the contrary.”

The words of the minority fell on deaf ears. By majority ruling the Court decided that “No judge may be bound by any legal duty nor allowed by any legal principle or precedent to conscientiously rule on what is truly virtuous or vicious, good or bad; therefore, no just interpretation or ruling under the law can attempt to uphold justice in defense of truth and virtue—it can only uphold justice in defense of equality and peace.”

On that basis the Highest Court ordered Bedrock City to allow its citizens to participate in a valley-wide vote called for by the plaintiffs seeking to vote the boundary line out of existence. An agreed upon voting day was set. The Utopians celebrated the Court’s order with shouts of victory, tearful embraces and singing and dancing in the streets. Their public opinion polls predicted they would win.

On voting day almost all of Bedrock City voted in favor of acknowledging the existence of the boundary line. The Utopians sought by every means to rig the voting and then the vote

counting, but they ended up winning less than half of the 50 voting districts and less than half of the popular vote.

In their unbounded outrage the Utopians refused to accept defeat. Through the quick legal action of their lawyers they asked the Highest Court to declare the winning vote unconstitutional and to rule the boundary line out of existence by Court order. With great pleading and protest they cried their human dignity and their equality would be otherwise hatefully denied and their peace wrongfully disturbed. Counsel for Bedrock City asked the Court to confirm the vote as valid and to acknowledge the existence of the boundary line.

By the same 5 to 4 vote as in the plaintiffs' previous case, the same justices of the Highest Court decided the voted will of the majority of voters was "unconstitutional and therefore void." The Court cited their Constitution and their rationale in the plaintiffs' earlier case in ruling they had "the constitutional authority to limit the voted free expression of a person's belief whenever that person's voted free exercise of that belief compromised another person's equality or disturbed another person's peace." The Court then found for the plaintiffs, saying "The plaintiffs would be robbed of their human dignity and be placed in great turmoil if such inequality were so hatefully imposed upon them by voters." They then said their ruling on the voting issue precluded any need to rule on the existence of the boundary line.

In their scathing dissent, the same four justices in the minority said "Our Constitution does not give any court the authority to deny or usurp the constitutional voting power of the people or of their duly elected representatives." They said "A lawful vote is a constitutionally protected expression of belief, as well as a constitutionally protected exercise of that belief." They insisted "It is unconstitutional to cause or allow any constitutional right to contravene another." They then concurred in affirming "The constitutional voting rights of the majority may not be infringed upon by any disgruntled voter's belief or claim that their equality has been compromised or their peace has been disturbed as a result of a lawful vote they wish to overthrow. Nor should government be allowed to rob the majority of the supreme voting power the people have reserved to themselves that they might govern the government."

The minority then cited their previous dissent in accusing the Court of "wrongfully usurping the constitutional voting power of the people and of denying the majority of voters their constitutional rights to govern and to freely express and freely exercise by vote their belief in the existence of the boundary line." They declared "In violation of our Constitution, five members of this Court have unjustly awarded themselves the status of an oligarchy. As self-appointed dictators, they have wrongfully disenfranchised the will of the majority of voters with five votes of their own."

The minority concluded by saying "As to the Court's failure to acknowledge the existence of the boundary line and to rule against the plaintiffs on that issue, every justice in the majority knows a judge's failure or refusal to rule against what that judge knows or has good enough reason to believe is truly erroneous or wrong is to effectively rule in its favor. This can only make what is bad worse. That has happened here." The words of the minority again fell on deaf ears.

From that day on, generations of good people wondered what evil had influenced the Court and its rulings, and why. Because of the general suffering and turmoil that ensued it was commonly believed the Court's unjust failure to uphold truth and virtue provided no equality, no peace and no benefit to anyone. Regardless of Court opinions and rulings, most of the people of Bedrock City continued to openly acknowledge the existence of the boundary line, and they openly encouraged everyone else to do the same.

Seeing this infuriated the Utopians beyond measure. They would settle for nothing but a victory that would give them unchecked power to trample truth and virtue and to dictate equality, peace and justice on their terms. Their next strategy was to launch a vicious campaign of persecution which, if necessary, they would escalate into open warfare.

During the next few months Utopian persecution became more and more severe against anyone who would not join them. Violence erupted and spread. To avoid the threat of harm, some citizens of Bedrock City fearfully moved to Utopia. Some Utopians secretly left their homes and sought refuge in Bedrock City. Preparations for war escalated on both sides. In their preparations the Utopians gained the upper hand.

In the midst of all this turmoil there arose one day a great storm. No one who survived had ever seen such torrential rain or such immense flooding. In the valley the buildings and inhabitants within Bedrock City were spared. No one else survived. The devastating flash flood rose only as high as the boundary line. In which city would you have chosen to build and live before the flood—and why? What better choices and decisions will you learn, make and teach from this allegory?

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Written by: *M. Gregg Fager*
CEO, Human Progress L.C.
myhumanprogress.com

