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## COVER STORY

### AFRICA AGONISTES

"Continent in crisis" is no mere cliché when applied to sub-Saharan Africa. Its people are poorer than they were 30 years ago—and more numerous. They are beset by famine, tyranny, and violence. Yet our contributors see signs of hope. Africa began turning away from socialism some five years before Eastern Europe's far more celebrated reversal. Democratic government appears to be catching on. **Kwame Anthony Appiah** writes of Africa's political coming-of-age—and his own. **Robert Klitgaard** takes a street-level look at the challenges that await the new African capitalism.

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### WHAT ARE THE RIGHTS OF THE PEOPLE?

56

Two hundred years after the Framing of the U.S. Bill of Rights, Americans are in the midst of a second great debate over the nature of their rights. **James H. Hutson** recalls the years of public controversy that culminated in the ratification of the Bill of Rights in 1791; **Gary L. McDowell** casts a skeptical eye on today's rights debate.



## IDEAS

### THE BIRTH OF PUBLIC OPINION

46

Surveys report it, film stars consult it, and politicians claim to embody it. "Public opinion" is, however, a relatively recent invention. **Anthony J. La Vopa** explores its origins and odd evolution.



## REFLECTIONS

### LYNDON JOHNSON

100

No modern president has been more maligned in recent years than Lyndon B. Johnson, the man who fathered the Great Society and escalated the Vietnam War. **Robert Dallek** argues for a reconsideration.

### WESTERN SCIENCE, EASTERN MINDS

109

What happens when Western psychotherapy is practiced in Asia? Something surprising, writes **Sudhir Kakar**.

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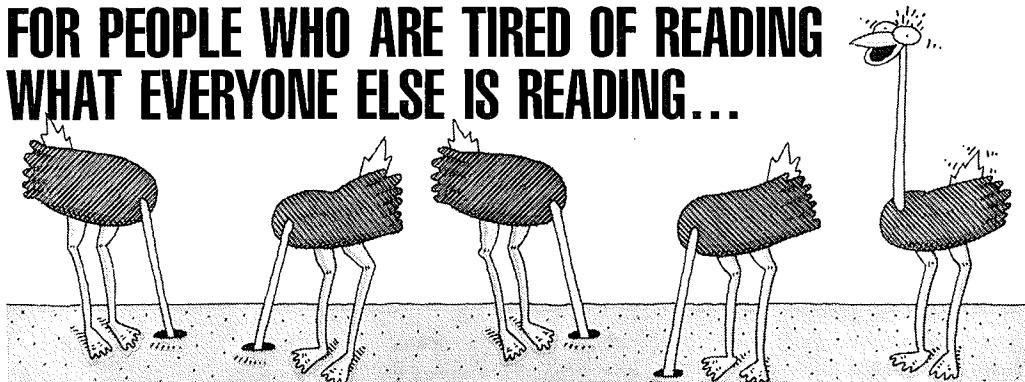
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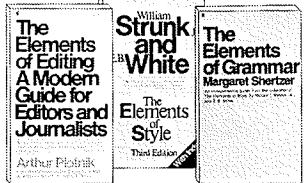
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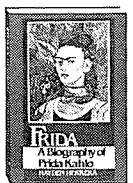
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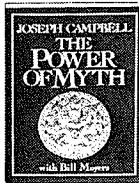
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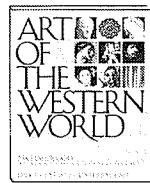
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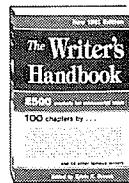


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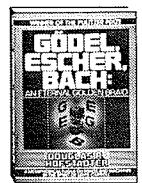


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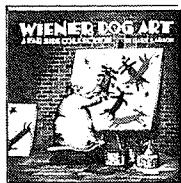
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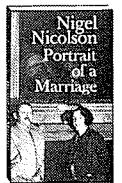
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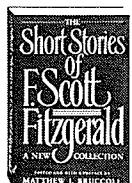
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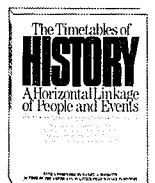
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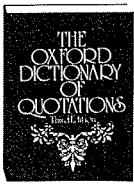
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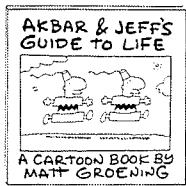
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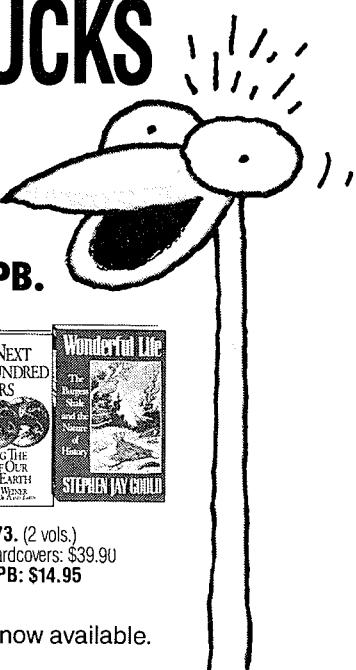
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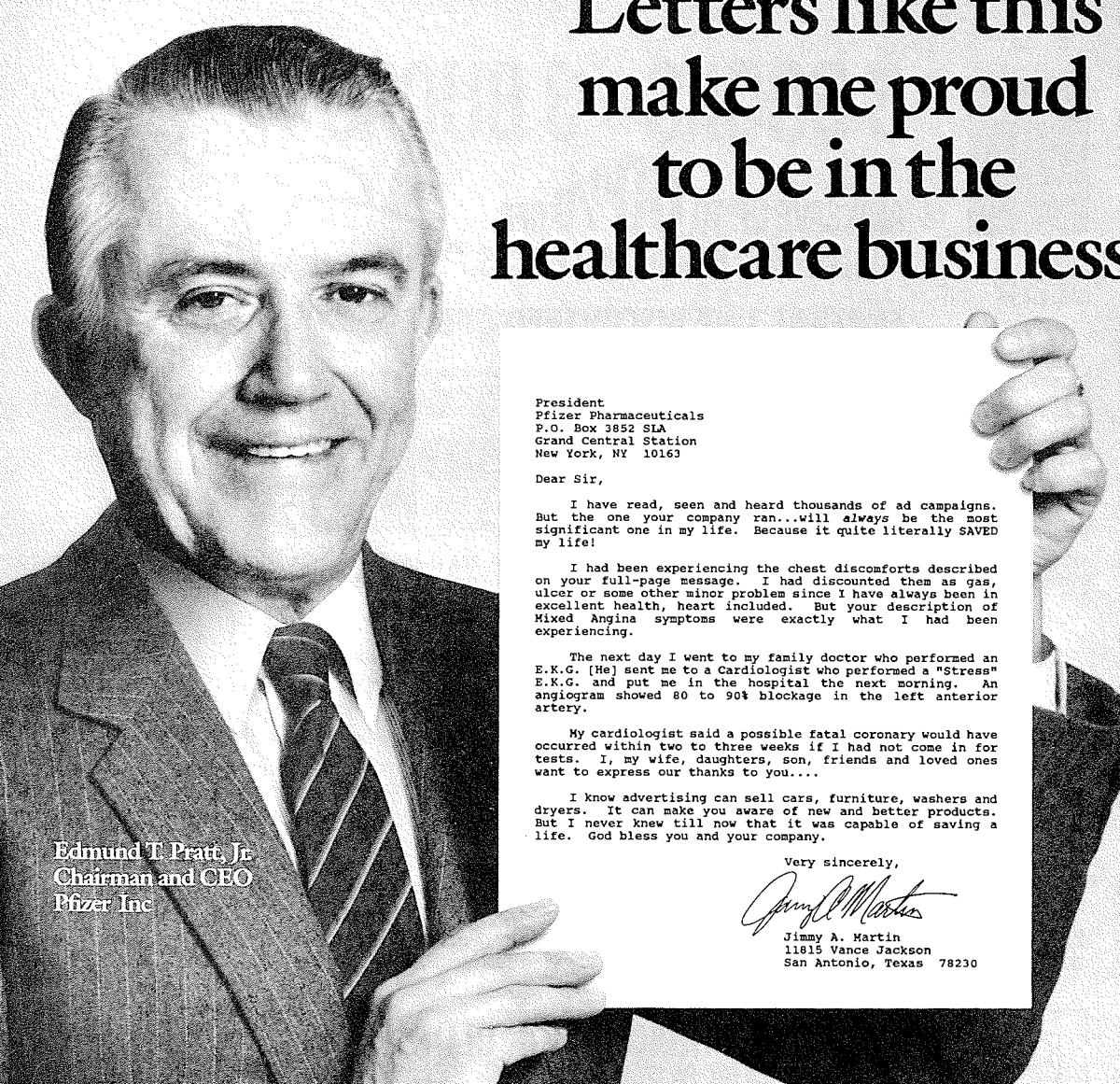
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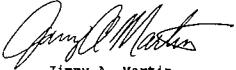
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## ***From the Center***

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Observant readers may already have wondered about the first appearance of this small, new feature of the *Wilson Quarterly*. Experimental in the sense that every innovation should be regarded as an experiment, it is intended to bring the *WQ* and the Woodrow Wilson Center closer together by allowing the Center's Director—and perhaps on occasion its staff and Fellows—to communicate directly with the *WQ*'s many readers.

Since its founding 15 years ago by James Billington and Peter Braestrup, the *WQ* has been by far the Woodrow Wilson Center's most sustained and successful means of reaching a broad, informed international audience. It is true that over the years Fellows and Guest Scholars of the Center have published books and articles that have enjoyed wide popular success as well as critical acclaim. We were especially gratified that the 1988 and 1989 National Book Awards for non-fiction went to books written largely at the Center, and that both became bestsellers: Neil Sheehan's *A Bright and Shining Lie* and Tom Friedman's *From Beirut to Jerusalem* (excerpted in *WQ*, Summer '89). Similarly, we take great satisfaction from the fact that our large group of alumni includes heads of state, presidential candidates, cabinet ministers, legislative leaders, and other highly-placed officials in countries ranging from Eastern Europe and the United States to Latin America and Asia. Their words and deeds have influenced the lives of millions of people and have helped us live up to our Congressional mandate to strengthen relations between the world of learning and the world of public affairs.

Nevertheless, despite such happy—and essentially unpredictable—instances of the Center's outreach, it has been the *WQ* that has year in and year out brought us into touch with tens of thousands of thoughtful men and women. Like the Center itself, the *WQ* has been ecumenical in its interests,

scrupulously even-handed in its approach, and firm in its determination to address every topic in a broad historical and comparative context.

This issue of the *WQ* illustrates very well the ways in which it draws upon the other programs and activities of the Center: James H. Hutson's article on the Bill of Rights arose from a series of seminars we have been conducting in connection with the Bicentennial of the first 10 amendments; Anthony La Vopa, who writes of the Birth of Public Opinion, was a Fellow of the Center last year. We are confident that the singular strengths of the Center and its *Quarterly* will continue to be linked in a way that will benefit both.

As to future directions, space permits me to say little more than that the events of the past year seem to have demonstrated conclusively that history has not ended. Indeed, it is tempting to view the last seven decades as an aberrational period—brief in historical terms—marked by totalitarian empires and bipolar confrontations that have now vanished, leaving us to grapple once again with many of the challenges and to pursue again many of the hopes that faced the world in 1919.

A distinguished scholar has written recently that what we are experiencing is perhaps less the end of the Cold War than the end of World War I. Put slightly differently what she suggests is that we find ourselves in many ways back in the world of Woodrow Wilson. Despite the transformations wrought by technology, the enduring issues of governance, of the quality of human life, and of a more stable and lawful world order are still with us. It is those issues of which I hope to write in more detail in future issues, and which the Center and the *WQ* will continue to address in the spirit of President Wilson.

—Charles Blitzer  
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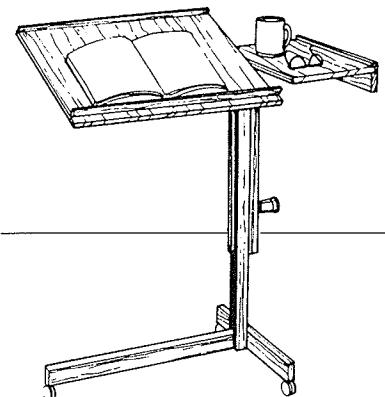
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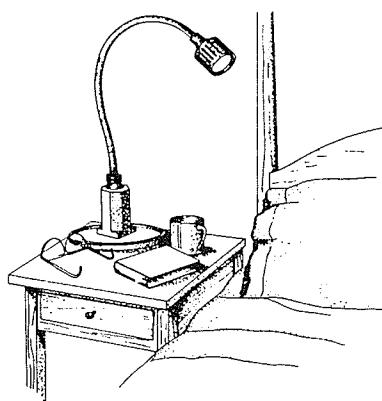
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## POLITICS & GOVERNMENT

### *The Mandate Myth*

"Myth of the Presidential Mandate" by Robert A. Dahl, in *Political Science Quarterly* (Fall 1990), 475 Riverside Dr., Ste. 1274, New York, N.Y. 10115-0012.

When Ronald Reagan swept into the Oval Office in 1980, politicians and pundits fell over one another declaring his 50.9 percent victory a "mandate" to govern—just as they had upon the election of most presidents chosen during this century. Indeed, writes Dahl, a Yale political scientist, "it has become commonplace for presidents and commentators alike to argue that by virtue of his election the president has received a mandate for his aims and policies from the people."

"A backward glance quickly reveals how empty the claims to a presidential mandate are," Dahl says. In 1960, for example, John F. Kennedy won less than 50 percent of the popular vote and still claimed a mandate. Richard M. Nixon's 1968 "mandate" came from just 43 percent of the voters, Jimmy Carter's in 1976 from 50.1 percent. The presidential mandate is a pernicious myth, Dahl argues.

Nowhere in the Constitution is it written that the president outranks Congress as a representative of the people, or that his policies should prevail over those of the legislators. In fact, Dahl says, the Framers deliberately chose to elect presidents indirectly, through the Electoral College, instead of by popular vote because they wanted Congress to serve as the closest link to the people.

The nation's first presidents claimed no mandates. Thomas Jefferson, for example, believed that it was the president's task to

aid the work of Congress. James Madison was so deferential to the legislature that his own policies were almost unintelligible. His successor, James Monroe, remained silent on the question of slavery in the Louisiana Territory, believing that Congress should decide domestic issues without presidential interference.

"If anyone could be said to have created the myth of the presidential mandate," Dahl contends, "surely it would be Andrew Jackson." After being deprived of the presidency by the U.S. House of Representatives when the Electoral College became deadlocked in the election of 1824, the frustrated Jackson finally won the prize in 1828. It became his "settled conviction" that "the president was an immediate and direct representative of the people," historian Leonard White observed. Jackson even suggested amending the Constitution to provide for direct election of the president. But it was Woodrow Wilson, with his admiration for the firm leadership of the prime minister in the British parliamentary system, who "brought the mandate theory to what now appears to be its canonical form." Wilson lifted the president above Congress, arguing that he is the "one national voice in the country."

By elevating the president "to an exalted position" in our constitutional system at the expense of Congress, Dahl contends, the mandate myth undermines the democratic process. The president's unlimited

access to the news media allows him to manipulate public opinion. As a result, many Americans no longer carefully deliberate political choices, but rely on presidential packaging of issues. Under the pre-

text of expanding democracy, Dahl concludes, the mandate myth expands only the president's personal power, and thus breeds what he calls dangerous "pseudodemocracy."

## No Help Wanted

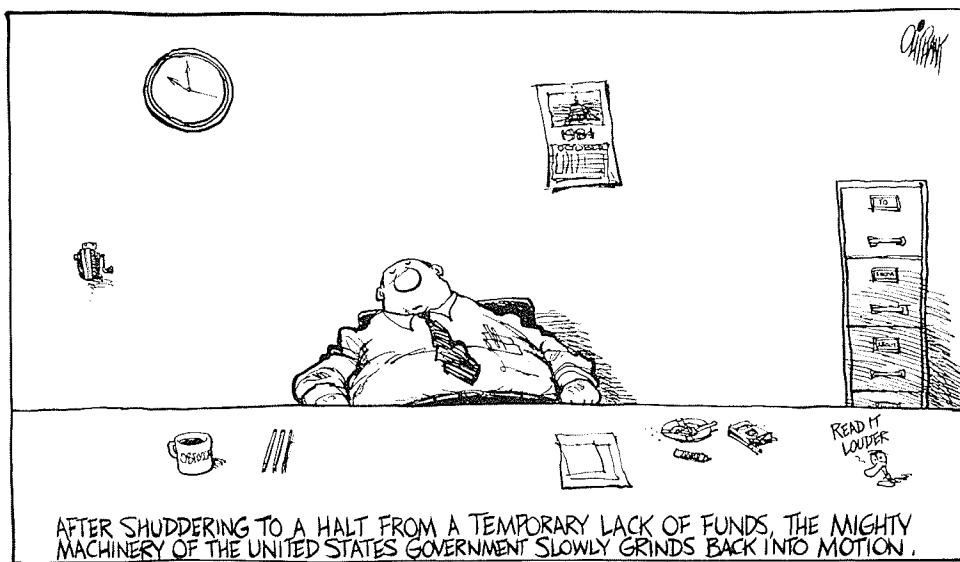
"Uncle Sam Doesn't Want You" by John Heilemann, in *The Washington Monthly* (Dec. 1990), 1611 Conn. Ave. N.W., Washington, D.C. 20009.

Ask a classroom full of college honors students where they hope to work after graduation, and they'll likely tell you IBM, or CBS, or Arthur Anderson. Ninety percent of them, however, never even consider working for the nation's largest employer: the federal government.

Exactly the opposite was true six decades ago when Franklin D. Roosevelt was president. "Washington was deluged with an endless stream of bright young men" eager to get a piece of the New Deal, wrote historian Arthur Schlesinger, Jr. Thirty years later, President John F. Kennedy's administration received a similar flood of applications. Yet today, half of college students are convinced that government jobs are inherently boring and futile, according to one survey. Oddly, writes Heilemann, a

journalist, "Washington has done remarkably little to counter these perceptions." Instead, under President Ronald Reagan, "federal recruiting was actually designed to reinforce them."

Reagan entered office promising to slash the size of the federal government. Government agencies "were commanded to stop visiting campuses and developing recruiting materials." Heilemann argues that "by making the process of getting a government job as cumbersome, slow, and red-tape-riddled as possible, the administration guaranteed that even the most determined would-be bureaucrats" would ultimately be discouraged. Still, the federal bureaucracy actually grew by 7.5 percent during Reagan's tenure, to more than three million. But the declining quality of



*The negative image of federal employees may not turn out to be so funny after all: One report finds a "crisis of competence" within many federal offices.*

new recruits pushed the civil service into what political scientist James Q. Wilson has called a "death spiral."

President George Bush made a few promising early gestures. He hired a young, dynamic civil servant, Constance Berry Newman, to head his Office of Personnel Management (OPM). She launched a slick \$39.4 million campaign called "Career America" to woo students. But two years later, almost nothing has changed. Nearly 60 percent of the 236 federal agencies have no recruiting budget whatsoever,

Heilemann observes, and very few send recruiters to college campuses. What's worse, qualifying examinations are given only once a year, and students who pass must wait up to nine months for an interview—and they can't choose which agencies they might like to work for.

It makes no sense, he concludes, to complain about the incompetence of government, as conservatives have, and then ensure that federal offices are staffed not by "the best and the brightest," but by "the best of the desperate."

## *Casualties of The Cold War*

The Cold War abroad may be over, but the murky underworld of espionage, state secrets, and highly classified government projects is still operating at full tilt—right here at home.

So say Halperin and Woods, both of the Center for National Security Studies. In 1951, as East-West tension was increasing, President Harry S. Truman issued a sweeping executive order extending the institutionalized system of military secrecy developed during World War II to certain civilian government agencies. Congress looked the other way, write the authors, as over the years the Central Intelligence Agency (CIA), Federal Bureau of Investigation (FBI), and National Security Agency (NSA), among others, ran out of control, creating a "national security state."

Government secrecy is its hallmark. According to the U.S. Information Security Oversight Office (ISOO), in 1989 exactly 6,796,501 government documents were classified. Yet only three percent were marked with a declassification date—a percentage even ISOO found disturbing. A lot of information is needlessly kept secret. And since 1983, the more than four million federal employees and contractors who handle secret information have been forced to sign agreements limiting their First Amendment rights to political speech; even after retirement, some must submit their writings to the government

"Ending the Cold War at Home" by Morton H. Halperin and Jeanne M. Woods, in *Foreign Policy* (Winter 1990-91), 2400 N St. N.W., Washington, D.C., 20037-1196.

for prepublication review.

"The Cold war also intensified the practice of government surveillance of persons and groups in America engaged in lawful political activities," the authors say. The harassment of dissidents and alleged communists by the FBI didn't end in the 1950s. Opponents of U.S. policies in Central America and the Middle East, for example, have been tracked by the Bureau. From 1982 to 1988 the FBI's "antiterrorist" unit began 19,500 investigations of American residents. Moreover, say the authors, even though in 1990 Congress barred the government from denying entry visas to foreigners on political grounds, 345,000 names remain on a "lookout list" of suspect foreigners who are forced to seek special waivers to enter the country.

The combined yearly budgets of the CIA, the FBI's counterintelligence unit, and the NSA probably equal about \$30 billion—but the actual numbers are classified. That violates the Constitution's requirement of full disclosure of federal spending. The authors suggest that "massive cost overruns and technological failures" are concealed by this budget secrecy.

Now that the Cold War is over, the national security bureaucracy is searching for new missions: antiterrorism, a war on drugs, industrial counterintelligence. But now is the time, the authors conclude, to "end the Cold War at home."

## FOREIGN POLICY &amp; DEFENSE

*Women In Arms*

"Should Women be Kept Out of Combat?" by Beverly Ann Bendekgey, in *The G.A.O. Journal* (Summer 1990), Rm. 4129, U.S. General Accounting Office, Washington, D.C. 20548.

During the 1989 U.S. invasion of Panama, a platoon of American military police exchanged gunfire with Panamanian soldiers outside of Panama City. What made this firefight different from others, however, was that the platoon was led by a woman.

Officially, American women shouldn't have been fighting in Panama at all. Women in all branches of the armed forces have been barred from combat duty ever since the 1948 Women's Armed Services Integration Act opened the regular military to women. (Since the removal of the two percent ceiling on women in the military in 1967, female representation has grown to 11 percent.) "Combat exclusion laws" purportedly "protect women from the hazards of war." But Bendekgey, of the U.S. General Accounting Office, argues that actually they do little more than limit job and promotion opportunities for women in uniform, arbitrarily shutting them out from some high-risk positions but not from others.

The problem, she says, is that it is virtually impossible for the combat exclusion laws to meaningfully spell out what they mean by "combat" and "high risk." Women in the Air Force, for example, are not allowed to fly fighter planes or bombers because their "principal mission is to deliver munitions against an enemy." Women *can*, however, "deliver munitions" by firing a land-based missile, and they are allowed to fly tanker planes that refuel F-111 bombers in flight.

But it is far from clear that these jobs are much safer than the "combat" jobs. Similarly, aircraft carriers and their escort

ships are closed to women, but women may serve on the supply ships that shuttle cargo to the carriers. Often, such policies cause irrational use of personnel. When the Army's 82nd Airborne Division was sent to Panama, it was forced to leave behind a female intelligence officer. Her specialty: Panama.

In 1988 the Defense Department tried to iron out the inconsistencies by ruling that women could be excluded "only from those noncombat positions that are exposed to risk that is equal to or greater than that faced by associated combat



*The several thousand women sent to Saudi Arabia were armed with M-16 rifles, but weren't supposed to use them.*

units." As a result, several thousand more positions were opened to women. Still, Bendekgey says, many more remain out of reach. Clinging to the dated notion that

women need to be "protected" is ridiculous, she believes, especially when that "protection" is meaningless and merely complicates the management of troops.

### *Gorbachev's Road Ahead*

Former Secretary of State Henry Kissinger, in his April H. J. Heinz Company Foundation Distinguished Lecture, described the obstacles confronting Soviet President Mikhail Gorbachev.

*Gorbachev is the first Soviet leader who cannot be removed by the Communist party and who, in fact, governs according to what we in the West would consider normal governmental structure. He has a fixed term in office and a regular bureaucracy. On the other hand, in order to get where he is, he has had to set in motion processes that will be difficult, if not impossible, to manage.*

*In the Western media these processes are described as "multiparty pluralism." I do not believe that is altogether true because it depends to such an extent on what part of the Soviet Union you are talking about. In the Russian Republic, which is half the Soviet population, it has moved from one-party to*

*one-man rule. The whole process of glasnost has not yet produced one single national organization extending over the whole of the Soviet territory, which might become the nucleus of a political party....*

*The only national organizations left in the Soviet Union are the army and the KGB....*

*All these political processes have up to now produced in the ethnic republics organizations confined strictly to the republics and therefore implicitly hostile to Moscow. So Gorbachev's unresolved dilemma is that, in order to push economic reforms through in the face of entrenched vested interests, he must centralize authority in Moscow. Yet to break the power of the Communist Party, he has had to enlist voters who are inherently hostile to Moscow. When Gorbachev visited Lithuania, he said, "To have a divorce, you need discussions between both parties." Lithuania responded, "But we are not married." And that is the fundamental problem.*

### *Tenuous Friendship*

"America and Israel: How Bad Is It? Will It Get Worse?" by Steven L. Spiegel, in *The National Interest* (Winter 1990-91), 1112 16th St. N.W., Washington, D.C. 20036.

Even before Iraq invaded Kuwait on August 2, U.S.-Israeli relations were tense. Israelis worried that the United States would abandon them; Americans were dismayed by daily reports of violence between Arabs and Jews in Israel's occupied territories. It appeared that the two allies might be nearing a major falling out.

But Spiegel, a political scientist at UCLA, argues that tension is the rule, not the exception. Historically, U.S. support of Israel has always been balanced against America's desire not to alienate oil-rich Arab nations and against other national interests. "Despite the myth of consistent amicability and unity of purpose between Washington and Jerusalem," he writes, "the path of their relationship has been a crooked and rocky road indeed."

As early as 1946, two years before Israel became a nation, President Harry S. Truman was frustrated by Zionist balking at Britain's plan for Palestine. "If Jesus Christ couldn't please them, how can I?" he once complained. In the 1956 Suez crisis, President Dwight D. Eisenhower forced the Israelis, and their British and French allies, to stop their attack on Egypt.

The U.S. warmed to Israel under presidents John F. Kennedy and Lyndon B. Johnson, who sold arms to Israel as a hedge against hostile Arab states and began to speak of a "special relationship." But they sold arms to Arab states such as Jordan as well. While President Richard M. Nixon was the first to consider Israel a "strategic asset," Spiegel writes, he regarded the 1967 Six Day War as a major

setback for the United States, since many Arab nations severed relations with Washington. (Only after the 1967 war did Washington guarantee Israel's security, and then only because the French abandoned their military relationship with Israel.) The Nixon-Kissinger strategy in the Middle East called for large Israeli concessions, causing friction with Israeli leaders.

Ronald Reagan's presidency was a honeymoon period for U.S.-Israeli relations. Before the 1980s, the U.S. bond to Israel was mainly ideological. Israel's "frontier" spirit "reminded Americans of their own early achievements as a young and aspiring nation," Spiegel writes. But "this emotional attachment to Israel was usually at odds with Cold War *realpolitik*." Spiegel argues that only after the fall of the Shah of Iran in 1979 and the Soviet invasion of Af-

ghanistan the same year, "was Israel really taken seriously as a possible strategic asset." Even so, Reagan sold spy planes to Saudi Arabia over loud Israeli objections and openly questioned Israel's annexation of the Golan Heights.

Spiegel concedes that we are now in a new era of U.S.-Israeli relations. The Palestinian uprising and Israel's anarchic domestic politics, among other things, have badly tarnished Israel's image in American eyes. Since August, President George Bush has kept Israel at arm's length, to avoid antagonizing the Arab states in the anti-Iraq coalition. But while the causes of the current U.S.-Israeli tension have changed, Spiegel concludes, what we are witnessing is not a major change but a post-Reagan "return to the normal ebb and flow in U.S.-Israeli relations."

## Bombs Away

"Do We Need Nuclear Testing?" by J. Carson Mark, in *Arms Control Today* (Nov. 1990), 11 Dupont Circle, Washington, D.C. 20036.

Last January President George Bush declared that as long as the United States depends on nuclear weapons, it "must be free to conduct nuclear tests." The Pentagon claims that continued testing is needed to ensure that the more than 20,000 nuclear warheads in the U.S. arsenal will work if they are ever needed. Mark, former head of the Theoretical Division of Los Alamos National Laboratory (1947-73), finds their reasoning and their motives specious.

Over the last 20 years, the Soviets have conducted an average of 19 nuclear tests a year; the United States, 17. Testing advocates argue that one-third of all the weapon designs in the U.S. arsenal have turned out after deployment to have flaws; in 75 percent of the cases, the faults were discovered only because of nuclear tests. True, says Mark, but only because the flawed weapons were deployed, untested, during the temporary 1958-1961 U.S. testing moratorium, when the superpowers were trying to negotiate a comprehensive test ban treaty. Now that they have been tested and repaired, no further testing is

needed. The time is ripe, Mark argues, to negotiate the long-delayed treaty.

Now, existing U.S. nuclear weapons don't have to be exploded to be effectively tested, Mark continues. Periodically, random samples of each weapon model are already removed from the stockpile and thoroughly inspected.

In reality, Mark suggests, those who oppose a comprehensive test ban are more worried about the possibility of research and development for new nuclear weapons drying up than they are about the reliability of the current stockpile. He concedes that adopting a ban would hamper the development of new weapons. "But because nuclear weapons technology is already so highly developed, a test ban treaty would not have as great an impact as it would have had in 1958." Stopping "this endless nuclear evolution" is a main purpose of such a treaty, he says. What critics really object to is that a ban would "change the way we have been going, and... start going a different way." In Mark's view, that is exactly what needs to be done.

## ECONOMICS, LABOR &amp; BUSINESS

## After Free Trade

"How to Save Free Trade—and Still Trade With Japan" by Irwin M. Stelzer, in *Commentary* (July 1990), 165 E. 56th St., New York, N.Y. 10022.

For Irwin Stelzer, a Fellow at the American Enterprise Institute, Japan's high wall of protectionism poses a special problem. As a strong believer in free trade, he should oppose retaliatory U.S. trade barriers. After all, he argues, "if the Japanese choose to rely on high-cost homemade products rather than on more efficient American-made alternatives, why should we retaliate by denying ourselves their well-priced, low-maintenance automobiles?"

Still, he recognizes that a "unilateral" free trade policy is not possible. Tokyo's unwillingness to open its doors to American goods—computers, satellites, wood products, rice—translates into a permanent \$50 billion annual U.S. trade deficit with Japan.

At the same time, however, Stelzer rejects calls by American protectionists to

retaliate. There is little evidence backing up their hysterical warning that Japan is "buying" America, he says: "In most industrial nations, foreign-owned capital comes to about 10 percent of the value of all goods and services. In the United States, that figure is only 7 percent." Moreover, he writes, "foreign firms employ only three percent of American workers and own less than one percent of American land." And while protectionists are quick to point out that "voluntary" import restrictions on Japanese automobiles in the 1980s saved American jobs, Stelzer notes that they did so at an annual cost of \$240,000 per job saved.

Stelzer concedes that economic models recently developed by MIT's Paul Krugman and others have destroyed the old truism that free trade is always a nation's best policy. American "managed protectionism" could work. In theory. But it would be so complex that an army of bureaucrats would be required to implement it.

What *can* be done to force Japan's hand? Stelzer favors a retreat from the usual doors-open-to-all multilateralism and a new emphasis on the principle of reciprocity, permitted under the post-World War II General Agreement on Tariffs and Trade (GATT). "GATT provides that a country injured by the tariffs or subsidies of another nation . . . is permitted to retaliate" in kind. If used only often enough that it remains a credible threat, reciprocity can be an effective deterrent against new barriers. This sort of tough-

*Japan has no lumber industry, but Tokyo discourages imports of American wood with high tariffs and warnings that wood buildings are unsafe. This U.S. ad argues for lower trade barriers by promoting the virtues of wood construction.*

ness paid off in 1988, when China and South Korea made large trade concessions, and when Japan agreed to negotiate a new trade pact after U.S. threats of retaliation under the "Super 301" provision of the 1988 Trade and Competitiveness Act. It

may not be as pure as the free traders would like, Stelzer concludes, or tough enough for the protectionists, but reciprocity allows trade to be "as free and open as is possible in a real world of competing economic and political interests."

## *Parting Company*

"The Takeover Wave of the 1980s" by Andrei Shleifer and Robert W. Vishny, in *Science* (Aug. 17, 1990), 1333 H St. N.W., Washington, D.C. 20005.

The words "hostile takeover" evoke images of ruthless billionaires tearing apart helpless companies and firing workers for sport. By 1989, 143 huge corporations that belonged to the mighty Fortune 500 of 1980 had been swallowed up by other companies. All told, \$1.3 trillion in corporate assets changed hands during the 1980s. What should have been done to stop the takeovers? Nothing, argue Shleifer and Vishny, professors of finance at the University of Chicago. American business, they say, is all the better for them.

Four times in this century booming stock markets have made corporations itchy to take over other companies. After buyout waves at the turn of the century and in the 1920s resulted in huge new steel and tobacco monopolies, however, Congress passed the 1950 Celler-Kefauver Act barring corporations from buying businesses in related industries. As a result, merger-hungry tycoons in the 1960s bought companies in diverse industries, giving rise to huge conglomerates.

The conglomerates were failures. According to one estimate, by 1989 they sold off 60 percent of unrelated businesses acquired be-

tween 1970 and 1982. When President Ronald Reagan relaxed anti-trust enforcement and loosened credit restrictions, he sparked the century's fourth buyout binge. It allowed many corporations to focus on their core businesses. Conglomerates—of

## *Ignoble Nobel*

The Nobel prize for economics is supposed to be awarded for work that confers "the greatest benefit on mankind." Instead, contends journalist Robert J. Samuelson, in the *New Republic* (Dec. 3, 1990), each year it goes to economists whose work is "more obscure than the year before."

*Probably the only people left who think that economics deserves a Nobel Prize are economists. It confirms their conceit that they're doing "science" rather than the less tidy task of observing the world and trying to make sense of it. This, after all, is done by mere historians, political scientists, anthropologists, sociologists, and (heaven forbid) even journalists. Economists are loath to admit that they belong in such raffish company . . .*

*The Bank of Sweden [which created the award in 1968] could remedy the defects of its bauble in two ways. The first would be to make it a more fitting memorial to Alfred Nobel: give it to people, not necessarily economists, who have improved a nation's—or the world's—economic well-being. Among Americans, why not ennobl former Federal Reserve Chairman Paul Volcker for ending double-digit inflation, Ralph Nader for making corporations more responsive to consumers, or engineer Jack Kilby for co-inventing the integrated circuit? Under this scheme, a few economists might occasionally win for genuinely significant contributions. The late Simon Kuznets, who helped create the national income and product accounts (the statistics that give us the gross national product) received a Nobel in 1971. He would have deserved a prize even under this more demanding standard.*

*The other approach would be to admit error. Hey, we goofed. Economics is not like chemistry, medicine, or physics. Portfolio theory is nice, but it's not comparable to the discovery of DNA, or even to good literature.*

Periodicals continues on page 118

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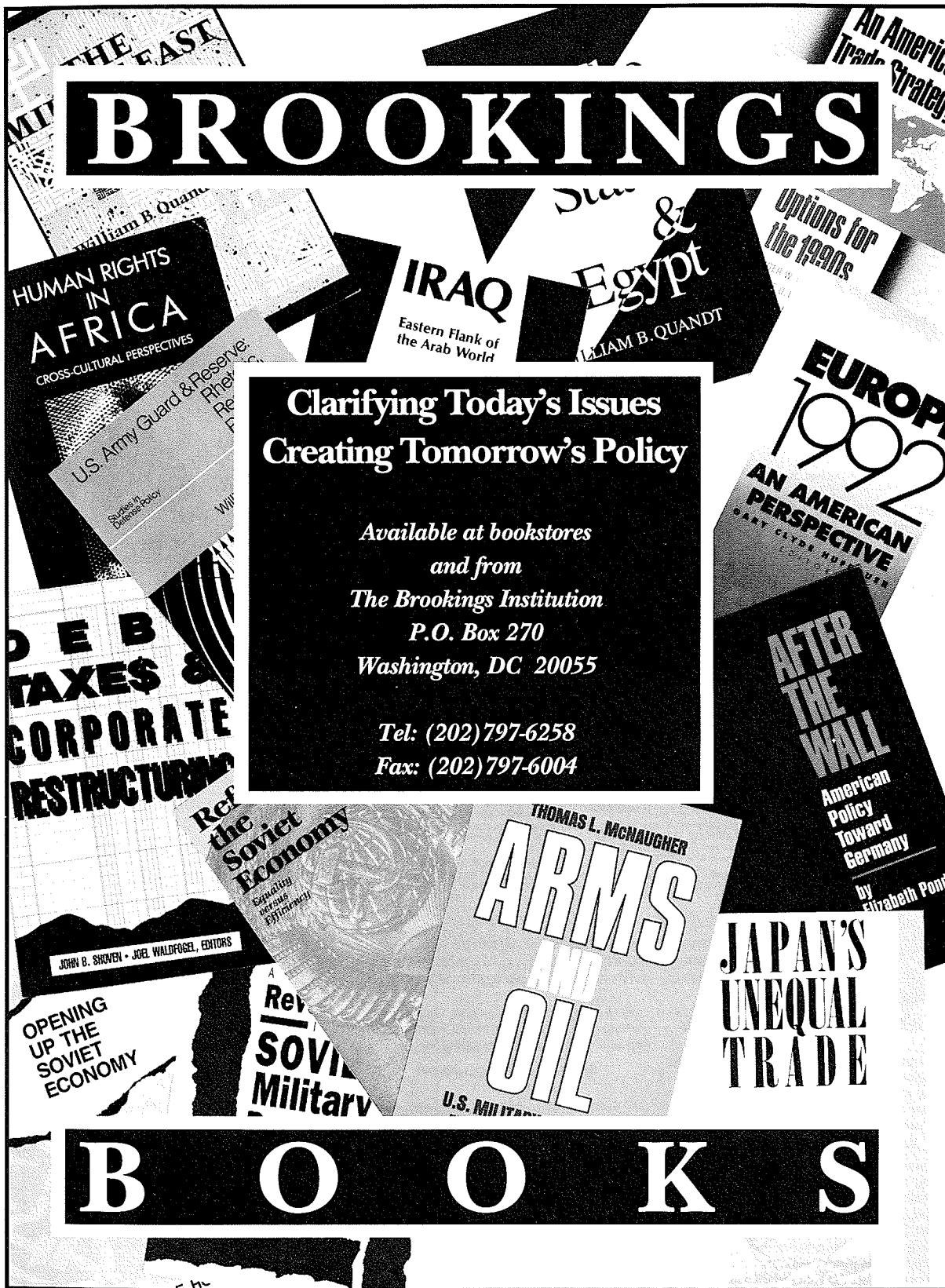
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# Africa Agonistes

Africa has endured an economic catastrophe that dwarfs the Great Depression. Starting from stark poverty, it descended during the past decade into unbelievable deprivation. Famine, war, and civil strife became commonplace, and even AIDS was visited upon the Africans. By 1990, Africans in most of the 46 black-ruled nations below the Sahara were poorer than they had been 30 years before.

Yet all is not misery. As philosopher Kwame Anthony Appiah writes here, Africans in their disillusionment have cast aside the shallow nationalism of the early postcolonial years. They are holding their societies together with old bonds of family and tribe, and, increasingly, with new bonds, spun by churches, sports clubs, and other groups. These humble grassroots institutions of "civil society," he believes, are paving the way for stability and democracy—democracy which has come already to a surprising number of countries. Even more—some two dozen—have adopted free-market economic policies. Having discovered that socialism does not work, says economist Robert Klitgaard, Africans are now finding that capitalism has limitations, too. Markets cannot function without enforceable laws and accountable governments. But many countries are slowly putting these and other pieces of a free society into place.



# ALTERED STATES

by Kwame Anthony Appiah

*Aban bε gu a, εfiri yam.*

If the state is going to fall, it is from the belly.

—Ashanti Proverb

**M**y first memories are of a place called “Mbrom,” a small neighborhood in Kumasi, capital of Ashanti, at a time when that kingdom went from being part of the British Gold Coast colony to becoming a region of the Republic of Ghana. There were only about a million of us Ashanti and there would soon be 10 million Ghanaians, but we knew that Kumasi (built like Rome, my father said, on seven hills) had a longer and nobler history than the national capital, Accra. I grew up during the late 1950s and early '60s knowing that I lived in Ashanti and that the Asantehene was our king and, at the same time, singing enthusiastically the Ghanaian national anthem—“Lift high the flag of Ghana”—and knowing that Kwame Nkrumah was our prime minister and then our president. It did not occur to me as a child that the “we,” of which this “our” was the adjective, was fluid, ambiguous, obscure.

I knew my father cared that he was an Ashanti man, and I knew he cared that he was a Ghanaian nationalist. He was proud of his role in the struggle for our independence from Britain, but he was also committed to our learning English, not as the tongue of the colonizer but as the unifying language of our new and polyglot nation. It did not then occur to me—it never occurred to him—that these identities might

be in conflict. It did, however, occur to others (many of them journalists from Europe and North America) when he joined the opposition to his old friend Nkrumah, and it occurred to many in Ashanti, a coup and a couple of constitutions later, when I was in my teens, when he did not join the Ashanti-based Progress Party, as it in turn came to power in 1969. I grew up knowing that we were Ghanaian nationalists and that we were Ashanti.

I grew up also believing in constitutional democracy or, more precisely, believing that what these words stood for was important. When my father and his friends were locked up by Nkrumah in the early 1960s, I was too young to think of it as anything more than a family tragedy. But by the time he came out I knew that the abolition of the legal opposition in 1960 had been a blow against democracy, that it had led naturally to imprisoning those who disagreed with our president, that all this evil began when multiparty electoral democracy ended. Of course, I also knew that we owed respect to the chiefs of Ashanti (indeed, to the chiefs of other regions of Ghana, too), that their role in controlling the allocation of land and in the settlement of family disputes was an essential part of life. I grew up knowing we were democrats and that we respected chieftaincy.

And by the time I was old enough to be for democracy, I knew we were also for development and modernization; that this



The Dream of Two Worlds: *Nearly one third of Africans now live in towns or cities.*

meant roads and hospitals and schools (as opposed to paths through the bush and *juju* and ignorance); cities (as opposed to the idiocy of rural life); money and wages (as opposed to barter and domestic production). Modernization, however, did not rule out the proper pouring of libation to the ancestors or the complex practices of the Ashanti funeral. You did not have to give up the *ntoma*, the toga-like cloth which my father wore almost always, except when he was on his way to court, dressed in his dark European suits and carrying—even after independence—the white wig of the British barrister. To reduce my outlook to a slogan: I grew up believing in development *and* in preserving the best of our cultural heritage.

I doubt that these experiences were unusual for a young person growing up in the household of professional people at the time of independence in sub-Saharan Af-

rica. Yet someone from Europe or North America might have seen my beliefs and commitments as inconsistent. Perhaps it is possible to combine ethno-regional and national allegiances (for example, African-American and southern in the United States, Welsh or northern in Britain, and, more controversially, Québécois in Canada). But few in the industrialized West, I think, proceeded as blithely as we did in ignoring the tensions involved here.

Of course, Ghana and I have grown uneasy with all of these childhood faiths. Yet, looking back now, I can discern a pattern to these paired adherences, yoked so uneasily together—Ghana, Ashanti; development, heritage; democracy, chieftaincy—and it is a pattern that makes a sort of sense. In each case, the first member of the pair was something we took to belong to the sphere of the state, the business of the

government in the capital, Accra, while the second belonged to a sphere that we could call society.

But this way of thinking leaves too much obscure. In Western political theory, the state is understood in terms that go back to Max Weber: Where there is a state, the government claims supreme authority and the right to back up that authority with force. Taxes and conscription are not voluntary; the criminal law is not an optional code. Imprisonment, the lash, the gallows stand behind state power. By contrast, the sphere of society, though equally demanding, is bound together by ethical conviction, ties of affection, shared worlds of meaning. Along with this dichotomy between state and society come still other distinctions: between law and custom, between public and private life, between the obligations of citizenship and the more elective world of communal reciprocity. In a state, theoretically only the government regularly coerces—and only in matters of public concern. In theory, too, personal affection and region and ethnicity play no role in the assignment and execution of state offices, and careers are open to talent.

But state and society are never as separate as theory would have them. One common currency joins them—the economy. Just as in the most intimate domestic relationships money has its uses, in the sphere of the state, social relations—family, ethnicity, regional allegiances, clubs, societies, and associations—provide the materials of alliances. Enough is economically at stake in the modern state for the call of society—the web of social and ethnic relationships—to enter into the operations of its government.

In the United States (as in Europe) this is an all-too-familiar fact: Economic interests, ethnic affiliations, and regional alliances compete to shape the operations of the state.

In Europe and North America (with important exceptions such as Ireland, the Basque country, “Soviet” Lithuania, and Puerto Rico), there is an overwhelming consensus that the state has a legitimate monopoly on coercion. Even when a specific injunction does not have an ethical consensus behind it, this fact does not threaten the state’s other authority. Recall that in many American cities and states, one of the largest industries is the illicit drug trade. Like the so-called parallel economies of Africa, the drug industry involves state functionaries (including police officers), entails bribery and corruption of officials, mobilizes ethnic and family loyalties, and depends on the existence of subcultures at odds with the law and with the pronouncements of officials. Still, the majority of Americans who use and trade drugs, and thus question a central norm of the American government, do not question their allegiance to the United States.

But in Ghana (as in the rest of sub-Saharan Africa), something else is going on. It is true that in Ghana, for a short period before and after independence in 1957, many literate, urban citizens (and some others) shared a similar allegiance to the Ghanaian state. In the high days of postindependence nationalism, we all shared a sense of the meaning of Ghana because it was clear what we were *against*—namely, British imperialism. We were enthusiastic for national independence, and, seizing upon that enthusiasm, Nkrumah created the first (and

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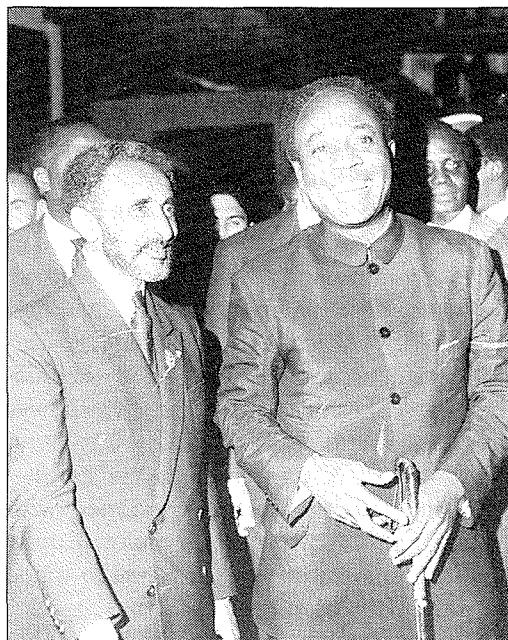
**Kwame Anthony Appiah** is professor of philosophy and literature at Duke University and Andrew A. Mellon Fellow at the National Humanities Center. Born in London, where his father was studying law, he grew up in Ghana. He received a B.A. (1975) and a Ph.D. (1982) from Clare College, Cambridge. His books include *For Truth in Semantics* (1986), *Necessary Questions* (1989), and the forthcoming *In My Father’s House: Africa in the Politics of Culture* (Oxford University Press).

last) mass party in Ghana.

But the "we" here was, in fact, rather limited. Nkrumah's electoral support in the preindependence elections in Ghana was a 57 percent majority of half of the population registered to vote. That amounted to perhaps 18 percent of the adult population. Our vision of Nkrumah was in part one of those typical illusions of modernity: Osagyefo (the "Redeemer") Dr. Kwame Nkrumah, the organizer of rallies, the charismatic public speaker, the international statesman—even Nkrumah the blind tyrant—was a creature of the modern media. We did not see the rural millions to whom he was almost as mysterious as the colonial governor who had preceded him. (I can still recall the retired watchman, who had long served colonial masters, visiting us each Christmas to request a calendar with photographs of the British queen. In his opinion, clearly independence had been a mistake.) By 1966, when the first of our many postindependence coups exiled Nkrumah, the real, if limited, enthusiasm there once had been had largely evaporated. When Lieutenant Jerry Rawlings came to power in a coup in 1981, his nationalist rhetoric and the resurrection of Nkrumahism generated enthusiasm mostly among students, who had not seen all of this before. For most Ghanaians cynicism about the state and its rhetoric was the order of the day. It is instructive to reflect on the stages of this disillusion.

**B**ut first we should recognize how surprising it is that there was a moment of "nationalism" at all. The new government that inherited Ghana from the British resembled its counterparts in most of the sub-Saharan states of postcolonial Africa. It had to unite and govern vastly different cultures and peoples speaking different languages within its borders (despite the fact that, at one time, much of modern

Ghana was within the Ashanti empire). There was, for example, the relatively centralized, bureaucratic Ashanti state itself and the smaller Akan states which have a culture and a language similar to that of Ashanti. There were the much less centralized Ewe-speaking peoples of the southeast, whose dialects were not always easily mutually intelligible and who were artificially separated by a colonial boundary from



*In search of the political kingdom. Kwame Nkrumah with Haile Selassie of Ethiopia (left) at an African summit conference in 1963.*

their fellow Ewe-speakers in Togo. There were the urbanized Ga-Adangbe who dominated the region of the capital. And there were miscellaneous small chieftaincies and tiny tribal groups in what we in Kumasi referred to vaguely as "the North."

In a few cases in black Africa—Somalia, Lesotho, Swaziland—the new national states created in the 20th century corresponded to precolonial societies with a single language. In most places, however, the

new states brought together peoples who spoke different languages and had radically different religious and political traditions.

Out of the almost endlessly diverse cultures, economies, and ecologies of the African continent, four European states—Britain, France, Portugal, and Belgium—constructed the artificial national geography of contemporary Africa. (Germany lost its African possessions after World War I; after World War II, Italy ceased to be a player.) In Ghana, as in most other states, the colonial language remained the official language after independence, since the government's choice of an indigenous language would have favored one linguistic group over all the others. (Even Somalia took a while to get around to using Somali.)

If the history of metropolitan Europe in the last century and a half has been a struggle to establish statehood for nationalities, Europe left Africa at independence with states looking for nations. Once the moment of cohesion against the British was over (a moment whose meaning was greatest for those of us—often in the cities—who had had the most experience with colonizers), any prospect of national unity had to come to terms with a nation made up principally of differences.

How was Nkrumah's nationalism able to overcome this? Partly, I think, because it was oddly unconnected with the actual Ghanaian state. Nkrumah's nationalist enthusiasms were, famously, pan-Africanist. Describing a speech he made in Liberia in 1952, Nkrumah writes: "'Africa for the Africans!' I cried.... 'A free and independent state in Africa. We want to be able to govern ourselves in this country of ours without outside interference . . .'" It was natural for him to speak of "our" country anywhere in (black) Africa. At the level of generality at which Africans are opposed to Europeans, it was easy to persuade us that we have similarities: Most of "us" are black,

most of "them" white; we are ex-subjects, they are ex-masters; we are or were "traditional," they are "modern;" we are "communitarian," they are "individualistic;" and so on. Even when these observations were not entirely true, it did not hinder their rhetorical effectiveness because of another difference: In the end, "they" are mostly quite rich and "we" are mostly very poor. Only in the richest of sub-Saharan black African countries has the average annual per-capita gross national product exceeded \$1,000. (Gabon, with its small population, its oil, and its rich mineral reserves, heads the list at about \$3,000 in 1988.) More characteristic are the few hundred dollars per-capita GNPs of Senegal, Ghana, Kenya, and Zambia.

It was an important part of Nkrumah's appeal, therefore, that he helped to found the Organization of African Unity in 1963, that he represented Africa in the non-aligned movement and at the United Nations, and that he was publicly preoccupied with the complete liberation of Africa from colonial rule. Being proud to be Ghanaian, for many of us, was tied up with what Nkrumah was doing not for Ghana but for Africa. But as decolonization continued, Ghana—impoverished in part by Nkrumah's international adventures—became less of a figure on the African scene. In the post-Nkrumah state, simply being African was too general or vague to furnish the various Ghanaian peoples a national identity.

Like other inheritors of postcolonial African states, Nkrumah had extensive ambitions for his country, and they were shaped by Ghana's specific experience with colonialism. For the form of colonialism Ghana had known was not found everywhere.

**S**amir Amin, a leading African political economist, has classified three types of colonial experiences in sub-Saharan Africa. Countries like Ghana belong to

the "Africa of the colonial trade economy." The slave trade had been at the heart of its initial integration into the world economy, and, later, tropical food products—cocoa, palm oil, coffee—formed the basis of an export-oriented agricultural economy. Nigeria, with perhaps a quarter of the population of black Africa, is the most important such state. A second type of colony belongs to "Africa of the concession-owning companies." In Gabon, the Central African Republic, Congo, and Zaire, sparse populations and a difficult climate and ecology made the tropical agriculture of West Africa a dubious proposition. Companies dealing in timber, rubber, and ivory practiced a brutal form of exploitation, investing as little as possible and creating, as a result, no local surpluses and offering little in the way of Western education. (At independence in 1960 there were only three Africans among the top 4,700 civil servants in Zaire.)

The final colonial sphere is "Africa of the labor reserves," including the settler plantation economies of Tanzania—then called German Tanganyika—and Kenya, as well as Zimbabwe and the whole of Africa south of Zaire, where the colonial economy was dominated by mining. In these areas traditional societies were radically disrupted by the massive and often involuntary migration of many people to the mines and plantations.

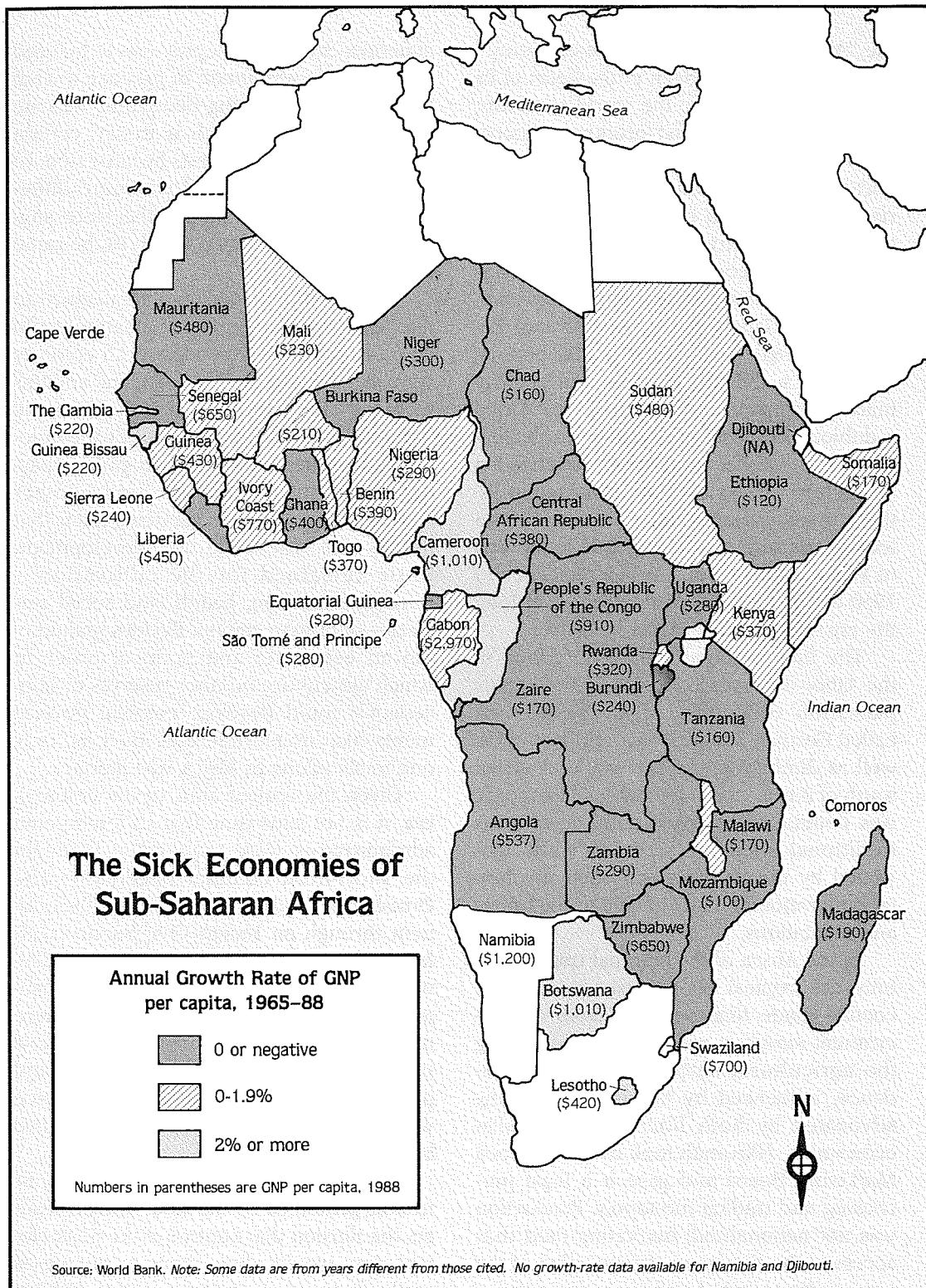
In the Africa of the colonial trade economy, the tropical cash crops—in our case cocoa—made financing the costs of government simply a matter of appropriating the agricultural surplus. After independence, influenced by notions of planning advocated by both liberal and socialist economists, Nkrumah took over the Cocoa Marketing Board and gave it a legal purchasing and trading monopoly. Production was not nationalized; marketing (and thus access to the foreign-exchange value of the commodity) was. In theory, the surplus

generated by this monopoly was to be used to finance development; in practice it went to the Cocoa Marketing Board and the state that "owned" it—which is to say, certain politicians and bureaucrats became rich. In other systems of political economy, different methods of financing the state suggested themselves, often much to the same effect.

The colonial powers had bequeathed to the new state little on which a nation could be built. Before independence, all colonies were supposed to be self-financing, and this included the costs of their own administrations. As a result, roughly half of the colonial government revenues had gone to paying expatriate bureaucrats, and another sixth had been spent on servicing loans that usually had little to do with development. Little remained for the cultivation—through education, health, and social services—of human capital. Besides maintaining an economic and political order in which agriculture or labor reserves or concessions could develop, colonial governments had limited interests. By 1960 only one in six adults in Africa was literate.

Given the limited aims of the colonialists, it is not surprising that so few foreign administrators were required to maintain the short-lived colonial hegemony. The British had "ruled" the Indian sub-continent through an Indian Civil Service with fewer than 1,000 British members. Likewise, the British and French and Portuguese colonial civil services in Africa were massively outnumbered by the populations supposedly in their charge. The armies and police forces that kept the colonial peace were officiated by Europeans but manned by African subjects.

The apparent ease of colonial administration generated in the new African leaders the illusion that control of the postcolonial state would allow them to pursue as easily their much more ambitious objec-



tives. "Seek ye first the political kingdom," Nkrumah famously urged. But colonial governments were designed for limited ends. Once they were turned to the task of massive development—to the building of roads and dams, schools and government offices—and to universal primary education and the enormous expansion of health and agricultural extension services, they proved unequal to the task. When the post-colonial rulers inherited the reins of power, few noticed, at first, that they were not attached to a bit.

To understand power in the postcolonial state, we must return to the ethno-regional loyalties with which I began. And the most surprising fact about these loyalties is that often they are not especially old, being the product of, or response to, colonial and postcolonial experiences.

In the 1930s and '40s, when people speaking similar languages arrived in the colonial towns and cities, when they listened to radio programs broadcast in dialects related to their own, when they realized that in other parts of their countries people had different practices, then an old and vague body of shared cultural practice was often transformed into a new politicized ethnicity. Only after independence in Ghana did the speakers of Ashanti and related Akan dialects come gradually to feel they shared a single identity. Likewise in Nigeria, the three major ethnic groups—Hausa-Fulani, Yoruba, Ibo—are only a product of the rough-and-tumble of the transition from colonial to postcolonial status. In many places, these new ethno-regional identities have become extremely powerful. Here, however, is another point where variations in colonial experience mattered. For British and French colonial administrations were guided by very different theories of empire, and these different theories have affected not so much the importance of ethnicity—it is crucial every-

where—as the role it plays in the postcolonial state.

The British maintained "native administrations," attempting to regulate their colonies by using the structures of the precolonial states. They attempted, with the aid of official colonial anthropologists, to understand what came to be called "customary law" and to allow traditional elites to enforce those customs—in marriage and land rights, for example—whenever they were approximately consistent with British mores. The kingdom of Buganda (at the heart of modern Uganda), the northern Muslim states of Nigeria, and the Ashanti all fit the monarchical vision of the British officers who invented their country's colonial policy in Africa. (Where there were no traditional rulers to support, as in eastern Nigeria among the Ibo-speaking peoples, the colonial authorities sought to invent a form of "chieftaincy.")

The result of this policy was that, in places like Ashanti in Ghana and in Islamic northern Nigeria, the local leaders were not at all happy to defer to the centralizing impulses of the newly independent states. This led to, for example, the Nigerian civil war of the late 1960s. What began in 1967 with a pogrom against Ibo traders in northern Nigeria provoked first Ibo secession and then a civil war in which Yoruba people aligned with the North to "save the union."

In Ghana, too, whenever we have had civilian elections, parties usually have come with "tribal" labels—labels whose force has little to do with the announced intentions of their leaders. Certainly, the Ashanti kingdom in which I grew up was a source of resistance to Nkrumah. Because of this opposition to Nkrumah, Dr. Kofi Busia's Progress Party in the 1969 elections was seen as Ashanti or Akan. (One of Nkrumah's political advantages had been his ori-

gins in an ethnic group so tiny—the Nzima—that he was not identified with any of the principal Ghanaian groups.) In Akan areas of Ghana, in the 1980s, one heard the present government of Jerry Rawlings, whose mother was Ewe, discussed as an instrument of Ewe domination (an accusation that seems only marginally more reasonable than the allegation that he represents the domination of Scotland, through his father).

The French, unlike the British, attempted to create a black elite, one that would be simultaneously African and French. Schools did not teach in “native” languages, and the French did not simply use revamped pre-colonial administrations. One might suppose, therefore, that this project of creating a class of black *évolués*, a “civilized” black elite, had laid firmer foundations for the postcolonial state. And it is certainly true that some of the states carved out of the old French African Empire—in particular Senegal and Ivory Coast in the west and Cameroon and Gabon further east—have been relatively stable. But this has not, in my view, been the result of the eradication of ethnicity. The majority of French colonies have chosen to stay connected to France, and all but Guinea (which has hardly had a record of stable progress) have accepted varying degrees of “neocolonial” supervision by the *metropole*, as the lingering authority of France is called. No military coups have been possible in Ivory Coast, for example, because there are French troops stationed there. In Gabon, the French actually removed soldiers who had the temerity to install themselves through a coup in 1964. And while Dahomey (later renamed Benin) had an average of about one coup per year in its first decade of independence, they involved the circulation of power among a small group, usually with the tacit consent of the Quai d’Orsay. (The French have recently with-

drawn this commitment to support the government in power or, in the case of Benin, the officially recognized elites.) The CFA franc, used throughout almost all the former French colonies in Central Africa, is tied to the French franc and its rate of conversion guaranteed, which rules out the massive inflation caused by the printing of money that we witnessed in Ghana in the mid-1970s. The CFA franc limits the autonomy of the states, even while it helps maintain their political stability.

Yet despite these differences between British and French colonies, leaders such as Félix Houphouët-Boigny, the president of Ivory Coast since its independence in 1960, have had to play a complex ethno-regional balancing game to keep themselves in power. Merely removing old ethnic political institutions—chieftaincy is now largely ceremonial in Ivory Coast—has not wiped out the power of ethnic identifications. Houphouët-Boigny, to build support in regions other than his own, practices a careful policy of including representatives of all the country’s ethnic regions in his party—the Parti Democratique de la Côte d’Ivoire—and within his cabinet.

**B**alanced so precariously between different ethnicities and regions, how have the new African nations managed the task which Thomas Hobbes defined as the very reason for the state: the preserving of order and the life of its citizens? In the mid-1970s, as the Ghanaian state began its sharp decline, I was teaching in Ghana. One of my tasks at the university was to teach political philosophy, and, in particular, Hobbes’s *Leviathan*. For a Hobbesian, I suppose, the withdrawal of the Ghanaian state, incapable of raising the income to carry out its tasks, should have led to disaster. Yet Ghanaian life did not become a brutish war of all against all. Life went on. People did not “get away with

murder"—even though the police usually would have been in no position to do anything about such a crime. People made deals, bought and sold goods, owned houses, married, raised families.

As for state officials (including those in the army and the police), their intervention was as likely to get in the way of these arrangements as to aid them, as likely to be feared and resented as welcomed. For many Ghanaians and especially rural farming people—living in a world whose mother tongue was not the English of our colonizers or of the postcolonial government—what mattered was how things had always been done. Disputes in urban as well as in rural areas were likely to end up in arbitration between the heads of families or in the courts of "traditional" chiefs and queen-mothers, in procedures that people felt they could understand and manage. Once the lawyers and the magistrates and the judges of the colonial (and now, with

little change, the postcolonial) legal system came into play, most people feared that what happened would be beyond their comprehension and control.

In such circumstances, an argument that the state provided security would have been laughable. And rightly so. Only in a few extreme situations in Africa—among them Uganda since Idi Amin—have things reached a point of Hobbesian crisis. Even in Nigeria, where urban armed robbery and banditry on the highways have become accepted inconveniences, citizens are unlikely to see the state as a solution, since (rightly or wrongly) they suspect that the robbers have allies and protectors among the rulers.

Yet despite all of their limitations, African states endure. In Ghana, as in a number of other places, the decline has been halted. I am not in a position to judge how much of this can be credited to the "structural adjustment" imposed in African states



*Thousands of Mauritanians fled Senegal in 1989 after a border dispute over grazing rights erupted into bloodshed—one of many barely reported conflicts that tear at Africa.*

by the World Bank during the 1980s, although I suspect that the economic effects have been a good deal less positive than the Bank has sometimes claimed. But in trying to make sense of the return of the state in Ghana, I think it useful to underscore how the government has become a facilitator, rather than a director, mobilizing social allegiances that are largely autonomous. And it is important to be clear that I am speaking not only of the mobilization of ethno-regional (or "tribal") allegiances.

To explain what I mean it will help to return to Kumasi.

**O**ne of the most important organizations in my grandfather's life was the Ashanti Kotoko society, a modern Ashanti organization that engaged in various, often charitable activities. Equally important, I suspect, was the Masonic lodge of which he was master (the picture of him that hangs in my parents' home shows him in his Masonic outfit). All over Africa during the colonial period, new social organizations developed, drawing sometimes on European models, sometimes on traditional secret societies, guilds, and cults. When people moved to towns, they often formed hometown societies (*associations des originaires*). Many other organizations centered on Christian churches and Islamic mosques.

It became clear during the 1970s, and increasingly during the '80s, that organizations in Kumasi such as the Methodist Church (to which my father belonged) and smaller churches (such as my mother's) were becoming more and more central in organizing the financing, building, staffing, and equipping of schools. Likewise, they supported the city hospital, and they worked with the leaders of the Muslim community and the Catholic archbishop to maintain orphanages and homes for the mentally ill and for old people without fam-

ilies to care for them. (Indeed, when he stopped working within state politics in the mid-1980s, it was to his church and its politics that my father turned his attention.)

It was not that churches and mosques had not done these things earlier: Much of the best secondary schooling in Ghana has been in church schools since my father was a boy, and mission hospitals are a familiar feature of the African landscape. Muslims are obliged as a matter of religious duty to support the poor. What was significant about the changes in the last decade-and-a half was that they involved explicit recognition that these organizations (and other groups, such as the Rotary Club) were taking over functions formerly reserved for government, and that state officials were only too keen to have their aid.

During the 1980s, chiefs and elders organized the maintenance of "public" roads. Business organizations provided food for "state" schools. Citizen groups bought and imported medical equipment for "government" hospitals. The institutions of chieftaincy, in Ashanti and elsewhere, began to carry out what were formerly state functions, mediating, for example, between labor and management in industrial disputes. *And, by and large, the state has acquiesced in all of this.*

The significance of the withdrawal of the state goes beyond official announcements in the capital. Local bureaucrats in towns and villages increasingly rely on private associations to carry out their functions. The management of "government" old-people's homes and orphanages in Kumasi depends crucially on private support, on the cooperation of chiefs, business people, and community leaders.

To the extent that the government provides some technical assistance and serves a coordinating function, we can speak of it now not as *directing* but as *facilitating* certain functions. This shift is surely to be wel-

## GOING DEMOCRATIC?

Thirty years after its liberation from colonial rule, writes journalist Colin Legum, black Africa stands on the verge of "a second period of liberation from unpopular, unsuccessful governments." One of the latest countries to edge toward democracy is Ivory Coast, where longtime president Félix Houphouët-Boigny faced an opponent in a November election—and won. A month before, Gabon's newly legalized opposition won half the seats in the National Assembly.

While elections are becoming more common, sustained multiparty democracy remains rare. By one reckoning, only five of the 46 sub-Saharan countries have achieved it: Botswana, The Gambia, Djibouti, Mauritius, and Senegal. Nigeria is to make its third try at democratic government in 1992. There have also been recent reverses, notably in Zimbabwe, which became a one-party state when Robert Mugabe and Joshua Nkomo merged their tribe-based parties to

avoid bloodshed.

Such deviations are not universally condemned. Some Africans say that divisive multiparty systems are "un-African." The London *Economist* (Nov. 10, 1990) adds that they may be too much to hope for in such poor countries. And if foreign-aid donors punish all autocrats, some of the continent's boldest economic reformers may suffer. Yet there is no reason to prop up the likes of Zaire's notorious "kleptocrat," Mobutu Sese Seko. What the West should push for, the *Economist* says, is a free press and an independent judiciary, since "these make politicians accountable."

Still, regular elections are the best way known to enforce accountability. Africa may be headed in that direction, albeit slowly and without the euphoria that accompanied liberation. That sobriety may be the most hopeful sign that this promise of freedom will not prove false.

comed whenever it increases the control of citizens over their own lives. It has always been true that in large parts of Africa "tribalism"—what, in Ivory Coast, is half-humorously called "geopolitics"—far from being an obstacle to governance, is what makes possible any government at all. And we can see the government's new role as facilitator—acknowledging the associations of society rather than trying to dominate, to ignore, or to eradicate them—as an extension of an old established pattern.

**T**he proliferation of private organizations is, if anything, a universal phenomenon in postcolonial Africa. And the ethno-regional and religious associations on which I have focused are only the first among many groups that maintain civil society. These include sports clubs, market-women's groups, professional organizations, trade unions, and farm cooperatives. In many of these organizations—be it a sports club or a choir or an *association des originaires* or the Ashanti Kotoko Soci-

ety—there is a remarkable degree of formality, including elections and rules of procedure (sometimes even according to *Robert's Rules of Order*). A concern with constitutions and procedure is a key feature of churches in Ghana and elsewhere. Various women's "auxiliaries" allow women, who have been much worse-treated than men (and a good deal less represented) in the postcolonial state, to experience something like democratic participation. This is not an exclusively urban phenomenon, either. Clubs, associations, and cooperatives abound in the villages, the countryside, and among farmers.

These democratic organizations are, I believe, tremendously important for the development of public life in Africa. They give people an experience of democracy. It will become increasingly difficult for weak states to maintain their legitimacy without offering democratic participation. In 1989 and 1990 there were riots in Ivory Coast and in Kenya (historically, two of the most stable and prosperous African states), riots

directed in both cases at presidents and leaders who were perceived as unresponsive to the concerns of their people. We have seen in Eastern Europe how the removal of army control opened the way to resistance to apparently well-established authoritarian rulers. Many African states don't even have the elaborate security apparatus that kept those regimes in power in the first place. (The "quiet revolution" in Benin, fueled by popular resistance, is apparently easing President Mathieu Kerekou out of power. It could set an example for other countries in Africa.)

Democracy is not simply a matter of parliaments and elections—though these would be welcomed by some in every state in Africa—but the development of mechanisms by which the rulers can be restrained by the ruled. Otherwise, citizens in Africa have few reasons to acquiesce to the injunctions (or the whims) of those who claim to rule. Paradoxically, it is the state that needs democracy, not the citizen.

But while it is easy to remark on the inadequacy of the classical nation-state model for Africa, it may be too soon to pronounce on its outcome. Clearly, if the state is ever to reverse recent history and expand the role it plays in the lives of its citizens, it will have to learn something about the surprising persistence of these "premodern" affiliations, the cultural and political fret-work of relations through which our very identity is conferred.

**A**llow me to revert once more to the personal. When I was about eight years old, I fell very ill. After I had been in the local hospital for what seemed like months, the English queen paid her

first postindependence visit to Ghana. She and her husband and the president of Ghana, Osagyefo Dr. Kwame Nkrumah, duly arrived in Kumasi and made their way through the hospital, passing as they did so by my bed. The queen, whose mastery of small talk is proverbial, asked me how I was, and I, in a literal fever of excitement at meeting my mother's queen and my father's president all on the same day, mumbled that I was quite well. The president, who had only recently locked up my father, stared at the ceiling, tapping his foot (making, as it turned out, a mental note to return my doctor to what was then still Rhodesia). After they had passed through, I went, against the orders of my doctor and to the consternation of the nurses, to the window and looked out in time to see an extraordinary sight. The Duke of Edinburgh and the president of Ghana were trying, halfheartedly, to pull an ancient Ashanti sword out of the ground in which it was embedded. The sword, tradition had it, was put there by Okomfo Anokye, the great priest of Ashanti, and the first great king, Osei Tutu, who had founded the kingdom two-and-a-half centuries earlier. The great priest had supposedly declared that if the sword were ever to be pulled out of the ground, the Ashanti nation would fall apart.

It seemed to me, from way up above the crowd of dignitaries, that Nkrumah's tug on the sword was even more halfhearted than the Duke's. No Ghanaian ruler could even jestingly simulate an assault on Ashanti unity here in the heartland. Today, long after Nkrumah has gone to his ancestors, Ashanti remains—refashioned perhaps, but strangely obdurate. The sword, they tell me, has disappeared.

# ADJUSTING TO AFRICAN REALITIES

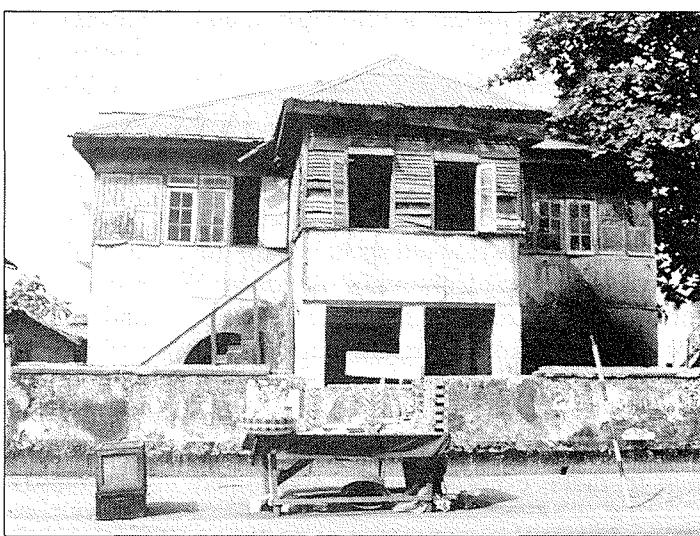
*by Robert Klitgaard*

I got the news during a brief visit to the United States in September 1988. Don Bonifacio, the finance minister of Equatorial Guinea and my closest colleague, had been fired. I figured that it must have had something to do with the recent coup attempt. The plotters were partly motivated by fears of the free-market reforms Don Bonifacio and President Obiang Nguema Mbasogo had been pushing to shore up the country's crumbling economy, reforms that threatened the backdoor enterprises of many high government officials. The changes weren't popular among the people, either. Despite them, the economy continued in its downward spiral. I wondered if a fearful President Obiang had sacrificed Don Bonifacio to prevent further unrest.

I had been working in Equatorial Guinea for two years as the head of a World Bank-funded economic rehabilitation project. The country was a kind of laboratory of underdevelopment, five tiny islands off the western coast of the continent and a mainland slot the size of Maryland nestled between Cameroon and Gabon. In 1985, the 300,000 or 400,000 citizens—no one knows for sure how many people live there—had an average income of a little more than \$100, according to one international agency, or about \$300 according to

another. The average Equatoguinean can't expect to live past 45, and every year about 90 percent of the population contracts malaria. Most schools lack books, desks, and blackboards; no wonder very few youngsters attend. At the hospital in the capital city of Malabo, beds are routinely pilfered; and because no one orders spare light bulbs for the lamp in the operating room, surgery is carried out under an ordinary 60-watt bulb.

Independence has not proved kind to most African economies, and it has been especially hard on Equatorial Guinea. After Spain granted the country independence in 1968, the former civil servant Francisco Macías Nguema was elected president. Africanists rate Macías as worse than Uganda's Idi Amin or the Central African Repub-



*After socialism: The decay of order in many countries has spawned "microenterprises" that operate outside the law. Now, some economists believe that they are the key to Africa's revival.*

lic's Emperor Bokassa. After a coup attempt in 1969, Macías began imprisoning and murdering real and imagined political opponents. Denouncing Spain and Western imperialism, he outlawed competing political parties, abolished the constitution, and declared himself president for life. He shut down churches and libraries and forbade the publication of all books, magazines, and newspapers. By the time he was overthrown in 1979, an estimated one-quarter to one-third of the population had been executed or driven into exile.

With political oppression came economic disaster. State controls were strapped on everything from banks to small enterprises to village markets, suffocating private initiative; the people returned *en masse* to subsistence farming. Spaniards who had remained in Equatorial Guinea after independence fled the country, taking their money and skills with them. Some 40,000 Nigerians who labored on the cocoa plantations also left. Cocoa production plummeted and coffee and timber exports fell by 90 percent. Before independence Equatorial Guinea exported fish, various foods, and palm oil; by the mid-1970s it was importing all three.

Macías's reign of terror ended in a 1979 coup led by his defense minister (and nephew) Obiang Nguema Mbasogo, who still rules the country. The new president loosened Macías's links to Cuba, North Korea, and China and looked again toward the West. He reopened churches, denounced torture and secret arrests, and with Western help embarked on an ambitious plan to rebuild the economy. By the time I first set foot in Equatorial Guinea in 1985, the country had devalued its currency seven-fold to make exports cheaper and joined

the French-backed Central African currency union. Obiang was taking steps toward a free-market economy. He lifted most price controls, radically reformed the tariff system, began selling off state-owned enterprises, and shut down the corrupt state development bank. As in more than 30 African countries, an economic revolution was, at least in theory, underway.

Three weeks after Don Bonifacio's ouster, I flew to Berlin for the annual meeting of the World Bank and the International Monetary Fund (IMF). I was part of the delegation from Equatorial Guinea, which was led by the new finance minister, Don Fernando. (In Equatorial Guinea, everything is done on a first name basis, as long as you tack on that respectful "Don." Even the telephone book, about 50 pages for the entire country, is alphabetized by first names.)

I was introduced to Don Fernando at the inaugural cocktail party. He looked lost. Around us thousands of elegant delegates drank champagne and sampled smoked salmon. The stocky, round-cheeked finance minister was deferential, almost cowed. Though I worked for him and his government, I was paid with funds from a World Bank loan. As we chatted amid the evening's glitter, I wondered if Don Fernando saw me as another cog in the mysterious machinery of international capitalism, which could assemble from around the globe heads of central banks and budget bureaus, as well as fine wines and canapés.

I hoped not. Outside the giant convention center, 10,000 police shielded the 8,000 delegates from 30,000 protesters, who did. The demonstrators, radical young

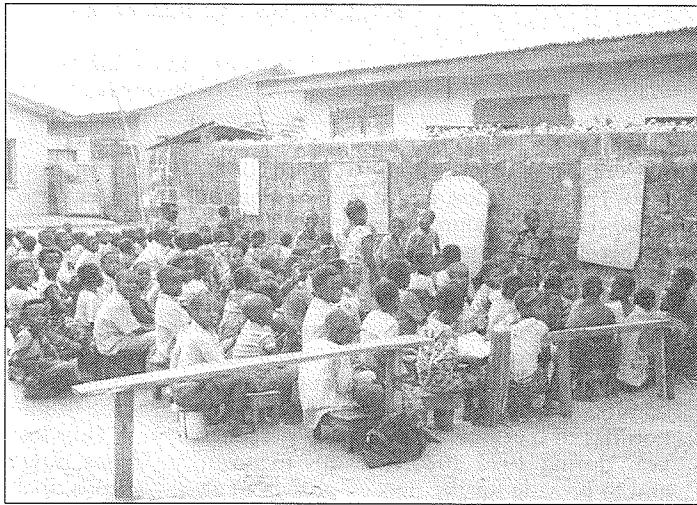
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Europeans who had been organizing for months, denounced the Bank and the IMF as neoimperialist organizations that crammed unsound capitalist policies down the throats of impoverished, debt-ridden nations. "Structural adjustment" programs hurt the poor, they said, ravaged the environment, and promoted only a shell of modernization. They had a point, albeit not one often expressed within the conference hall.

The IMF and the World Bank are the prime movers of Africa's economic about-face. Over the past decade their clout has grown tremendously. The two institutions, set up at the end of World War II to help repair the global economy, concentrate today on the developing countries, offering low-interest loans with strings attached. (The IMF loaned \$21 billion in 1989, \$4 billion to African countries.) An agreement from either of them has become something of a *Good Housekeeping Seal of Approval* for other banks. If an African country does not have a program with the World Bank or the IMF, many aid donors and commercial lenders will not ante up either. Countries are forced to devalue their currency, cut government spending, deregulate domestic and international trade, and turn over public enterprises to private management or joint ventures. The power of these two multinational institutions is without parallel in history.

As any Equatoguinean will tell you, such reforms are painful. Imported goods are suddenly much more expensive. Credit and public spending are cut back. Subsidies for food and housing and transportation are slashed. Politically, too, the



*A painful decline in school enrollment has been one cost of Africa's ongoing economic crisis. Primary school enrollment dropped from 79 percent in 1980 to 73 percent just six years later.*

changes are traumatic, a radical departure from the socialist and nationalist policies adopted by many of independent Africa's founding fathers, men such as Ghana's Kwame Nkrumah, Guinea's Sékou Touré, and Tanzania's Julius Nyerere. These leaders hoped to leapfrog into the ranks of industrial nations by launching massive state-run enterprises in steel, cement, and other basic industries. To fund this massive restructuring, the government took over agriculture and trade and squeezed out their surplus profits, relying on foreign aid and loans to make up the rest.

Though this strategy was already failing by the end of the 1960s, a price boom in the 1970s for many primary products—cocoa, coffee, metals, sugar, and oil—created the illusion of prosperity. The rise of the Organization of Petroleum Exporting Countries (OPEC) stimulated efforts to fix the prices of commodities such as cocoa, coffee, metals, even bananas, but their apparent success while prices were rising eventually proved unsustainable. Heavy borrowing from international banks flush with petrodollars, from countries such as China and

## PUTTING AFRICA TO WORK

*Africa will need 380 million new jobs by the year 2020, yet today population growth is outpacing job creation. A 1989 World Bank study, Sub-Saharan Africa: From Crisis to Sustainable Growth, concludes that unregulated "microenterprises" will have to provide most of the jobs.*

Agriculture occupies about two-thirds of the labor force in Africa, and it will continue to be an important source of new employment during the next generation. For instance, horticulture, dairying, and forestry could expand rapidly, and all these activities are labor intensive. However, there are limits to agriculture's capacity for labor absorption. To achieve food security throughout the continent, average per capita food consumption has to increase by about one percent a year during 1990–2020. For this to occur, and to provide for the needed growth in agricultural exports, value added per worker in agriculture has to grow by about 1.5 percent a year. Thus an agricultural growth of four percent would imply employment growth of no more than 2.5 percent a year in agriculture; this would enable the sector to provide jobs for almost half the increase in the labor force.

Only a fraction of the new workers who come on the job market each year will be able to find employment in the modern sector, even under the most optimistic of scenarios. The public sector is chronically overstaffed and needs to be trimmed back rather than expanded. In some countries budget constraints are already forcing cuts in public employment. Large-scale modern industries will be important sources of employment only in a few countries. However, much simple manufacturing—for example, furniture, clothing, and household goods—can be undertaken by small and medium-scale firms. Employment in these firms and

in construction could be important. In the longer term it is to these expanding modern enterprises and their supporting services that countries must look for new jobs. But in most countries they will fail to absorb more than a fraction of the new workers who come onto the job market each year. At best, wage employment in the modern sector as a whole can be expected to grow at around three to four percent annually.

This leaves small and "micro" enterprises, now mainly in the informal sector, to absorb about half the new entrants to the labor force. Construction to meet the fast-expanding demand for housing is likely to be an important source of jobs, especially through owner-managed businesses that employ just a few laborers. The same is true of much construction of infrastructure, such as school buildings and clinics, as well as small sewerage, rural road, and other...infrastructure. A myriad of other activities and services can be imagined.

Overall, employment in small and microenterprises will need to grow on average by six percent a year.... Experience suggests that, except on grounds of health and worker safety, governments should resist interference in labor markets. If left alone, they work well. The political imperative is to interfere, but the economic logic is not so. Minimum wage legislation, regulations restricting the ability of employers to hire and fire, and related interventions tend to raise costs, reduce competitiveness, and constrain the growth of employment.

France, and from international agencies such as the World Bank—along with the international community's willingness to soft-pedal the corruption and ineptness in the new nations—maintained the illusion of prosperity until the 1980s.

True, there were critics of this top-down, state-centered model of development, including private, voluntary organizations such as Oxfam and "small-is-beautiful" enthusiasts. But their success in

rural development proved too limited and their voices too diverse to launch a cohesive program for change. One of the most celebrated efforts was Julius Nyerere's *ujamaa* brand of decentralized, village-based development in Tanzania. Between 1967 and 1977, 85 percent of Tanzania's people were herded into experimental communal farm villages. This experiment in African socialism attracted unprecedented foreign financing—especially from

the World Bank and the Nordic countries.

The results were disastrous. The villages became money traps as the village governing councils ran afoul of the same corruption and inefficiency from which central governments suffered. Between 1969 and 1983, rural living standards declined steadily (at an average annual rate of 2.5 percent). And yet, while acknowledging that the program was not succeeding, Nyerere held fast to his faith that Tanzania's problems could be solved without abandoning socialism. "There is a time for planting and a time for harvesting," he said in 1977. "I am afraid for us it is still a time for planting."

But the economic daydream of the 1970s ended in Tanzania and other African countries with a brutal awakening. In the early 1980s, Africa was hammered by a combination of worldwide recession, an increase in world interest rates, bad weather, and a fall in the prices of primary products ranging from cocoa to copper. Many African governments went broke. Africans saw their tiny incomes shrink further. Today the yearly income of all 450 million citizens of black Africa is about equal to that of Belgium, a country of only 10 million. By the mid-1980s, debt service in black Africa averaged nearly half of export earnings; most countries could not meet these payments and private banks were no longer willing to lend to them. Desperate African governments turned to the IMF and the World Bank, the preachers of free-market economic reforms. To get their blessing and their funds, the Africans converted. And so it was that Africa took the lead in the worldwide move toward the free market, some five years before Eastern Europe.

State-led development had failed. That does not mean, unfortunately, that free-market strategies have succeeded in Africa. Despite rhetoric about "the magic of the marketplace," the best economists—even

at the World Bank and the IMF—recognize that no one knows for sure how to get out of crises like Africa's. The fact is that so far in Africa, both socialism and capitalism have failed. Our work in Equatorial Guinea suggested some reasons why.

**T**he second day in Berlin, Don Fernando took me aside for a long talk. He said he didn't know why Don Bonifacio had been fired, having himself just returned from several years abroad. He wanted to talk about the economy. He asked me about the country's problems with exports, corruption, small business. I gave him a few examples.

Take cocoyam, a potato-like tuber known locally as *malanga* and a staple of the local diet. It was a good crop for Equatorial Guinea's climate and soils, and our *malanga* were said to be larger and tastier than those grown in neighboring countries. Selling them, it seemed, should be quite profitable. I had interviewed many women who grew and sold *malanga*. Remarkably, each felt compelled to take her own harvest to market.

"I don't trust my neighbor to sell the *malanga* for me," one woman explained. "She would not give me the correct price or would take the money."

"Even a woman in your village, your neighbor?" I asked.

"Yes, I do not trust them."

As a result, each of the women would spend about three-fifths of her *malangas'* sale price travelling to and from the market and living there for the six days it took to peddle them. The women also complained about "taxes" on their produce. In the Malabo market, municipal officials and policemen tapped them for 15 to 20 percent of the sale price in official payments and decidedly unofficial protection money. Official taxes from such small venders accounted for two-thirds of municipal reve-

## A BRIGHT SPOT

*The gloom over Africa's future is not unrelieved. In Africa: Dispatches From A Fragile Continent (1990), journalist Blaine Harden sees signs of hope in Nigeria.*

Even as things fall apart, pots boil over, signals cross, and bodies rot, Nigerians somehow are managing to meld themselves into that most unusual of black African entities—a real nation. Against all odds, things come together.

Out of the Biafran war of the late 1960s, which was Africa's bloodiest tribal conflict, has come a lasting tribal peace—a feat of forgiveness remarkable in world history. Out of the berserk corruption of Nigeria's oil boom has come a gritty, sober-minded program of economic reform. Out of the two-time failure of democracy has emerged a moderate military regime that is orchestrating its own dissolution in favor of elective government. Out of six military coups, and



Ibrahim Babangida

after the assassination of three heads of state, Nigeria has lucked into an extraordinarily beneficent Big Man—the gap-toothed general.

President Ibrahim Babangida has the most sophisticated economic mind of any leader on the continent. He is a former tank commander who happens to be a nimble politician. He has the good sense not to lock up, torture, or kill his critics. While imposing a hated economic adjustment program on Africa's most disputatious people, he managed to remain personally popular.

Most remarkable for an African Big Man, the general promised to step down in 1992 and the promise was believed.

There were no guarantees that any of this would endure. There are sound reasons to fear catastrophe. Like Sudan, Nigeria is rent by religion. It is divided north and south between Muslims and Christians, and economic hard times have ratcheted up religious tension. Religious riots are common and could spill over into civil war. Coups always threaten. Babangida sanctioned the execution of 10 military officers who conspired in 1986 to overthrow him. (He personally has been on the winning side in three coups, including the one that brought him to power in 1985.) Nigerians deeply resent poverty. They have watched in disbelief and anger as their average annual income was sliced in half, from \$670 to \$300, in the past decade. The country slipped from low middle-income status to what it really is: a least developed country. The strikes and economic riots that erupted in the late 1980s will probably recur.

And yet Nigeria—horrible, ugly, boastful, coup-crazed, self-destructive, too-goddamn-hot Nigeria—is black Africa's principal prospect for a future that is something other than despotic, desperate, and dependent. If the world's poorest continent is going anywhere, Nigeria is likely to get there first. Two reasons are size and wealth.

The place is not a banana republic. One of every four Africans is a Nigerian. One hundred and fourteen million people lived

nues in the country's two largest cities.

The would-be *malanga* exporter faced further problems. Despite the supposed liberalization of trade, there remained an array of permits and bureaucratic hurdles, not to mention a 25-percent export tax collected by the Ministry of Industry and Commerce. "Look here, I have to see things from the point of view of making money," explained one of the traders I spoke with. "With exports the government imposes so

many obstacles. I do not believe that I can make money in exports."

Still other factors discouraged exports of *malanga*: a lack of credit, few agricultural specialists who knew the crop, and an absence of product grades and quality standards. I explained to Don Fernando that the troubles Equatoguineans had exporting *malanga* were part of a more general syndrome—not just in Equatorial Guinea but throughout Africa. Big eco-

in the country in 1989. The population is growing at a rate that is among the highest in the world. In less than 50 years, Nigeria will have at least 618 million people—more than the present population of all of Africa, more than double the population of the United States. Besides sheer numbers, Nigeria has world-class wealth. It is the world's ninth largest oil producer and ranks fifth in natural gas reserves. Below ground, there are about 40 years' worth of oil and a century worth of natural gas. The country's gross national product is bigger (in years when the world oil price is strong) than that of white-ruled South Africa and more than half that of all black Africa combined. Above ground, there is a wealth of well-trained and frighteningly ambitious humanity. There are an estimated two million university-trained professionals. They constitute the largest, best-trained, most acquisitive black elite on the continent.

Finally, Nigerians have a penchant, indeed a mania, for self-criticism. They obsessively pick apart the failures of their leaders and of themselves. Masochism is a national birthright. Titles of popular books by Nigerians include *Another Hope Betrayed*, *The Trouble with Nigeria*, and *Always a Loser—A Novel About Nigeria* . . . . Novelist Chinua Achebe upped the ante on national self-flagellation by writing, "Nigeria is not a great country. It is one of the most disorderly nations in the world. It is one of the most corrupt, insensitive, inefficient places under the sun. It is one of the most expensive countries and one of those that give least value for money. It is dirty, callous, noisy, ostentatious, dishonest and vulgar. In short, it is among the most unpleasant places on earth!"

nomic reforms have been put in place throughout the continent; prices and exchange rates have been set straight. But food production and exports have not taken off because in other countries, as in Equatorial Guinea, private-sector institutions and government regulations remain deficient. Free-market reforms, it turns out, have so far made little difference in, of all places, the market.

During the next few days Don Fernando

All true, and yet dictators—Big Men in the African mold—are not acceptable in Nigeria. They are lampooned in newspaper cartoons. They are overthrown. They are murdered. General Yakubu Gowon, a head of state who backed away from his promise to return the country to civilian rule, was tossed out in favor of a general who kept his word. General Mohammed Buhari, a head of state who muzzled the press and tried to run the country as though it were Kenya, was overthrown in favor of Babangida. Babangida could not survive if he were to back away from his promise of a return to democracy. Although they have badly botched it up, when they achieve democratic rule, Nigerians refuse to settle for anything less. It is a measure of the contrary, contradictory, mule-headed nature of the people that, after 30 years of independence, civilians have been in power for nine years, generals for 21, and the national consensus is that only democracy works.

In their lacerating self-criticism, and their refusal to abide megalomaniac Big Men, Nigerians refuse to commit a corrosive crime common to most of black Africa—passive acceptance of tyranny. It is no accident that half the continent's newspapers, half its journalists, one-quarter of its published books, a Nobel laureate in literature, and a growing number of world-class novelists and poets are Nigerian. "The worst sin on earth is the failure to think," writes Nigerian novelist and television producer Ken Saro-Wiwa. "It is thoughtlessness that has reduced Africa to beggary, to famine, poverty, and disease. The failure to use the creative imagination has reduced Africans to the status of mimic men and consumers of the product of others' imagination."

and I talked about other obstacles to economic advance. Property rights, for example, are poorly defined. It is difficult to buy and sell a piece of property, even sometimes to know who owns it. A Spaniard who had lived in Equatorial Guinea for 40 years once tried to explain this to me.

"You have to understand the traditional system of property here. The people were hunters more than cultivators, and even the cultivators were nomads. Land was not sta-

ble; it would be used and then abandoned. When the tribe moved to a new area the chief would assign the land to the tribal notables, the closest land to the new settlement to the biggest of them, further out to the rest of the people." Later, in colonial times, as a protection against native exploitation, land was not sold but leased to colonists for 99 years. "So the idea remains—land is not yours, it is of the state."

After independence, some lands were nationalized. Some were sold off by the government but remained subject to re-nationalization. Property lines are often unclear, crippling private economic initiative. Stories abound of people buying buildings or property only to find that they belonged to someone else.

**F**ernando and I talked about other weaknesses. The legal system is inefficient and corrupt. Contracts are precarious, since the courts, whose judges are often bribed or intimidated, cannot be counted on to enforce them. During my stay in Equatorial Guinea, two state-sponsored banks went belly up. For months, it was impossible to withdraw savings, write checks, even exchange foreign currency. The banks had been making generous loans to government higher-ups and other well-connected people, often with the tacit understanding that they need not be repaid.

Corruption of this type is widespread in Equatorial Guinea and across Africa. Indeed, in much of Africa, the lines between the public and private sectors are vague, even invisible, given all the illicit payoffs, joint ventures, and cooptation. Even with macroeconomic reforms, arbitrary economic regulations and informal favors are still pervasive.

With so many institutional foundations lacking, the so-called private sector in Equatorial Guinea and elsewhere in Africa does not resemble what we know in the

West. Africa's middle class is meager, perhaps five percent of the population in many countries. A huge "informal sector" comprising small traders and producers operates outside the official tax and regulatory systems. In the cities of Zaire and the Congo, it is thought that up to 80 percent of all jobs are in unregistered, unofficial "microenterprises" with one to five employees. What markets do exist are thin and volatile, and they are vulnerable to monopolies and old-fashioned exploitation. Many government officials are themselves in business, in several senses. And so our Western concepts of property, enterprise, and regulation do not fit the African reality. Simply declaring that prices will be determined by market forces is hardly likely to produce economic efficiency. This was why, I explained to the new finance minister, we had begun to move beyond macroeconomic reform in order to fortify the institutional foundations for free markets.

We shut down one corrupt bank, for instance and moved to restructure another. Borrowing ideas from successful small-scale credit programs in Bangladesh and Burkina Faso (formerly Upper Volta), we proposed a new effort to enforce the repayment of loans and to emphasize small producers. At the same time we began to reorganize the Ministry of Industry and Commerce, cutting away the fat and redefining its mission as the promotion, rather than restriction, of the private sector. We proposed to strip the cocoa marketing board of its monopoly powers. We created new economic incentives for government workers in agriculture, road and water repairs, and public utilities. And we installed a system to hold public officials accountable for their actions.

Even as we dismantled Equatorial Guinea's state-led economy, we came to recognize the necessity of state power. Not the state of the past, which had suffocated busi-

ness and agriculture with controls, but an efficient state dedicated to laying the foundations for free markets—to promoting competition, controlling corruption, enforcing contracts and adjudicating disputes, ensuring the repayment of loans, and providing basic economic and social services. Government is also needed to build and maintain the country's roads, communications networks, seaports, and bridges, many of which have become expensive relics for lack of care.

Over the past three decades, development specialists have paid little attention to issues of poor government and corruption. For years it has been taboo for aid-givers and lenders even to discuss such things, although everyone knew that they were brakes on Africa's development. Many policy analysts and academics also avoided these issues, perhaps because they smacked of blaming the victim, of seeming to agree with reactionaries who blamed Africa's problems on Africans. Official corruption is not new in Africa and certainly is not exclusive to it. But corruption has become the defining feature of the African state, and poor governance remains the key institutional constraint on African economic development.

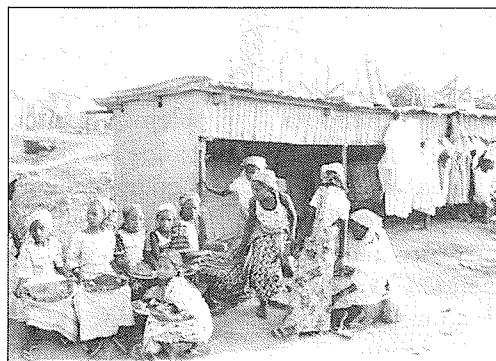
It is, of course, easier to decry shortcomings than to work through ways to improve them. Experience in other continents shows that success is possible. Several Third World countries have succeeded in reducing corruption. In 1975, for example, the Philippines' Bureau of Internal Revenue, for years awash in corruption, drastically

reduced it when a new leader publicly fired leading offenders and provided civil servants with incentives to improve their performance. Similarly, Hong Kong and Singapore have enjoyed dramatic success with anticorruption agencies, which enacted, among other reforms, stiff penalties and strong antinepotism regulations.

Corruption obeys a formula: Corruption equals monopoly power plus official discretion minus public accountability. So it is essential to leaven government monopoly, keep officials' autonomy in check, and increase accountability. Privatizing state-run industries can also help. Finally, and in my mind most importantly, governments must throw open the floodgates of information. Corruption thrives on ignorance. Democracy and free markets depend on public accountability and an active, free press.

**L**essons from elsewhere are encouraging, but in Africa efficient markets and good government have proved particularly elusive. Africa seems to break the rules, foul up the templates, ruin the recipes. Particularly in such areas as property rights, incentives, and greater accountability, success hinges on cultural fitness as well as economic efficiency. Reforms must fit Africa's political and cultural realities.

Put so simply, this seems like common sense. And it is. Still, it is surprising how often aid donors, researchers, and even Africans themselves seem to neglect it. Rarely do such people mention the importance of studying a country's culture before tinkering with its politics. Critics often write off failures



*The seeds of economic and political renewal?  
Market women in Lagos, Nigeria.*

for having “overlooked local realities.” But turn the question on its head—ask “how by taking local realities into account might the project or policy have gone better?”—and the critics become silent. So far, Africa’s reforms have focused on the “macro” side—reducing the economic role of the state, for example, or, in the case of political reform, moving toward multiparty elections. I fear that these welcome changes will not work without stronger institutions at the “micro” level—clearer property rights, for example, fair courts, stronger private-sector institutions, and fewer restrictions on business. If “free market” and “democracy” are to be more than words in places such as Equatorial Guinea, we must take governance seriously, which means seeking not just less government but better government and cultural supports for it.

These are the needs, but I think we must admit our vast ignorance of how to satisfy them. How to adjust the foundations of development to the realities of African cultures and politics remains a big unknown, perhaps the biggest challenge for Africans and those who wish to help them. For now, in our ignorance, we grope together for workable answers amid illiteracy, violence, and distrust.

**I**n Berlin I lectured Don Fernando on the institutional foundations of development. When we returned to Equatorial Guinea, it was his turn to lecture me on the cultural and political side.

I met with him for the last time a month after our meeting in Berlin. In the wake of the coup attempt, many innocent people, including one of my assistants, had been tortured. I was trying to organize the international community to petition President Obiang for an open investigation. I had also prepared a final economic report. Don Bonifacio’s firing threatened the reforms that after two years we had been so close to

implementing. I would be leaving the country soon, and I wanted to see Don Fernando before I returned to the States.

I thought of our conversation often after I left Equatorial Guinea, as the reforms unraveled. The government went back on its plans to improve property rights, and spending outside the official budget began again to soar. Don Bonifacio and my assistant who had been tortured were accused of corruption, and our project’s records were pilfered in an eventually unsuccessful attempt to destroy evidence and frame them. The corrupted banks remained closed, and the incentive systems and accountability reforms we created were still in place; but the news from Equatorial Guinea was that the old politics of control and patronage had returned in force.

It was late afternoon when we finally got together. Don Fernando had abandoned his necktie and was smoking a cigar as we walked together up the battered back stairs of the ministry and entered his office. I sat on the couch and he plopped down on a chair of slick, light-green Naugahyde.

Fernando wanted to talk about the political situation. “You know, in Africa there are certain differences from the West and here even more so. People are suspicious, people are jealous. If you have a car and someone else does not, he starts saying bad things about you. He wants the car, you see, and is envious. Then you find out he has been saying bad things and you try to get him. I will tell you the truth, these recent problems are a lot like that. There is a disturbance so they round up other people and go after them.”

Don Fernando’s speech was animated, his voice didactic. He hardly resembled the meek man I’d encountered in Berlin.

“In Africa you have to understand that people do not have a common interest,” he continued. “Without a common interest, there are fights. In Africa first comes the

family, then the clan, then the province, then the region, and finally the country. But the country is the last thing."

Fernando told a story about the previous year's preparations for a Central African conference held in Equatorial Guinea. People had been conscripted to work on an airport runway extension and the renovation of a soccer stadium.

"Boom, boom, boom, they worked and worked till late at night. And you know when the stadium was done, my God, compared to what was there before it was something—and the people were so proud. And when the big jets came into the airport where before the runways were too short, when people saw them land, the people were proud of themselves.

"That is what we have to do when everyone is poor. When there is hunger there is no common interest. And everyone thinks of families and clans. So to create a common interest we need strong leadership, we need to launch works like hospitals, roads, and schools with the people working, where they can see the results and feel proud." I shook my head. Despite the free-market reforms, he still believed that Equatorial Guinea needed a dictator and forced labor; I objected that there are no examples of either of them succeeding in Africa.

We talked about the coup attempt, about dictatorship and corruption and torture. I said there had to be a strategy for change. Don Fernando said that one had to be realistic. "The problem of the president is that most of the people in government are incompetent and uncultured, they have no exposure to the outside world. These people are jealous of the few with outside training. But there are too few trained people for the president to have any choice. He needs the Guineans who emigrated to

come back, all the lawyers and engineers. They won't come because they talk about democracy and rights. But we won't have that until we have more trained people. The president faces a balancing act. He has to keep the uneducated top people happy, the jealous ones, because they have the ear of the people in the villages. If the president goes only with the educated few, that three or five percent, then he would be out of office in a week. It is a dangerous situation—he has no choice but to humor the backward, the reactionaries.

"What has recently occurred must be seen in this light. Something happened within the group, everyone gets excited and casts aspersions on many others, innocent people. Then things happen. I am by no means defending torture or anything else. But we cannot have a democracy like England's." There was no way, he cried, "to appreciate this country without having known it under the terrible dictator of the 1970s, Macías Nguema.

"You have to compare with the subject itself, not its neighbor. If we were under Macías, there would be 60 people dead now. Including Bonifacio and your friend who was tortured. If you had come to my office like this after hours under Macías, then I would be in jail. Now these people are on the streets with their rights."

I reminded him of the torture.

"We started at minus 10. You can't just look at our current situation, say plus five or zero or minus five. Few countries have suffered as we have," Fernando said. "You cannot help but think like an American." I shook my head but Fernando went on.

"No, listen to me, if you had seen Equatorial Guinea under Macías, you would see that we have come the furthest of any country. That comparatively, it's a paradise."

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## BACKGROUND BOOKS

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### AFRICA AGONISTES

**S**eek ye first the political kingdom, "and all the rest shall be added unto you," exhorted Kwame Nkrumah, Ghana's first head of state and Africa's premier nationalist.

Now more than 30 years and some 70 coups later, all the rest has not been added—and some things even have been subtracted from Africa. Today, its per-capita income is lower than it was 30 years ago, and 70 percent of the world's poorest nations are in Africa. In his recent **Africa: Dispatches from a Fragile Continent** (Norton, 1990), Blaine Harden of the *Washington Post* notes that if Africa is in last place in many categories, it is unfortunately first in others. Its foreign debt burden is the highest in the world, with interest payments bleeding away one of every three dollars Africans earn. In Africa, civil wars have spawned the world's largest refugee problem. To these difficulties must be added uncontrolled population growth and inadequate food supply: Africa today, writes Harden, "is the most successful producer of babies in recorded history and the world's least successful producer of food."

This dire African situation is a sad contrast to the bright hopes of 30 years ago. That heady period of the late 1950s saw the emergence of an impressive group of men—the poet L. S. Senghor (Senegal), the orator Julius Nyerere (Tanzania), trade union leaders Ahmed Sékou Touré (Guinea) and Tom Mboya (Kenya), and rural radicals like Oginga Odinga (Kenya)—who all used anticolonial grievances to become, at least initially, popular leaders of the newly independent nations. These movements were commonly dubbed "nationalistic" by both African intellectuals and Western social scientists.

James Coleman's **Nigeria: Background to Nationalism** (1958) captured the mood of the buoyant period, while also defining what that nationalism was: only those movements whose political parties had a territorial following (as opposed to a tribal one) and had set up independence as an ultimate goal.

Using nationalist slogans, postcolonial leaders hoped to integrate their subjects. But, as Coleman and Carl Rosberg pointed out in **Po-**

**litical Parties and National Integration in Tropical Africa** (1964), nation building required more than stirring political rhetoric. Modernization was needed, and African leaders were determined to drag, push, bully, or borrow their new nations into the modern world. All modernization theorists, whether liberal or Marxist, shared the assumption expressed by David Apter in **The Politics of Modernization** (1965), namely, that a centralized state on the Western model was needed to coordinate all elements of society and direct development. A second assumption of Apter's was also widely shared (except by Marxists): The centralized state could only succeed with the help of the foreign powers, which would supply technical expertise, loans, and training facilities.

Despite all the fine theories, it became obvious by the end of the 1960s that Africa was *not* developing. A radical pessimism set in, expressed in René Dumont's **False Start in Africa** (Praeger, 1969). Dumont's long chapter headings—such as "Too Many Tractors and Coffee Plants, Not Enough Oil Palms and Food Crops"—are in themselves revealing. They reveal a tendency to blame Africa's failure to develop not on Africa but on outside factors, among them development aid itself. This "defense" of Africa was expressed most violently in Franz Fanon's **Wretched of the Earth** (1965).

The "generation" of social scientists following Dumont and Fanon tried to excuse the Africans' failures by using "dependency" theory, smuggled in from Latin America, to explain the new states' inability to fend for themselves. Thus, Walter Rodney described **How Europe Underdeveloped Africa** (Howard Univ., 1974) through four centuries, from the slave traders of the 16th century to the multinational corporations of our own time. Colin Leys's **Underdevelopment in Kenya: The Political Economy of Neo-Colonialism 1964-1971** (Univ. of Calif., 1974) became the prototypical case study, illustrating how foreign investment dominated the economic structure of the emerging nations, turning the African petty bourgeoisie into little more than agents of these foreign interests. To call the new African nations inde-

pendent was for these social scientists less accurate—and certainly less fashionable—than calling them neocolonial.

Rodney and Leys were only the pioneers of a scholarly industry that showed how foreign influence and foreign aid have failed Africa. But if the original formula for Africa's success envisioned, in addition to foreign aid, a strong centralized state, the record of those states makes an even more appalling tale. The Nigerian political scientist Claude Ake puts the blame, in "Sustaining Development on the Indigenous" (paper prepared for the World Bank, December 1987), on the African states themselves for the "pervasive alienation, the delinking of leaders from followers, a weak sense of national identity, and the perception of the government as a hostile force."

It is easy to see, in retrospect, how those new states connected by only the loosest of ties were ripe for dictators—like Mobutu Sese Seko in Zaire, Daniel arap Moi in Kenya, and Gnassingbe Eyadema in Togo—who could hold diverse populations and interests together by terror and tyranny and by promoting factions and patrimonialism. While such leaders turned their governments into "kleptocracies," they also promoted a class of middlemen—pictured in Robert Bates's **Markets and States in Tropical Africa: The Political Basis of Agricultural Politics** (Univ. of Calif., 1981)—who further sabotaged any chance for development by collaring concessions, contracts, commissions, kickbacks, and bribes. Jean-Francois Bayart's **L'Etat en Afrique** (Sayard, 1989)—which represents the fruits of French scholarship in the 1980s—proposed a different way of even understanding the African state. With his subtitle, *la politique du ventre*, or "politics of the stomach," Bayart suggested that the African state has become "indigenized," personalized, and custom-designed for manipulation. Any attempt to understand it in European or theoretical or Weberian terms will lead off into a wild goose-chase of miscomprehension.

Is Africa then simply to become the lost continent again, relegated from the Third World into, what Harden calls, "its own bleak category, the Nth World"? Bayart provides a

possible way out of this quandary when he proposes bypassing European categories to discover what is indigenous to Africa. Goran Hydan in **No Shortcuts to Progress: African Development Management in Perspective** (Univ. of Calif., 1983) anticipated Bayart when he "open[ed] the door to a field of inquiry that has normally been ignored by writers on Africa." Hydan studied "old-fashioned" peasant methods of production and exchange, particularly in agriculture, that had been ignored—if not despised—by both government planners and foreign-loan officers. Likewise, Robert Chambers in **Rural Development: Putting the Last First** (Longman, 1983) advocated a populist, agricultural-based approach to African development because it represents "the single largest knowledge resource not yet mobilized in the [bankrupt] development enterprise." John Iliffe, in **The Emergence of African Capitalism** (Univ. of Minn., 1983), also found a source of hope in Africa's homegrown enterprises, such as dye and textile manufacture in Nigeria, supported as they were by a complex interaction of business and family and religion. This traditional or indigenous African capitalism, Iliffe noted, supplied methods and "code[s] that helped foster trade and cooperation even in the absence of political unity in late precolonial times."

In going beyond Western notions of capitalism and the state, such scholars are penetrating beneath what V. Y. Mudimbe has described as the European **Invention of Africa** (Indiana Univ., 1988). Harden's *Africa* is the most notable recent attempt "to make the world's poorest continent more understandable—and less piteous—by making it more human." For Harden, Africa's values, especially those centering around family and kinship, do much to counterbalance the continent's vast problems. Those values may be more permanent, he suggests, than the authoritarian political artifice created by the Europeans in their brief 60-year reign in Africa. Instead of writing off the African experiment, Harden subscribes to a graffito scrawled on the backs of African trucks: "No condition is permanent."

—E. S. Atieno Odhiambo

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## Ideas

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# THE BIRTH OF PUBLIC OPINION

The rule of public opinion is now taken more or less for granted. Presidents consult the polls before announcing new policies; legislators invoke their constituents' desires to justify their votes; television network executives worship the Nielsen ratings. This idea of a public with a defined will that can be expressed is a relatively modern one, born of the Age of Enlightenment. But what we think of as "public opinion" means something far different from what it did in the 18th century. Historian Anthony La Vopa examines how the idea has changed.

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*by Anthony J. La Vopa*

In the liberal democracies of the West, and in a growing number of other nations, the "public" and its "opinion" are fixtures of modern life. Indeed, it is hard to imagine how culture and politics ever managed without them. The highbrow poet, the pulp novelist, the classical musician, the rock star, the avante-garde filmmaker, the director of TV sit-coms: All of these producers of "culture" need an image of the "public" and its expected reaction, whether they aim to please or to antagonize their audience. Without a "public," government has no way of entering into a dialogue with society; it relies instead on a barrage of propaganda. Unable to express its opinion publicly, society has no way (short of the threat of violent upheaval) of making government responsive to its changing needs.

The ancient *polis*, of course, had its public forum and its *vox populi*. But "public opinion" is, as historians measure such

things, a recent innovation. It was in the course of the 18th century that "public" joined "opinion" in a new pairing—and the result was a dramatic change in the meaning of the latter word. At the beginning of the 18th century, "opinion" had generally connoted blinkered vision and fickleness, in contrast to the unchanging universality of Truth. By the end of the century, opinion in its "public" guise was endowed with a rational objectivity. Public opinion was the authoritative judgment of a collective conscience, the ruling of a tribunal to which even the state was subject. It was to be confused neither with blind adherence to traditional authority nor with the mob loyalty that modern political demagoguery seemed to command.

The timing of this semantic shift was no accident. The 18th century was the Age of Enlightenment in Europe, and "public opinion" was one of its characteristic products. It was not simply that the "public," in

the ideal, embodied the Enlightenment's aspiration to construct a truly rational polity, able to criticize itself objectively. The new pairing distilled the values, aspirations, and misgivings of the educated and propertied elite that gave the Enlightenment its social profile.

As historian Keith Baker and several other scholars have demonstrated, "public opinion" exercised its strongest appeal and exhibited its ironies most dramatically in *ancien régime* France. That, too, is no accident. As the sacred authority of the Bourbon monarchy was eroded beyond recovery, the need for a secular replacement—a single, undivided source of political legitimacy—seemed increasingly urgent. An arena of open political conflict was forming, but to many Frenchmen it seemed to portend chaos rather than progress. Hence the duality that marked 18th-century appeals to public opinion everywhere in continental Europe and the Anglo-American world was heightened in France. "Public opinion" did loom as a workable alternative to traditional authority, and in that sense it was eminently modern from birth. And yet there is also a sense in which the concept, in its original state of innocence, was an antidote to the onset of modern politics. In our own era, as politics takes the form of photo opportunities and sound bites, that antidote can seem at once all the more appealing and all the less likely to work.

**W**ho appealed to the tribunal of public opinion in the 18th century? A complete list would include Voltaire, Immanuel Kant, Denis Diderot, and other familiar figures from the Enlightenment's pantheon, but it would also take us deep into the lower tiers of thinkers. By the close of the 18th century, reverence for the public's judgment had become obligatory among progressive clergymen as well as among the skeptics who dismissed Christianity as mere "superstition." It was shared—or at least seemed to be shared—by opposing camps of scholars; by novelists and by their critics; by government ministers and by op-



As this 1780 French etching shows, most people in the years around the Revolution got the news of the day by relying on the abilities of a literate few.

position journalists.

Whether "public opinion" was already a "preponderant force" in Europe by the 1780s, as playwright Louis-Sébastien Mercier claimed at the time, is open to question. The historical record leaves no doubt, however, that the concept was gaining currency and winning credibility. It became credible in part because an actual "public" was forming. Historians are now in a position to explain this phenomenon, since they have ceased to approach the Enlightenment simply as a March of Ideas and have studied it as a process of social communication and social change. Public opinion—in the broadest sense of the term—was an intricate circuit of writing, reading, and talking. Its jurisdiction lay within the expanding universe of print. Full-fledged membership in the true "public"—the "enlightened" tribunal—required a measure of affluence and education that the majority of Europeans, including many of the literate, did not enjoy. Within that limitation, however, the public was to be found in microcosm wherever men gathered to discuss the ideas circulated in print. Its locales

ranged from elegant salons to modest coffee houses. It might be said, in fact, that a network of "enlightened" communities, peopled by only a few thousand souls, invented public opinion as a way of talking about and validating itself.

This is also a way of saying, of course, that the tribunal of public opinion was a weapon in the Enlightenment's large arsenal of abstractions. It figures as such in Voltaire's campaign against Christian intolerance; in the mounting attacks on royal despotism and aristocratic corruption in France; in the rationales of reform-minded government officials throughout Europe; in the efforts to liberate literature and the arts from conventional rules. The point is not that public opinion was an empty abstraction from the start but that it was so appealing precisely because it was a highly serviceable fiction.

**N**apoleon once remarked that "Cannon killed feudalism," but "ink will kill modern society." The 18th-century men of letters were more likely to observe that ink—or, more precisely, printer's ink—was creating modern society. Its most obvious creation was "the public."

This is not to suggest that print was being produced on a modern scale. Until the steam engine was harnessed to moveable type in the early 19th century, there was little improvement in the hand-operated wooden press Johann Gutenberg had invented in 1450. Even if the technology had been better, the market for print would have remained pitifully small by modern commercial standards. The majority of the European population still lacked the excess cash and the sophisticated reading skills that most books and periodicals required. In 1785 the Netherlands' *Gazette de Leyde*, a French-language newspaper with a press run of just over 4,000, was one of the most widely read in Europe.

And yet historians speak of an 18th-century "revolution" in print, and not simply because the century witnessed a prolifera-

tion of printing shops, booksellers, reading clubs, and circulating libraries. On the eve of the French Revolution print offered Europeans far more information, a much greater variety of ideas, and incomparably more entertainment than it had offered a century earlier. In most educated homes reading was no longer primarily an act of religious devotion; the Bible and the devotional tract had been displaced by the novel and the entertaining journal. Government had become a newsworthy subject, and often an object of controversy, in a variety of newspapers available along the main commercial and postal routes.

The demand for print was growing, though it remained narrowly restricted by modern standards. In aristocratic circles "pedantry" still provoked disdain but illiteracy had become an embarrassment. If reading had become a habit among the well-born, there was a veritable craving for print among the much larger population Samuel Johnson classified as "that middle race . . . who read for pleasure or accomplishment." Bourgeois government officials, clergymen, lawyers and other professionals, merchants, affluent artisans, and shopkeepers—these educated and propertied commoners, along with their wives and children, were the typical consumers in the new print market.

If alarmed government officials and clerics had had their way, the range of consumer choices would have been considerably narrower. Even in "absolutist" France, however, official censorship was held in check by its own inconsistencies and the behind-the-scenes mediation of liberal-minded officials. The royal law courts (the *parlement*) in Paris still ordered the hangman to burn books publicly, and among the works consumed by the flames were Voltaire's *Philosophical Letters* (1734) and Jean Jacques Rousseau's *Emile* (1762). But these acts of official censure likely whetted the reading public's appetite for risqué literature, and in any case they were not necessarily followed by a royal ban. Many pub-

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lishers—the publication of the last 10 volumes of the *Encyclopédie* may offer the most striking example—simply sidestepped the director of the Library and his small army of censors by not applying for the royal *privilège*. More often the government allowed questionable material to pass through the quasi-legal loophole of “tacit” permission. Even that was not required for legal briefs. In the scandal trials of the 1780s barristers used these briefs to portray their clients as hapless victims of aristocratic arrogance and royal despotism. Printed in thousands of copies, these *mémoires* did much to create the impression that the entire establishment was hopelessly corrupt.

There was also a heavy flow of illegal literature, most of which was supplied by Dutch and Swiss publishers on the borders of the Bourbon kingdom. Contraband in print was smuggled in crates past bribed customs officials, or hidden in men's breeches and under women's skirts. French booksellers tempted their customers with anti-Christian tracts and with pornography; with pamphlets detailing the sufferings of dissident writers in royal dungeons; with scabrous “libels” of prominent figures in the royal family, at court, and in the government. *Les Fastes de Louis XV* (1782) was perhaps the most widely read clandestine book in France on the eve of the Revolution. It included a lurid inventory of the depravities of Madame du Barry, the court mistress of Louis XV, who, in the words of its anonymous author, “had ascended in one leap from the brothel to the throne.”

The modern “public” owed its origins and its growth to this cornucopia of print. In its broadest contours, however, the new public was as much a product of talk as it was of reading. As print entered symbiosis with new kinds of conversation in new social settings, it produced myriad ripple effects that cannot be measured by press runs and sales figures. Novel-reading, for example, was central to a new kind of domestic privacy in many educated bourgeois households.

Among the bestsellers were epistolary novels such as Samuel Richardson's *Pamela* (1741) and Rousseau's *La Nouvelle Hé-*

*loise* (1761), which spun their plots around the joys and perils of courtship and marital life and were well-suited to filling the idle hours of mothers and daughters. Even when such novels were not read aloud in the family circle, as they often were, they helped create a new, emotion-charged language of family intimacy.

As the bourgeois family circumscribed its private space, developing its own moral standards, it also examined itself obsessively in the printed pages of the novel. This self-examination was critical to the emergence of a modern public. It helps explain, in fact, why the public eventually assumed a critical posture towards government.

By the early 18th century, reading and conversation were nourishing each other in a variety of new public and quasi-public spaces. These spaces formed as the center of public life shifted from the royal courts of Europe to the cities, and as pedigrees and titles ceased to be the exclusive requirements for admission. Versailles and the courts modeled on it embodied the principle that the king was the only “public” figure, since his person was the single and indivisible source of all public authority. Royal splendor radiated outward through a court aristocracy displaying itself in relentless rounds of ceremony and theatrical festivity.

Since the early 17th century, Paris had witnessed the emergence of a new kind of public society that would eventually displace Versailles. Originally an overwhelmingly aristocratic milieu, it called itself “the world” (*le monde*) as a way of saying that it encompassed everyone who counted. *Le monde* gathered regularly in the capital's salons, under the guidance of highborn women in need of amusement and intellectual sustenance. In the highly mannered conversational art of the salon, gossip and scandal shaded naturally into literary discussion. In the 18th century, as the market for literature expanded, *le monde* opened its doors to the well-known as well as to the well-born and to the well-heeled. For the bourgeois man of letters regular appearances on the salon circuit, perhaps at the cost of literary effort, had become a requirement of literary celebrity.

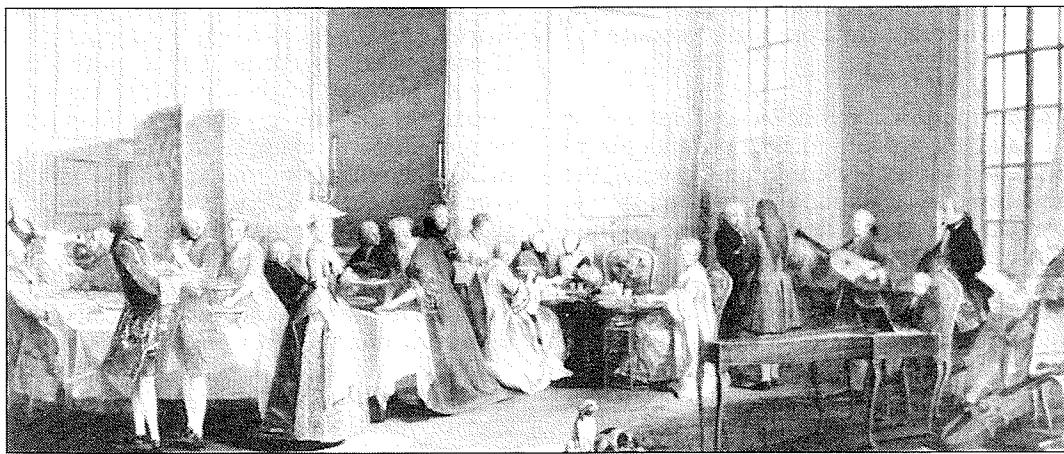
By the mid-18th century the salon was one of several European institutions that

brought together noblemen and educated and propertied commoners in new rituals of sociability and intellectual exchange. The royal academies founded in the 17th century by Louis XIV in Paris had counterparts throughout provincial France. The "academicians" were appointed from the ranks of the educated bourgeoisie and the clergy as well as from the office-holding aristocracy. While their public ceremonies paid homage to the monarchy, they formed what one member in Dijon called a "republic" of "citizen-spirits" behind closed doors. The monarchy had no reason to question this arrangement; by promoting a frank exchange of ideas, the academies were able to clarify vital public issues. The same purpose was served by the academies' many essay contests, which were open to all men of wit and literary talent. The typical winner may have been a mediocrity mouthing conventional wisdom, but there were stunning exceptions. In 1750 the Dijon Academy awarded first prize to a watchmaker's son and former vagabond named Jean Jacques Rousseau. A misfit in *le monde*, paralyzed in the face of salon politesse and wit, Rousseau had used the occasion of the essay contest to launch his attack on the falsehoods of modern civilization.

Most European universities suffered by comparison with the new academies. Stereotyped as bastions of tradition-bound, boorish pedantry, they were crowded with obscure commoners who survived hand-to-

mouth while preparing for the clergy. They were not the kind of places aristocratic scions were likely to visit on the Grand Tour. But several universities were anything but academic ghettos. Tounis College in Edinburgh entered the 18th century as little more than a stodgy Presbyterian seminary, but in the middle decades of the century, under the leadership of the town council and several reform-minded professors, it introduced a modern curriculum in the liberal arts. The new offerings catered to sons of gentlemen as well as to future clergymen, since they blended a "godliness" free of zealotry with the urbane "politeness" that the weekly *Spectator* had begun to propagate from London several decades earlier. Thanks to its university, Edinburgh, a provincial city in London's orbit, became known as a modern Athens.

On the continent, the closest equivalent was the Georg-August University of Göttingen, founded by the Hanoverian government in 1737. Attracting first-rate scholars with its generous salaries and well-endowed library, and frowning on the theological polemics that soured life at other universities, the Georg Augusta was soon an innovative center in the fields of law, politics, history, and classical studies. Again commoners mixed with noblemen, who came to Göttingen from across Europe to groom themselves for government service or simply for a life of leisured refinement. In the space of a few decades a sleepy pro-



Salonniers, such as the Princess de Conti of Paris, whose salon is shown here in a 1777 painting, provided important forums where the educated could meet to discuss ideas.

vincial town became one of the intellectual entrepôts of Europe.

Another refuge from social convention was the new "brotherhood" of Freemasonry, which crossed the Channel from London in the 1730s and spread across the urban landscape of France and the German states. Outside the lodge "brothers" might face each other across the barriers of rank and wealth, or might find themselves on opposite sides of volatile confessional and "political" issues. But within its artificially segregated space they could shed their social skins and inherited prejudices and discuss ideas (or at least some ideas) as one "human being" to another.

If Freemasonry formed a micropublic, it was also paradoxically a cult movement that shut out the public at large. More typical of the new sociability was the coffee house. In the course of the 18th century, as coffee drinking became a daily habit for millions of Europeans, the café became a fixture of urban life. London may have remained the world's caffeine capital, but Vienna, with 48 coffee houses by 1770, was a formidable rival. The visitor to any provincial capital, court town, or university town could expect to find at least one or two such establishments. Most did not aspire to the elegance of Vienna's café Milani, whose mirrored hallways, marble façades, and chandeliers were reminiscent of Versailles. Instead they offered an atmosphere of intimacy to be found nowhere else outside the home. Friends and colleagues could gather regularly to enjoy a cup of coffee or tea, perhaps accompanied by a pastry; to play cards or billiards; to read the newspapers and other periodicals; to discuss the affairs of the day.

"You can meet half the world in Richter's café," Friedrich Schiller observed from Leipzig in 1785. This was still an exclusive "world," requiring affluence and leisure, but it was far more open than the Parisian salons of a century earlier. The openness and the informality made for intense, sometimes volatile discussion of the latest novel or review, of changes in government policy, of rumors of war and prospects for peace. The vibrant coffee house, a German observer remarked with understandable exaggeration, was a "political

stock exchange where the most daring and clever heads from all social stations gather."

Ironically, women were not among the assembled heads, just as they were largely absent from the academies, the lodges, and the university lecture halls. As the presiding figures at salons, and as authors and readers of fiction, women had played a critical role in the formation of a "public." But political scientist Joan Landes is probably correct in arguing that, the more bourgeois the public became, the less room and tolerance it had for women. Bourgeois resentment of aristocratic privilege often focused on the intellectual pretensions and the political intrigues of high-born salon women. The *salonnier* became the foil to the ideal wife and mother, who shunned public life in the conviction that her "natural" role was to rear her children and to support her husband with modest intellectual companionship at home. If the novel kept women involved in the literary public as readers, it also directed their search for self-fulfillment to an idealized world of domestic happiness, insulated from the hurly-burly of professional life and politics.

This fictional dichotomy at once reflected and sanctioned a new kind of social segregation. As educated men found a refuge from the rigors of public life in the new domesticity, they found a respite from domesticity in their lodges, their clubs, and their coffee houses.

But while the 18th-century public had its visible locales, there was also a sense in which it remained invisible. To some, its invisibility was the key to its power. The true public had to have a single will or conscience, and that evoked something greater than a mere aggregate of institutions or communities. This is not to say that the public was a fiction; there was a circuitry of written and spoken words out there, and somehow something called "opinion" formed in it and flowed through it.

When authors appealed to this invisible tribunal of public opinion, however, they were evoking an *ideal* rather than a measurable force. It requires a strenuous leap of historical imagination to grasp the ideal in its original state of innocence and to make sense of expectations that may seem hopelessly naive today.

At the core of the ideal was the principle of "publicity." Today this term makes us think of the corporate PR person, with smokescreens of apparent candor, or of *paparazzi* appealing to the public's "right to know" as their cameras follow celebrities into bedrooms. What struck 18th-century observers was not the abuse of publicity in an open society, but its vast potential to open up a closed society. In old-regime Europe, secrecy was one of the guiding principles of life. Government set an example by regarding the practice of statecraft as an *arcaneum*, a secret expertise that ordinary subjects were not in a position to understand and had no right to know. When the French *parlements* began to "go public" by publishing their remonstrances, the Crown stubbornly insisted that it alone decided what was fit for public consumption. England was considered an excessively open polity by French standards, but until at least the 1770s London newspapers risked prosecution when they published reports on the debates of the House of Commons.

Government policy reflected the tenacity of traditional norms. In the political arena formed by the ruler's court, intrigue was the stuff of politics; behind the court's elaborate façade of public ceremony, ministers competed with courtiers and mistresses to win favor and to carry the day. In their very different social settings, guilds of skilled craftsmen jealously guarded trade secrets.

"Publicity" meant a new openness, with its promise of a new civic spirit. The expectation was not, of course, that closed governments would suddenly throw open their doors to public scrutiny. Government would follow the example of society, as people became more transparent to each other in all walks of life. In the intricate pecking order of old-regime corporatism, everyone was expected to command the authority and render the deference appropriate to his station. Confined to their social personae, people never interacted simply as persons or, in 18th-century parlance, in the purity of their shared "humanity." It was this kind of purely human communication that Masonic lodges aspired to achieve, and that the 18th-century cult of friendship idealized.

Print had even greater potential to effect

the same egalitarian transparency. Print did not bring author and reader face to face, and that was its paradoxical advantage. Its impersonality made for a kind of "human" intimacy, free of domination and subservience, that face-to-face social relations rarely admitted. Eighteenth-century authors were fond of evoking this paradox; the faceless mass of readers were, or at least could be, their "friends" and their "confidantes."

With its call for public scrutiny and, at a deeper level, its new spirit of open and egalitarian exchange, the Enlightenment developed a strikingly modern strategy for reform. If government was to be accountable to public opinion, it had to be open to the public gaze. If abuses were to be remedied, they had to be brought to the light of day and discussed without inhibition in the public forum. All this sounds sensible enough, but we are likely to be brought up short by the 18th-century corollary: that the new openness would somehow generate a moral consensus about the direction reform ought to take. In our age of election polls and marketing surveys, the "public" tends to break down into groups with "interests" and corresponding "opinions," some coalescing into larger coalitions, others colliding head-on. Public opinion is a statistical aggregate, not the judgment of a single ethical voice.

**T**here was a strain of 18th-century thought that regarded the pursuit of self-interest as a positive force for change, although it saw the individual, and not the group, as its proper agent. It was precisely because public opinion promised to transcend self-interest, however, that it was hailed as the moral arbiter for the entire society and polity. Inspired by their roseate image of Periclean Athens and the Roman Republic, 18th-century rationalists sought a modern collective expression of the classical ideal of civic virtue. Now that "each citizen is able to speak to the entire nation through the medium of print," the French Academy was informed by one of its new members in 1755, "the men of letters are for a dispersed public what the orators of Rome and Athens were in the midst of an assembled public."

In a rational society, public goals would

be established by men who had an unobstructed view of the public welfare and hence could form disinterested judgments. Their consensus was, to be sure, an "opinion," which was to say that it was less than a definitive grasp of Truth. If the consensus was nonetheless authoritative, that was because the myriad judgments that constituted it had been made in splendid moral isolation. The crux of the matter—the axiomatic assumption—was that public opinion ought to be grounded in, and ought to draw its moral force from, the inviolable privacy of the individual conscience.

Like the ancient assembly, public discussion in print was a collective enterprise; but, as the German philosopher Christian Garve (1742–1798) reminded his readers, in the end each member of the public "must judge for himself," as though from a position of unconditional moral autonomy. The point was not simply that open coercion was intolerable; even subtler forms of power—the authority of tradition, for example, or the seductive force of rhetoric—threatened to violate the purity of this ideal.

The formation of public opinion was seen as a process of purification. As the warring "passions" were strained out, the authoritative consensus of "reason" emerged.

We tend to smile patronizingly at the naïveté of this expectation. The assumption of a universal "reason" seems highly dubious in the light of modern cultural relativism and philosophical agnosticism, and in any case the need for consensus now seems less urgent. The ascendancy of interest-group politics, after all, has not shattered most Western polities; nor has a pluralistic culture, with its incessant clash of opinions, torn them apart.

To reform-minded men in the 18th century, however, the term "interests" often evoked caste prejudices and the abuse of legal privileges. Group self-interest meant corporate selfishness, which seemed incompatible with rational progress. The prospect of open conflict raised the specter of chaos, probably in the form of civil war. In the 16th and 17th centuries, Europeans had been plagued by religious war between Catholics and Protestants (as in France, the

Netherlands, and Germany) and between a Protestant Establishment and radical dissenters (as in England). Skeptical rationalists wanted to tame religious beliefs by reducing them to one more species of "opinion," but they were acutely aware that in matters of faith, opinions easily hardened into prejudices.

The 18th century was "an age of *enlightenment*," Immanuel Kant reminded his readers in 1784, but it was not "an enlightened age." There was ample reason to fear that religious fanaticism and intolerance were alive and well. In England and Germany, Protestantism proved receptive to Enlightenment rationalism, but it also spawned movements like Pietism and



*A gathering of the Enlightenment's greatest luminaries, including Voltaire (hand upraised), Diderot, and Condorcet, at Paris's popular 18th-century Café Procope.*

Methodism, which sought to rekindle the evangelical fire. In France, Jansenism had similar aspirations, as its cult of miracles and the ecstasies of its "convulsionaries" demonstrated. As late as 1766, following an unsuccessful appeal to the *parlement* in Paris, the young Chevalier de la Barre was tortured, beheaded, and burned on suspicion of having mutilated crucifixes. The case prompted one of Voltaire's most impassioned appeals to "the public."

In modern democracies, political parties are supposed to play a central role in generating public opinion. But most 18th-century observers would have agreed with Christian Garve that "public opinion ceases to exist as soon as parties occur." The spirit of "party" meant fierce loyalty to a "par-

ticular" cause, without regard for the common welfare, and the history of sectarian fanaticism left no doubt that that spirit was pernicious. This was the lesson that accompanied the application of the word "party" to an emerging arena of modern political conflict. Political partisanship joined religious zealotry as a threat to the reasoned, tolerant consensus that public opinion promised to articulate.

Both varieties of "party" threatened to fracture the body politic—or, as Garve might have put it, both kinds of opinion were incompatible with a truly public opinion. Whether the leader was a religious zealot or a political demagogue, he won the blind following of the "mob" rather than the reasoned consent of autonomous individuals. In both cases mass mobilization was a kind of contagion, an epidemic of "enthusiasm." And in both cases "enthusiasm" meant the kind of self-delusion that precluded rational judgment. The religious enthusiast mistook his neurotic obsessions for the voice of the Lord. Likewise, the political enthusiast mistook his "metaphysical" fantasies for universal truths about man and his "natural" rights.

By the eve of the French Revolution, the tribunal of public opinion was expected to fill a plethora of needs, and it was beginning to register the tensions among them. When the public censured the authoritarian government, the tunnel-visioned corporatism, and the overzealous confessionalism of the old regime, it was the voice of a modern polity in the making. But public opinion also promised to preclude new, secular outbreaks of the party spirit. In that capacity it was an antidote to modernity, embodying the rationalist's fear that the polity was entering a chronic condition of partisan conflict. Even as French critics of the monarchy assumed an openly confrontational stance, they sought to dispel the specter of open contestation with their appeals to an authoritative consensus. Still "absolutist" in theory, the government had little choice but to respond in kind.

The final irony is that public opinion had become a kind of absolute in its own right. Precisely because the public will was no longer embodied in the person of the king, it had to find expression in a collective unity. It expressed itself in "opinion,"

and not in the transcendent truths that religious believers claimed to find in Revelation or in the depths of their own souls. But as a collective conscience hovering above mere "interests," and as a consensus purified of passions, public opinion had its own claim to transcendence.

**T**he "people of intellect govern, because in the long run they form public opinion, which sooner or later subjugates or reverses every kind of despotism." This dictum was published by the royal historiographer of France in 1767, but it would not have been a bad guess to attribute it to a Czech intellectual celebrating the recent Velvet Revolution. When we speak of the former East Bloc countries joining (or returning to) the "free" West, we mean, among other things, that their governments have at last abandoned the pretext of embodying the Will of the Proletariat and have become accountable to public opinion.

As the recent thaw in Eastern Europe advanced, in fact, some historians had the eerie feeling that they were listening to a telescoped replay of an 18th-century script. Once again intellectuals were orchestrating a verbal assault on authoritarian government, often couched in the morally charged languages of fiction and philosophy. There was the same evocation of the public as a collective conscience, of public opinion as the record of its judgment, and of the principle of openness, or publicity, as the crux of reform. We seemed to have entered a time warp and to have recovered the original innocence invested in the concept of public opinion.

But the script has also been telescoped in another sense. The former Stalinist satellites are leaping headlong into the world of political parties, election campaigns, interest-group politics, and mass marketing. As they make the leap, vaulting optimism gives way to skepticism and the apotheosis of public opinion is muted, if not repudiated. Indeed, East European intellectuals find themselves fighting off a mood of bitter disillusionment as their political revolutions, along with their literary renaissance, are threatened by the allure of Western-style commercialism and by the withering attention of the electronic media.

Mass education and mass literacy, radio and television, modern advertising and electioneering: All have contributed to the fact that the modern public is a far cry from the 18th-century ideal. Despite the continuity of language, the opinion now measured incessantly in surveys and polls cannot be "public" in the 18th-century sense; as the invisible will has become the measureable aggregate, the concept has lost its original promise of moral invincibility. In a process that 18th-century rationalists would have regarded as self-contradictory, public opinion breaks down into a melee of *opinions*, and endless argument among claimants for the allegiance of the real public. One hopes for a clear numerical majority, not an authoritative consensus.

To judge by historical experience since the 18th century, all this does not necessarily spell doom for the Eastern European experiments. The problem may lie with a kind of purism in the original ideal—an aversion to the uncontrollable messiness of pluralistic conflict and mass participation. Those who still indulge in such purism may set themselves up for a plunge into disillusionment. Only those who can reconcile themselves to the fact that public opinion does not produce a pure consensus of reason will be able to navigate democratic politics successfully.

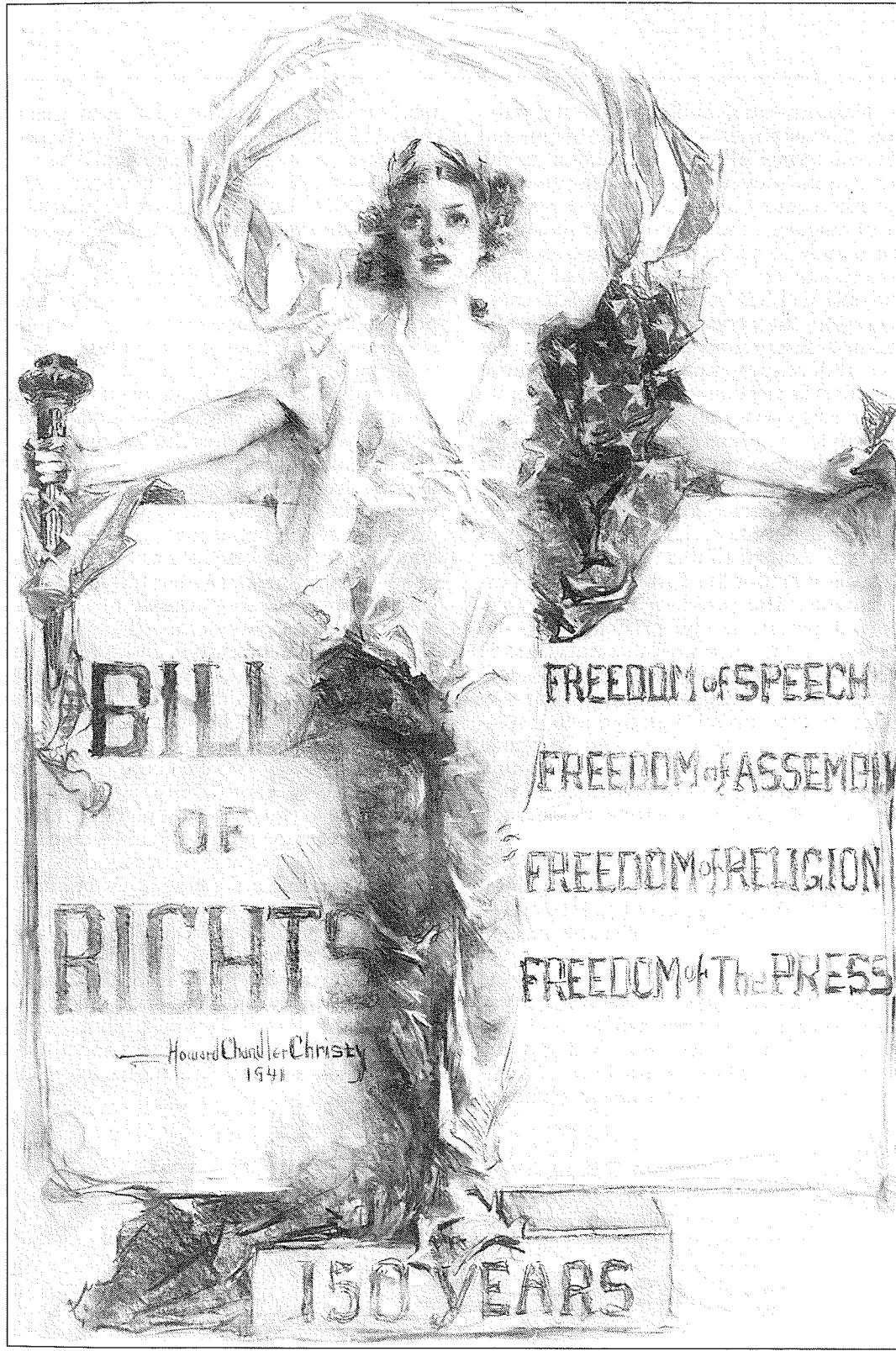
In 18th-century Europe, the onset of disillusionment was gradual, but it gained pace at the end of the century. "Friends of the Revolution," Garve wrote some time in the mid-1790s, "take refuge in public opinion as a *Qualitas occulta* that explains everything—or as a higher power that can excuse everything." Garve had in mind the orators and journalists who had justified mob violence and the Terror in revolutionary France. Others had already observed

that the expanding market for print was a mixed blessing for *belles lettres*. If it created a reading public, it also threatened to reduce literature to one more trivial commodity and to leave authors at the mercy of fickle consumers in search of effortless entertainment.

In its 18th-century apotheosis, public opinion was the voice of an educated and propertied elite. Faced with the Revolution's surge of democratic politics, and with the egalitarian momentum of an increasingly commercialized print market, the elite began to justify certain kinds of exclusion within the promise of openness. The sexual division of labor might exclude women from active participation in the new public, but how justify the continued exclusion of the broad mass of men? How could a part—the educated and propertied part—claim to speak credibly for the whole? Why were some people more capable of disinterested judgment than others? There were many answers, all justifying an elite's claim to speak with an authoritative voice. Authority now lay in the broad vision afforded by property ownership and education; in the professional's expert judgment on issues the "lay" public could not judge; in the literary critic's mission to guard "standards" against the onslaught of trash.

Public opinion would remain a court of appeal, but the size and composition of the jury had become a contentious issue. Public opinion may still evoke an ideal of rational consensus, but it turns out that the ideal itself is not exempt from political conflict or indeed from the struggle for profit. The new Eastern European democracies are learning this lesson very fast, though they have reminded us that, at least for a moment, public opinion can be the voice of conscience.

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*The 1941 sesquicentennial gave the Bill of Rights a sacred status it had not had before.*

# ‘What Are The Rights Of The People?’

For more than a decade, Americans have been reliving the birth of the United States through bicentennials: those of the Declaration of Independence, the Constitution, and now, finally, the Bill of Rights. But this past is also kept alive by the almost daily eruption of new disputes over the very things that most agitated our forebears: rights. Does Madonna have a First Amendment right to have her steamy rock video aired on television? Is there a right to life? A right to abortion? Do the homeless have a right to shelter? Here, historian James H. Hutson recalls the equally difficult time Americans had sorting through rights before framing the Bill of Rights; legal scholar Gary McDowell casts a critical eye on the proliferation of rights in 20th-century America.

## ‘A NAUSEOUS PROJECT’

*by James H. Hutson*

**F**rom the beginning,” write Philip Kurland and Ralph Lerner in a recent book on the framing of the Constitution, “the language of America has been the language of rights.” Although this statement might not apply to 17th-century America, few scholars would deny that it accurately describes the situation during the 18th century, especially the period after the passage of the Stamp Act in 1765.

The eagerness of 18th-century Americans to claim rights exasperated those trying to govern them. As early as 1704, James Logan, an agent of William Penn, the founder of the Pennsylvania colony, ridiculed the colonists’ obsession with the “Rattle of Rights and Privileges.” Three years later this same functionary assailed “the infatuated people of this province” for their “ridiculous contending for rights un-

known to others of the Queen’s subjects.” That the colonists had inflated ideas of their rights was, in fact, a stock complaint of royal officials for as long as the King’s writ ran in America. Reverence for rights was not grounded, however, in widespread intellectual mastery of the subject; there were frequent assertions and admissions that Americans did not fully understand the object of their devotion. But they perceived that they could not afford to wait for perfect enlightenment before claiming rights in opposition to the pretensions of an intrusive British government. Thus, the 18th century was a period (not, perhaps, unlike our own) in which the public’s penchant for asserting its rights outran its ability to analyze them and to reach a consensus about their scope and meaning.

As the century progressed, and especially after independence set off searching debates in the states about the formation of

new governments, Americans reached a common understanding about some aspects of the rights question, and this rough consensus informed the drafting of the Bill of Rights in 1789. To understand what the drafters of that document meant requires, therefore, an explanation of the context from which the Bill of Rights emerged, an investigation that must begin in the reign of King George III and pick its way through a complicated clutter of ideas emanating from moral philosophy, jurisprudence, political theory, and theology.

On whose authority can it be said that Americans did not comprehend the rights they claimed? On Thomas Hutchinson's, for one. "I am sensible," the royal governor lectured the Massachusetts legislature on March 6, 1773, "that nice Distinctions of Civil Rights and Legal Constitutions are far above the reach of the Bulk of Mankind to comprehend." Since Hutchinson was a Loyalist who soon retired to London, his statement might be dismissed as so much Tory superciliousness. Modern scholars have agreed with him, however. Assessing the events in 1773 upon which Hutchinson was commenting, one concluded that "the people at large... were too little informed in political theory to have possessed any clear ideas [about rights], and so they voted in ignorance for opinions presented to them by a handful of local leaders."

Just how much difficulty the "people at large" had in dealing with the rights question is revealed by a plaintive letter to a Baptist minister from a back-country delegate to the Massachusetts Constitutional Convention of 1780. "I am sensible," wrote Noah Allen to the Reverend Isaac Backus, that "the work is grate and my gifts Small and I am inexperienced in work of this sort. Dear brother I pray you to favor me with your mind on the subject Expesualy what are the Rights of the people and how that Bill of Rights ought to be drawn." That Allen's perplexity was widespread is attested to by pleas from various Massachusetts towns to the draftsmen of the state constitution to describe rights in language "so explicitly as the lowest capacity may fully understand," to use words "leveled as much as may be to the Capacities of the Subjects in common."

Even the well-informed were vexed by the "numerous and various" opinions on rights. "I consider that there are very few who understand the whole of these rights," Philadelphia lawyer James Wilson complained in 1787. "All the political writers, from Grotius and Puffendorf down to Vattel, have treated on this subject, but in no one of these works, nor in the aggregate of them all, can you find a complete enumeration of rights appertaining to the people as men and citizens."

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Formidable though the subject of rights was, John Adams contended in 1765 that many Americans were having trouble coming to grips with it not because they were unable to understand it but because they were unwilling to try to do so. "We have been afraid to think," claimed Adams. "We have felt a reluctance to examine into the grounds of our privileges and the extent to which we have an indisputable right to demand them." Scholars have agreed with Adams, arguing, as one put it, that in the years before 1763 Americans were "noticeably hesitant about spelling out the rights and liberties they claimed." Why was this so? Adams cited "certain prudent reasons" for his countrymen's diffidence. Some Americans, he believed, were opportunists, seekers after political loaves and fishes, who did not want to antagonize potential patrons in the British colonial administration by raising the rights issue. Others, Adams implied, recoiled from a searching investigation of rights when they saw where it might lead. Consequently, when Britain brought on the crisis of 1764–65 by taxing the colonies, Americans were caught intellectually unprepared. They knew they had rights, but they had no coherent, authoritative statement, nothing resembling an inter-colonial position paper, on the origin, sum, and scope of those rights. To forge a common understanding on rights became one of the principal challenges confronting American thinkers during the next quarter century.

The Stamp Act, announced in Parliament in 1764 and passed in 1765, taxed legal instruments, business documents, and newspapers in the colonies and subjected violators of the act to trial in the vice-admiralty courts, where judges, applying Roman law, sat without juries. This statute started the rights controversy on the most elementary level because everyone in America believed that Magna Carta and other basic

documents of the British Constitution forbade the taking of an Englishman's property without his consent. Since the colonists were Englishmen and since they were not represented in Parliament, the Stamp Act violated their constitutional rights. So plain was this proposition that people in Britain, including the officials who drafted

## II

*A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.*



the Stamp Act, agreed with it, although they countered with the specious argument that American rights had not been violated after all because the colonists were "virtually" represented in Parliament. (The doctrine of virtual representation held that members of Parliament represented the citizenry at large, not just the citizens of the particular districts that happened to elect them.)

As the dispute with America intensified, George III's ministers tried to tighten their controls in the colonies. Refractory Massachusetts required special attention. The colony's legislature paid the salaries of the judges of its Superior Court. To deprive the locals of this lever of financial control over the administration of justice, London proposed in 1772 to pay the judges itself. Massachusetts Whigs believed that royal payment of judges serving during royal pleasure might subvert the rule of law by creating an irresponsible and tyrannical judiciary. The proposal was, in their view, politically and morally wrong. But did it violate their rights? The British Constitution was no help here, for it certainly permitted the king to pay his servants. Massachusetts Whigs, therefore, used another voice in the repertoire of rights. Speaking through the Boston Committee of Correspondence,

they issued on November 20, 1772 a statement listing the "Natural Rights of the Colonists as Men" and protesting that the payment of the judges violated those rights.

In issuing statements in the language of natural rights, Americans, according to legal scholar John Philip Reid of New York University, "went off the constitutional deep end." What Reid apparently means is that since natural rights (and the law of nature from which they were derived) were unwritten and hence undefined, they could be used to dignify any desire, to package any prejudice. Indeed, the citizens of Andover, Massachusetts, announced in 1780 that it was "one of the natural and civil rights of a free People" to limit public office to Protestants, and a writer in the *Boston Gazette* claimed in the same year that Congregational ministers had "a natural and unalienable right" to be paid salaries by the state legislature.

Reid also accuses historians of over-emphasizing the "nonsense" of natural rights during the revolutionary controversy. In his opinion the primary authority for rights between 1763 and 1776 was the British Constitution; it followed, therefore, that "the revolutionary controversy was concerned with positive constitutional rights, not abstract natural rights." Not so, argues the political scientist Harry Jaffa: "Natural law always took precedence in the order of importance. The primacy of rights and right, understood in the light of the law of nature, was the argument of the American Revolution from the beginning."

The dispute among contemporary scholars echoes a debate in the First Continental Congress between natural law advocates and proponents of the British Con-

stitution. The First Congress split the difference by agreeing to found American claims on both the "immutable law of nature" and the "principles of the English Constitution." The British paid little attention to these nice distinctions, however, and as they moved toward a military solution to the colonial problem, Americans moved toward a reliance on natural law as the chief source of their rights. Typical of this trend was Alexander Hamilton's assertion in 1775 that "the sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sunbeam, in the whole volume of nature, by the hand of divinity itself."

Independence cemented the preference for natural law. "How in the world," Jaffa asks, could Americans be expected "to appeal to their rights under the laws of England at the precise moment that they were telling the world they were no longer Englishmen?" The situation was, in fact, more complicated than this statement suggests, for Americans claimed all through the revolutionary controversy that their quarrel was not with the British Constitution, but with the unprincipled politicians who were defiling it. The mother country's constitu-

tion was extolled at the Constitutional Convention in 1787 and for decades thereafter. These tributes, however, were al-

most always paid to the institutional contrivances of the British Constitution that were designed to control the excesses of democracy. Admiration for the stabilizing properties of Britain's Constitution, mostly voiced by political conservatives, did not translate into a willingness of the citizens of the new republic to concede that they were

### III

*No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.*



beholden to the British for their rights. Rather, they considered, with James Wilson, that "by the Revolution [they] have attained all their natural rights," that, as a Pennsylvania newspaper claimed, they had "nobly resumed those rights which God and nature bestowed on man."

If "the natural rights philosophy seized the minds...of the rebellious patriots of 1776," as Leonard Levy of the Claremont Graduate School has recently argued, a contributing factor was the use Americans made of the theory of the state of nature to explain the events of 1776. Thomas Hobbes employed the state of nature as a major presumption in *Leviathan* (1651), but most Americans absorbed the more benign version of the concept used by John Locke in his *Two Treatises of Government* (1690).

The state of nature began appearing in American writing less than 30 years after the publication of Locke's work. By the middle of the 18th century, writes Yale's Edmund S. Morgan, "Locke's political doctrines were assimilated by American clergymen and dispensed in their sermons along with older ideas." In 1764 it was reported that New Englanders believed themselves entitled "to form a new government as full to all intents and purposes as if they had been in a state of nature and were making their first entrance into civil society."

Not every American believed that a state of nature literally existed at some point in the past. James Otis, a leading Boston

rebel, labelled the doctrine "a piece of metaphysical jargon and systematic nonsense." Yet Otis conceded that the state of nature was an indispensable fiction. Even if imaginary, it "hinders not but that the natural and original rights of each individual may be illustrated and explained in this way better than in any other."

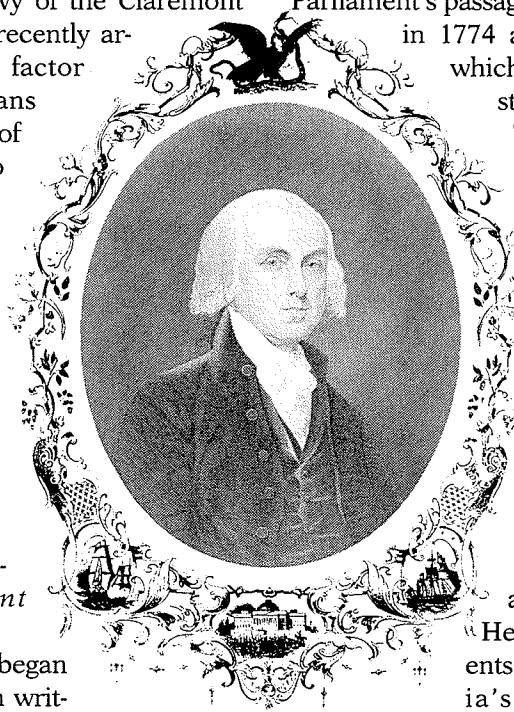
Many Americans regarded the British Parliament's passage of the Intolerable Acts in 1774 as an act of aggression which converted the fictional state of nature into fact.

This was Patrick Henry's view. At the First Continental Congress in September 1774, he declared: "Government is dissolved. Fleets and Armies and the present State of Things show that Government is dissolved.... We are in a State of Nature."

The state of nature was a popular topic among Henry's Virginia constituents, for a writer in Virginia's leading newspaper warned in the same month

that "if the king violated his sacred faith" with the American colonies, "he dismembers them from the empire and reduces them to a state of nature." From the eye of the storm, Massachusetts Whig leader James Warren wrote John Adams in 1774 that "It can be no longer a question whether any People ever subsisted in a State of Nature. We have been and still remain in that Situation."

The source of the new nation's rights was simple, James Madison said in 1785; they were "the gift of nature." Since Americans believed that the law of nature embod-



ied the will of God, was "dictated by God himself," as Sir William Blackstone described it, many identified God—the more secular-minded substituted the "Creator" of the Declaration of Independence—as the source of American rights. For the Founding generation, rights were grounded in religion.

The constitutions which the new states began adopting in 1776 signaled the states' emergence from the state of nature (whether real or theoretical) to which British oppression had reduced them. Bills of rights were added to most of the new constitutions and they contained all the contradictory and incoherent thinking about rights that existed before 1776. Historian Gordon Wood observes that the new documents combined a "jarring but exciting combination of ringing declarations of universal principles with a motley collection of common law procedures." If they contained too much for Wood's taste, they included too little to suit Leonard Levy. Repecting the drafters of the documents for proceeding "in an haphazard fashion that verged on ineptness," Levy deplored their omissions: "Two states passed over a free press guarantee; four neglected to ban excessive fines, excessive bail, compulsory self-incrimination, and general search warrants. Five ignored protections for the rights of assembly, petition, counsel, and trial by jury in civil cases. Seven omitted a prohibition of *ex post facto* laws. Nine failed to...condemn bills of attainder. Ten said nothing about freedom of speech, while 11 were silent on double jeopardy."

People at the time were not satisfied with the first bills of

rights either. The citizens of Albemarle County, Virginia, for example, in the fall of 1776 sent instructions to their delegates in the state assembly, complaining that, although the recently adopted Virginia Declaration of Rights "will be an honorable Memorial to the memory of its Compilers... we find, that the true sense of it is not understood; for which reason a good many still remain ignorant of their rights."

What were the people of Albemarle unable to comprehend? Perhaps they could not tell how secure their rights were, for by using the verb "ought" to state certain rights—trial by jury "ought to be held sacred," excessive bail "ought not to be required"—the drafters of the Declaration seemed to make the enjoyment of rights optional. There were also doubts in the Old Dominion about the relationship of the bill of rights to the state constitution. "Virginia," said Governor Edmund Randolph, "has a bill of rights, but it is no part of the Constitution. By not saying whether it is paramount to the Constitution or not, it has left us in confusion."

Another confusing aspect of the first state bills of rights was what appeared to be their strong British flavor. Sections from the English Bill of Rights, the Habeas Corpus Act of 1679, and even Magna Carta seemed to have been imported wholesale into the first bills, raising the question of whether the British Constitution was not, after all, the source of rights in independent

America.

The eminent continental jurist, Georg Jellinek, dismissed such a conclusion as "superficial," because there was a fundamental

## IV

*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*



difference in spirit between the English and American bills of rights. The American instruments recognized the individual's "inalienable and indefeasible rights. The English laws know nothing of this. They do not wish to recognize an eternal, natural right, but one inherited from their fathers."

Americans of the revolutionary generation tended to interpret the British Constitution as being, no less than their own fundamental charters, grounded in nature. Most of them did not subscribe to our modern view that rights can be created; rather they believed that in formulating rights, individuals merely declared the presence of what Madison called "pre-existent rights." (Hence the preference of many states for the phrase "declaration" of rights in describing their earliest bills of rights). Since rights were not considered to be created or invented, the British were thought to have appropriated to their use natural, pre-existent rights. Therefore, in the American view, the British Constitution was itself a natural rights document. As the Massachusetts Assembly asserted in 1765, Americans "have a just value for those inestimable rights which are derived to all men from nature, and are happily interwoven in the British Constitution."

The idea that all rights and liberties were natural or naturally derived had by 1787 become the analytical tool Americans used to make sense of the bills of rights they had reflexively written in 1776. Bills of rights, it was widely held by 1787, were in theory repositories of reserved natural rights. How this notion evolved from the confused and conflicting ideas about rights abroad in 1776 is worth noting.

The starting point was the pervasive concept of the state of nature. As noted above, Locke postulated that individuals who left the state of nature surrendered some of their rights to society but retained others. Americans subscribed to this idea.

## V

*No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*



George Mason, author of the Virginia Declaration of Rights, America's first bill of rights, believed that individuals who formed societies "entered into compacts to give up some of their natural rights, that by union and mutual assistance they might secure the rest." Civis, as one writer in the *Virginia Gazette* called himself in 1776, asserted that "the use of speech is a natural right, which must have been reserved when men gave up their natural rights for the benefit of society." When the Observer wrote in a Boston paper two years later that "every natural right, not expressly given up, remains," he was merely repeating what had been claimed for years in the state of Massachusetts.

What were the natural rights retained by individuals who had entered society? In theory, there were two kinds: alienable and inalienable. Alienable natural rights were those that individuals could have ceded to society, if they wished; inalienable natural rights were so fundamental to human welfare that they were not considered to be in the power of individuals to surrender. George Mason named three of them in the Virginia Declaration of Rights: life, liberty, and "the means of acquiring and possess-

ing property." He appears to have borrowed this trio from the three "absolute" rights in Sir William Blackstone's famous *Commentaries on the Laws of England* (1765–69). They also appeared in five of the seven remaining state bills of rights, suggesting that from the beginning Americans recognized that, at a minimum, declarations of rights must contain these inalienable natural rights.

Quite soon it became apparent to some Americans that around natural rights they could construct a theory about what the state bills of rights were. Writing as Ludlow in the *Pennsylvania Journal* in 1777, Benjamin Rush complained that his state's "Bill of Rights has confounded the *natural* and *civil* rights in such a manner as to produce endless confusion in society." Presuming to speak as an expert on the subject, the future author of the *Rights of Man* (1791), Thomas Paine, replied over his familiar signature Common Sense that "a Bill of Rights . . . should retain such natural rights as are either consistent with or absolutely necessary toward our happiness in a state of society."

As a result of such writing, something approaching a national consensus emerged by 1787. Whatever else a bill of rights might include, its distinguishing characteristic was that it contained reserved natural rights.

The consensus was evident in the debates over the ratification of the federal Constitution in 1787–88. "A bill of rights may be summed up in a few words," Patrick Henry declared in the Virginia Ratifying Convention. "What do they tell us? That our rights are reserved." Pennsylvania Antifederalist leader Robert Whitehill agreed, describing a bill of rights as "an explicit reservation of those rights with which the people ought not, and mean not to part."

What happened to those rights that were surrendered to society? By 1787 a consen-

sus had also emerged about their status.

"The Legislature," asserted Noah Webster in 1787, "has all the power, of all the people," the reason being, Alexander Contee Hanson explained, that "when people entered into a compact of government" they "thereby parted with the whole legislative power." "When general legislative powers are given," James Wilson told the Pennsylvania Ratifying Convention, "the people part with their authority, and . . . retain nothing." Nothing, Wilson should have added, except the natural rights they reserved in their bills of rights.

The Federalists and Antifederalists agreed, then, on the theory of the bills of rights adopted by the American states, a theory that was a marriage of Blackstone and Locke. Both groups held that the American bills of rights reserved certain natural rights; those rights not expressly reserved were considered to be transferred to an omnicompetent legislature.

If Federalists and Antifederalists agreed about the nature of American bills of rights, how can historians claim that the issue divided them during the ratification campaign? Antifederalists, it is true, assailed the new constitution because of the absence of a bill of rights and Federalists aggressively refuted their charges. But what was at issue was not contrasting understandings of the nature of bills of rights, but a disagreement over who the parties to the new constitution were. The Antifederalists claimed that in writing the Constitution the Federalists had flouted their instructions, which called for a mere revision of the Articles of Confederation, and had taken the unprecedented step of dissolving the social compact and throwing the country into a state of nature. Individuals were thus obliged to come together and reconstitute the social and political order. The creation of the Constitution was, in Antifederalist

eyes, nothing more than a replay on a continental scale of the creation of the state governments.

If the federal Constitution was, in theory, the state constitutions writ large, if it was a compact of individuals leaving a state of nature, then the other lessons of the state constitutions followed. If the individuals forming the constitution reserved no rights by adapting a bill of rights, all rights and powers were ceded to the new federal government. But Federalists scorned the Antifederalist premises. "The absurd idea of the federal constitution being a government of individuals," complained a Maryland Fed-

## VI

*In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.*



eralist, "seems too nugatory to merit a serious reflection."

But if individuals did not create the Constitution, who did? The people did, the Federalists answered, albeit the people in a corporate capacity. As James Madison explained in *Federalist 39*, assent was given to the Constitution "by the people, not as individuals composing one entire nation, but as composing the distinct and independent states to which they respectively belong. It is to be the assent and ratification of the several States, derived from the supreme authority in each state—the authority of the people themselves." The Constitution, therefore, as the product of a collective

people, could not, in theory, be a vehicle of individual rights, a fact obvious to common scribblers in the newspapers. "In the proposed Compact among the same thirteen individual sovereignties no Bill of Rights of Individuals has been or could be introduced," asserted a Federalist writer in a Baltimore newspaper. But this commentator recognized that a state government was a different matter, for "in Articles of Agreement among a Number of People forming a Civil Society, a Bill of Rights of Individuals comes in of course, and it is indispensably necessary."

The Federalists' support for state bills of rights gave the lie to Antifederalist accusations that they were enemies to rights in general. The Federalists were, as scholars have recognized, "civil libertarians," who could genuinely claim, as John Marshall did at the Virginia Ratifying Convention, "the title of being firm friends of liberty and the rights of mankind." They accepted with equanimity the possibility that rights might vary from state to state—as former Supreme Court Justice William Brennan, Jr., did when he observed recently that "our federalism permits diversity" in rights from state to state.

Believing that rights were a state responsibility, the Framers said little about them in Philadelphia. According to one authority, the Framers' "immediate business gave them little occasion" to discuss rights. What was their "immediate business"? Power, they would have responded. "Every member who attended the Convention," said Charles Cotesworth Pinckney at the South Carolina Ratifying Convention, "was from the beginning sensible of the necessity of giving greater powers to the federal government." To some Federalists the Constitution was nothing more than a "great power of attorney." In 1789 Madison described it as a "Bill of Powers [that] needs no bill of R[ights]."

The Federalist argument was adumbrated during the final days of the Philadelphia Convention by Roger Sherman of Connecticut, who parried a demand that a written guarantee for the freedom of the press be included in the Constitution with the reply that "it is unnecessary. The power of Congress does not extend to the Press."

The Federalist attitude was summed up in a phrase: "There cannot be a more positive and unequivocal declaration of the principle of the adoption," said Madison in the Virginia Ratifying Convention, than that "everything not granted is reserved." This aphorism became the Federalists' principal political weapon to "prove" that a bill of rights was unnecessary. Believing that a bill of rights was unnecessary, Federalists also concluded that it would be dangerous, reasoning that the principle of the state bills of rights—everything not reserved was granted—posed the danger that rights omitted from a bill of rights might be considered to have been surrendered to the government. The case against a bill of rights seemed so clear to the Federalists that they did not conceal their contempt for the counter-arguments in its favor. Bills of rights, Federalists jeered, were "absurd and dangerous," "idle and superfluous," "preposterous and dangerous," not to mention full of "inutility and folly."

But ridicule could not assuage the public's anxiety, and the Federalists were obliged, beginning in the Massachusetts Constitution Convention in February 1788, to promise their opponents that they would consider adding rights amendments after the Constitution was ratified. More than 200 amendments (many duplicating one another) had been suggested in various state conventions, and these were used by James Madison as he guided the Bill of Rights through the First Congress, which convened in New York City in April 1789.

Acclaimed as the "Father of the Bill of

Rights," Madison in fact was a reluctant parent. In the Virginia Convention he joined in denouncing proposals for a bill of rights as "unnecessary and dangerous" and he suffered politically at the hands of supporters of bills of rights in Virginia. Patrick Henry prevented the Virginia legislature from electing him to the U.S. Senate and forced him to run for a House seat in a district gerrymandered in favor of the Antifederalists. To win election, Madison was forced to promise the local voters that he would support a bill of rights. This he dutifully did, by introducing rights amendments in the House of Representatives on June 8, 1789.

Madison rejected out of hand the model of the state bills of rights, which were placed as discrete entities at the head of state constitutions. Like a modern Procrustes, he compressed the rights amendments into the frame of the Constitution to make them as indistinguishable as possible, structurally and theoretically, from that document. Madison tucked what became the Bill of Rights' first eight amendments "into article 1st, section 9, between clauses 3 and 4." Article I, section 9, is, of course, the part of the Constitution that limits the powers of Congress, forbidding it to prohibit the slave trade for 20 years, to pass bills of attainder, to tax exports from the states, etc. During the ratification debates, these "express restrictions" on the powers of Congress were considered by some as a truncated bill of rights. What better place, then, Madison appears to have reasoned, to insert rights amendments?

This strategy gave the Bill of Rights the curious shape it finally assumed. To make the amendments consistent with the language already there, Madison was obliged to express rights, not positively and affirmatively, as they were phrased in the state bills of rights, but in language that seemed to link them to restraints on power, that

seemed to make them in some sense dependent on the forbearance of government. For example, Madison wrote, "nor shall the full and equal rights of conscience be in any manner, or on any pretext infringed."

As Madison's rights amendments made their way through Congress in the summer of 1789, they were placed at the end of the Constitution. In the case of religion, the press, and speech, Congress also deleted Madison's assertions that these were rights, but retained his language stating that Congress had no power to infringe them. This is the reason freedom of religion, press, and speech are not explicitly claimed as rights in the First Amendment. That they are rights must be inferred from Congress's obligation to refrain from exercising power.

Madison's June 8 amendments also contained the precursor of what became the Ninth Amendment. Refined by the First Congress, Madison's words became: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."

Both the embryonic language of June 8 and the Ninth Amendment repudiated the philosophy of the state bills of rights, that what is not reserved is granted. Both documents stated that, in addition to rights reserved (i.e. enumerated), other undefined rights were retained by the people. Some modern scholars contend that these undefined rights must be natural rights or some other species of unwritten rights, but this argument collapses in the face of Madison's resolve, which is reflected in his careful interweaving of rights amendments into Article I, section 9, to preserve the integrity of the Constitution by crafting amendments to be consistent with it.

As we have seen, a fundamental conviction of Madison and the Federalists was that the Constitution was created not by individuals leaving a state of nature but by the people acting collectively through their state governments and that, therefore, the natural rights of individuals had no place in the Constitution. During the deliberations of the Committee of Detail at the Philadelphia Convention, Edmund Randolph stated the Federalist position precisely: "We are not working on the natural rights of men not yet gathered into society, but upon those rights modified by society." Leonard Levy has recently shown how Convention delegates scrupulously observed this distinction by proposing only measures to protect rights incident to civil society, such as freedom of the press and the inviolability of the writ of habeas corpus. "No natural rights were constitutionally protected," Levy asserted, nor were any proposed to be protected in the meetings at Philadelphia.

In 1789, American society was further removed from the state of nature than it had been in 1787, because the adoption of the Constitution had overlaid the existing state governments with a powerful new national government. To conceive, therefore, of a bill of rights or of any other law passed by the federal Congress in 1789 as protecting the rights of individuals emerging from a state of nature was ludicrous.

That Madison deliberately omitted natural rights can be seen from the use he made

## VII

*In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.*



of the Virginia Ratifying Convention's proposed amendments. Madison had them at his elbow when he prepared his June 8 amendments, and he incorporated parts of them word for word. What he did not incorporate from the Virginia document was its assertion of "certain natural rights" shared by all men, the familiar trio of life, liberty, and property. In a word, Madison stripped rights of their natural status when drafting the Bill of Rights.

If the "others" mentioned in the Ninth Amendment, those other rights "retained by the people," are not natural rights or collateral unwritten rights, what are they?

One clue is the linkage between rights and power in the embryonic ninth amendment language of Madison's June 8 proposals. Another is the Virginia Convention's amendment from which Madison copied some of his ninth amendment language of June 8: It used the word "power," where we should have expected the term "right." The rights retained in the Ninth Amendment seem, therefore, to have been intimately related, in Madison's mind, to power, although we have been assured by scholars that power and right are utterly incompatible. The two concepts, historian Bernard Bailyn insists, occupied "innately antagonistic spheres . . . the one [power] must be resisted, the other [right] defended, and the two must never be confused." In fact, revolutionary Americans fused the two concepts, and they did so not because they were confused but because they had on their side the authority of the foremost students of rights in the Western intellectual tradition.

For example, Jean Jacques Burlamaqui, whose impact on Jefferson, James Wilson,

and others was substantial, wrote simply: "We must define Right a power." Blackstone asserted that the rights of man consist "properly in a power of acting as one thinks fit, without any restraint or control, unless by the law of nature." Confining rights and power within the bounds of the law of nature (dictated, Blackstone believed, by God) gave rights a moral dimension which every writer back to William of Ockham proclaimed and to which Americans of the revolutionary

generation were committed. Emmerich de Vattel spoke their mind when he said that right was "nothing more than the power of doing what is morally possible."

The founding generation's equation of rights and power clarifies the meaning of the Ninth Amendment. It was, as I have said, a disclaimer of the philosophy of the state bills of rights, that everything not reserved was granted to the government.

Had there been no Ninth Amendment, Madison and his colleagues feared that it could be assumed that the people retained only the rights contained in the first eight amendments. As soon as people outside Congress saw the Ninth Amendment, they perceived that this was its purpose. It was, said Edmund Randolph in the Virginia General Assembly, a "reservation against constructive power." No one considered it a repository of natural or unwritten rights, as indeed it was not.

What was the extent of those rights/powers declared by the Ninth Amendment to be retained by the people? The answer was supplied by the Tenth Amendment. The curious aspect of the Tenth Amendment was that it was a kind of anti-bill of rights. It repeated the stock Federalist charge used during the ratification campaign to deny

## VIII

*Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*



that a bill of rights was needed: Powers not granted to the government were reserved to the people. This being so, it was absurd to list rights to be protected against the abuse of power that did not exist. During the ratification contest partisans on both sides recognized that language similar to the Tenth Amendment would obviate the necessity of a bill of rights. The Articles of Confederation, said Samuel Spencer of North Carolina, stated "that all was not given up to the United States was retained by the respective states. If such a clause had been inserted in the Constitution, it would have superseded the necessity of a bill of rights." Yet the Tenth Amendment was needed as a gloss on the Ninth. Scholars have recognized that the two amendments are complementary, but they have not appreciated that the Tenth Amendment was designed to explain the Ninth. To the question posed by the Ninth Amendment—what other rights/powers are retained by the people—the Tenth Amendment answers: All powers not delegated to the United States.

The Bill of Rights is a strange document indeed. The first eight amendments are a list of rights. The Ninth Amendment is a disclaimer, denying that the federal bill of

## IX

*The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.*



rights is similar to any of the other American bills of rights adopted since independence. The Tenth Amendment is an anti-bill of rights, a repetition of the argument used by the Federalists to repudiate a bill of rights during the ratification controversy. No wonder that Roger Sherman, in a House debate that August, criticized the

document as a potpourri of "heterogeneous articles." It was a document that could not stand in the esteem of either its sponsors or opponents.

The approval of the Bill of Rights by Congress on September 25, 1789 was a defeat for the Antifederalists, who had criticized the Constitution's alleged failure to protect civil liberties in hopes of forcing a revision of the document to enhance state power.\* Once it became apparent that Congress would pass a bill of rights that protected individual rather than states' rights, Antifederalist leaders began depreciating its importance. Speaking for many of his colleagues, Antifederalist Senator William Grayson of Virginia dismissed the amendments sent to the states as "good for nothing and, I believe, as many others do, that they will do more harm than benefit."

Nor did the Federalists consider the passage of the Bill of Rights a famous victory. Madison's colleagues were exasperated with him for pushing it through Congress. They accused him of headline hunting and denounced his proposals as "watergruel amendments," "milk and water amendments," and placebos prescribed for "imaginary ailments." They persisted in considering a bill of rights absurd and dangerous and justified passing it as a means of placating the misguided Antifederalist rank and file, an exercise they cynically described as "tossing a tub to a whale." (When sailing ships of the era ran afoul of whales at sea, crews often diverted them by tossing empty tubs or barrels into the water.) Weary of rowing against the tide of friend and foe, Madison confided to a correspondent that August that the Bill of Rights business was a "nauseous project."

\*Two amendments approved by Congress were not ratified by the states. One would have changed the basis of representation in the House of Representatives, the other would have required the approval of two Congresses for congressional pay increases. Because the state legislatures left few records of their deliberations, historians do not know why these amendments failed.

Federalists in Congress were not inclined to take much credit for a measure they passed with so little enthusiasm, and their Antifederalist adversaries wrote the Bill of Rights campaign off as a bad investment of their time. Taking their cue from Congress, the state parties received and ratified the Bill of Rights so unceremoniously that, except in Virginia, which became the 11th and last state to ratify on December 15, 1791, they left scarcely any record of

what they had done. The Bill of Rights forthwith fell into a kind of national oblivion, as Cornell's Michael Kammen reminded us in 1987, not to be "discovered" until the beginning of World War II (when the two remaining states ratified). A 1941 census of the 13 copies of the Bill of Rights sent to the states in October 1789 revealed that the document had been literally forgotten. Only four copies could be found, although a diligent search, propelled by patriotic ardor, later uncovered additional copies in Rhode Island, New Jersey, and South Carolina, the latter "crumpled, and torn" and caked with "much dust."

Of course, as a result of momentous Su-

preme Court decisions since World War II, the Bill of Rights has enjoyed a remarkable resurgence in our national consciousness. What of natural law, considered by Americans in the years after 1776 to be the bedrock of rights in the new nation? One scholar recently has found natural law prospering in American jurisprudence from 1789 to 1820, and another has described it as a principle of considerable, though declining jurisprudential

importance up to the Civil War. Today, natural law and natural rights are said to be rejected by spokesmen of every ideological stripe.

The result is that natural law, considered indispensable by the Founders' generation, is now dismissed as unnecessary, while the Bill of Rights, considered unnecessary in 1787, is held to be indispensable. Such reversals are not uncommon in the history of ideas, nor are they unknown in the history of law. What they indicate is that the most strongly held convictions often change and that the current reverence for the Bill of Rights cannot be taken for granted in the future.

## X

*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.*



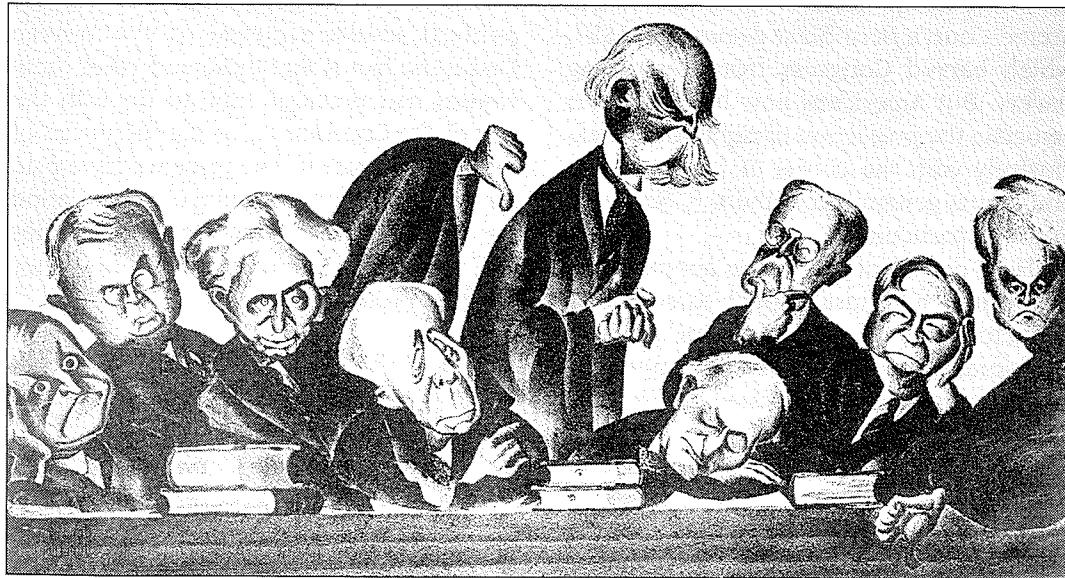
# RIGHTS WITHOUT ROOTS

by Gary L. McDowell

We are living in the midst of America's second great age of rights—or perhaps its first age of rights rhetoric. Scarcely a question now comes before the American public without some fundamental issue of rights being invoked. There is said to be a right to life and a right to die, and a right governing virtually everything that might occur between the exercise of these two prerogatives. There are said to be women's rights, gay rights, and handicapped rights, a right to work and a right to smoke, to name only a few. To a degree that must astonish even Western Europeans, concern about rights animates many contemporary Ameri-

can public debates—over judicial nominations, congressional legislation, federal grants to "artists," even performances by pop music stars.

There is a sense in which all of this is quite natural. Our nation was founded on the idea that all men are created equal, that they are endowed by their Creator with certain inalienable rights, and that governments are instituted among men to secure the rights nature gives. From the beginning, Americans have believed that if their country was about anything, it was about personal freedom and the rights that helped secure it. During the 20th century, the American devotion to rights was redoubled by the contest with fascism—which erupted into war during the sesquicenten-



*The Nine Old Men of the U.S. Supreme Court used spurious economic "rights" to obstruct the New Deal, then dropped them. Can today's "rights" be as easily forgotten?*

nial of the Bill of Rights—and then with communism. What more clearly distinguished free societies from totalitarian ones than individual rights? And, finally, there was the civil rights movement of the 1960s, which strengthened Americans' resolve to practice what we have always preached.

Today, the rhetoric of rights occupies center stage in American politics. As a result, there have been subtle changes in the way we think about rights. The very idea of rights has been cheapened by the widespread use of rights rhetoric to morally inflate what are, in reality, only policy preferences—over everything from abortion to affirmative action. And the transformation of ordinary political questions into non-negotiable questions of right has diminished our public life, turning the give-and-take of normal debate into all-or-nothing clashes.

In the process, we have become increasingly confused about what rights are and how they are best preserved. Earlier generations thought rights were to be protected by the constitutional system as a whole. Abraham Lincoln, after all, went to the White House declaiming against the Supreme Court's *Dred Scott* decision of 1857, which barred Congress from restricting slavery. But Americans now have come to associate the protection of rights almost exclusively with the courts of law—the federal courts generally and the U.S. Supreme Court in particular.

How did all of this come about? What intellectual and institutional forces combined to create this state of affairs, in which fundamental rights are looked upon as rootless things to be fashioned and re-fashioned at judicial will?

A major cause was the prominence of

the Supreme Court under the leadership of Chief Justice Earl Warren between 1953 and 1969. Under Warren, the Supreme Court began teaching a generation of lawyers and law professors what Judge J. Skelly Wright called the "language of idealism." The lesson was simple: There need be "no theoretical gulf between law and morality." By the time Earl Warren handed over the reins of judicial power to Warren Burger in 1969, he had used the language of rights to transform American society in accordance with his own vision of a just political order. He had undertaken to end segregation beginning with the desegregation of public schools in *Brown v. Board of Education* (1954 and 1955); to restructure state criminal justice systems by announcing in *Gideon v. Wainwright* (1963) that the Constitution demanded that indigents be afforded legal counsel and in *Miranda v. Arizona* (1966) that the police had to inform suspects of their "rights"; and to enforce "one man, one vote" as the rule for apportionment of state legislatures, in *Reynolds v. Sims* (1964).

However much one may agree with the political results achieved by the Warren Court, the fact is that these and other innovations had precious little to do with the text of the Constitution or the intentions of those who wrote it. The price we have paid for such departures is a loss of appreciation for rights properly understood: what they are, where they come from, and how they are best protected.

**O**f all the Warren Court's significant rights cases, none can compare in importance to *Griswold v. Connecticut* (1965). In *Griswold*, the Court

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made the startling announcement that there was a realm of unwritten rights and that the job of the Court was to divine and decree these rights.

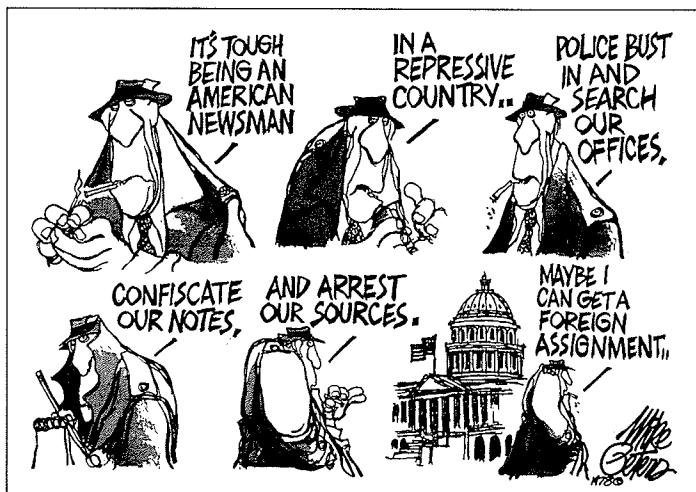
The *Griswold* case involved a challenge to a Connecticut law that prohibited the use of contraceptives, even by married couples. Few would argue with Justice Potter Stewart's judgment that the law was "uncommonly silly," but many, including Stewart and Justice Hugo Black, did argue with the Court's presumption that silliness was enough to render it unconstitutional. But writing for the majority, Justice William O. Douglas did just that, creating as he did so a "right to privacy" out of the First, Third, Fourth, Fifth, and Ninth amendments. Douglas said that he discerned "penumbras, formed by emanations from these guarantees" that looked to him like "zones of privacy." In short, while nowhere mentioned in the Constitution, there was indeed an unenumerated general "right to privacy."

The lines and limits of this new right? That was simple; the only limit would be the judicial imagination.

To old-time liberals such as Hugo Black, *Griswold* was as intolerable as what the Court had done long before in such economic liberties cases as *Lochner v. New York* (1905). It was, he said in a spirited dissent, nothing more than the old natural rights arguments come back clad in the raiment of due process of law. What had made that approach illegitimate at the turn of the century was precisely what made it illegitimate now. Such constitutional interpretation—if, indeed, interpretation be the right word—would turn the Court into a con-

tinuing constitutional convention with the power to transform the Constitution. That, said Black, was antithetical to the very idea of the rule of law. (In 1973, in fact, the Court would discover within the right to privacy a new right to abortion in *Roe v. Wade*—or at least a right that existed during the first trimester of pregnancy. But in 1985, the Court would refuse to stretch the "right" to include consensual homosexual sodomy.)

It would be wrong to hold the Warren Court solely responsible for the recent



"Rights anxiety" might be the title of this cartoon. Critics say that the news media wrap themselves in a First Amendment flag, and invoke a "right to know" not mentioned in the Constitution.

revolution in rights. In many ways, Warren and his colleagues merely took advantage of ambiguities in law and the public understanding of rights that had been growing for a long while. Some of the revolution's seeds were planted long ago in a most unlikely place, that most infamous of Supreme Court cases, *Dred Scott v. Sandford* (1857). While most notable for denying Congress the power to restrict slavery in the territories (and thus for helping to push the nation closer to civil war), *Dred Scott* also marks the first suggestion of what

would become the legal doctrine of Substantive Due Process. This doctrine asserted that the constitutional guarantee of due process of law did not only require the just administration of legal *procedures*; it also allowed the courts to scrutinize the *substance* of laws for infringements of, say, the right to own private property—in the case of *Dred Scott*, slaves. Thus, the Court ruled that the Constitution barred Congress from tampering with the noxious institution of slavery.

Of course, the Constitution said no such thing. This was merely what a majority of the Court under Chief Justice Roger B. Taney thought reasonable. As Alexander Hamilton had put it long before, the “words ‘due process’ have a precise technical import, and are applicable only to the process and proceedings of the courts of justice; they can never be referred to an act of the legislature.” Yet that is precisely what the Court’s Substantive Due Process doctrine allows. It posits as a general rule that any law that strikes the Court as being unfair, unjust, or against the rules of reason is unconstitutional.

The Fourteenth Amendment, ratified after the Civil War, contains the same Due Process Clause as the Fifth Amendment. Now, both the states under the Fourteenth Amendment and the nation under the Fifth Amendment were bound to guarantee that no citizen would be deprived of “life, liberty, or property without due process of law.” These terms “life, liberty, or property” were not natural law abstractions; they had a very definite common law meaning. Life referred to the death penalty; liberty to incarceration; and property to fines. Nothing more than that.

No matter. The belief that due process empowered the courts to review the substance of legislation lay dormant for nearly half a century after *Dred Scott*. Then, toward the end of the century, it was trans-

formed into a full-blown doctrine when the justices bridle at new laws that Congress and the state legislatures began passing to mitigate the ills of rapid industrialization. One after another, laws restricting child labor, mandating safe and sanitary conditions in the workplace, and establishing minimum wages, among others, were overturned by the Court.

The business community, the Court said in a series of rulings, had certain rights protected by the Constitution. While these were not spelled out in the text, they were included in the “liberty” provision of the Due Process clauses of both the Fifth and the Fourteenth Amendments. This provision, the Court declared, included a “liberty of contract.” Certain “unreasonable” governmental regulations, the Court asserted, violated the freedom of private property implicit in the already implicit “liberty of contract.”

This notion of *laissez faire* constitutionalism reached its clearest expression in *Lochner v. New York* (1905), in which the Court struck down a New York State health and safety law regulating the hours bakers could work, declaring that the law violated the fundamental “liberty of contract” between employers and employees. For the next 22 years, the Court stuck more or less steadily to this extra-textual path in constitutional law. It was, as one wry observer put it, “prone to take a decidedly astringent view of all governmental powers except its own.”

**T**he beginning of the end came in 1937 in *West Coast Hotel v. Parrish*, wherein the Court, as part of its general retreat from confrontation with President Franklin D. Roosevelt and his New Deal policies, finally upheld a state wage law. That year and the next proved to be very important in the history of the rights revolution. Not only was the move away

from Substantive Due Process in economic matters begun, but two other cases were handed down that foreshadowed the next wave of judicial innovation.

The first of these portents was *Palko v. Connecticut* (1937), which addressed the question of whether the Due Process Clause of the Fourteenth Amendment "incorporated" the Bill of Rights—that is, whether it required the states to abide by the Bill of Rights.

"Incorporation" may be a worthy goal, but there is nothing in the Fourteenth Amendment to suggest that it was the intention of the authors. Like the Framers of the Bill of Rights, they were quite prepared to contemplate a situation in which primary responsibility for these matters was left in the hands of the states. To arbitrarily "incorporate" provisions from the Bill of Rights reduces those rights to judicial fiat.

But *Palko* was not the first "incorporation" case.\* The real heart of the *Palko* decision lies in the idea, advanced by Justice Benjamin Cardozo in the majority opinion, that there is "an honor roll of superior rights." The Court deemed these rights "superior" insofar as they were distinguished from those without which "justice . . . would not perish." Only those rights "implicit in the concept of ordered liberty [and] so rooted in the traditions and conscience of our people as to be ranked fundamental" were to be considered superior. In particular, Cardozo believed that strictly procedural rights (such as protection against being placed twice in jeopardy of one's life) were of a lower order than such rights as "freedom of thought and speech." These were the "matrix, the indispensable condition, of nearly every other form of

freedom."

Cardozo thus established two novel ideas. First, not all of the rights spelled out in the Bill of Rights are equal. (Thus, incorporation could be done on a case-by-case basis.) Second, the distinctions between "fundamental" rights and lesser rights are to be drawn by the Court, based on what the justices (or at least a majority of them at any given time) think is reasonable. These two ideas would propel the Court into the next period of Substantive Due Process, a period of judicial activism that continues to this day. A new doctrine was born: Rights depend only upon the Court.

The second major case of that era, *United States v. Carolene Products* (1937), was handed down about four months after

## RANKING RIGHTS

Two centuries ago George Mason asserted that citizens must "give up some of their natural rights that . . . they might secure the rest." In 1989, People for the American Way put this 18th-century proposition to a 20th-century test. In an opinion survey, it asked a sample of young adults aged 15–24 which of their fundamental rights they would be willing to give up in order to keep all the others. Below, the question and responses:

*If you had to trade off just one of these rights or freedoms in order to keep all the others, which one would you be the most willing to give up?*

Freedom of the press	27%
Right to protest	17%
Right to own private property	15%
Freedom of religion	11%
Right to choose own career	11%
Right to vote	8%
Freedom of speech	2%
Refuse to give up any rights	5%
Not sure	4%
	100%

\*That distinction belongs to *Gitlow v. New York* (1925), in which the Court ruled, without so much as an argument, that at least portions of the Bill of Rights affect the states. And between *Gitlow* and *Palko*, a few other provisions of the Bill of Rights found their way into the crevices of the Fourteenth Amendment. But in no case did the Court offer a sustained defense of what it was doing. That was left for *Palko*.

*Palko*. Its significance lies less in the Court's formal opinion than in a single famous footnote. In footnote four of the majority opinion, Justice Harlan Fiske Stone noted that there was a need for "more searching judicial inquiry" into whether prejudice against "discrete and insular minorities" might raise special constitutional concerns. Together, the new doctrines announced in *Palko* and *Carolene Products* eventually would take the Court down many strange paths. By focusing on the claims of minorities (not just racial minorities, but those defined by ethnicity, gender, and even political ideology and religious belief) and by focusing on rights not always explicitly mentioned in the Constitution, the Court would encourage the belief that majority rule is somehow inherently illegitimate, that the collective sense of the community ought to be easily trumped by a well-tuned minority claim of rights. The Court thus contributed in no small way to the atomization of American society. Substantive Due Process was alive and well; only now it focused on personal liberties rather than property rights.

The Court did not immediately put the new doctrines into practice. Between the demise of the old liberty-of-contract variety of Substantive Due Process in the mid-1930s and the explosion of the new era of Substantive Due Process in the mid-1950s, the Court largely went about its incremental business, stretching a past holding here and adjusting an old doctrine there. Under the stewardship of Chief Justices Charles Evans Hughes (1930–41), Harlan Fiske Stone (1941–46), and Fred M. Vinson (1946–53) there was no inkling of the revolution that was to come. Yet each in his own way presided over a Court that was, however slightly, clearing the way for the Warren Revolution.

Between 1937 and 1947, for example, the Court effected a virtual constitutional

revolution in the way federal regulation was considered. The power of Congress to regulate commerce, once radically restricted by the Court, was suddenly endowed with a life beyond anything the Framers of the Constitution could have dreamed. So expansive was the power, the Court held in *Wickard v. Filburn* (1942) that a farmer could be prohibited from growing certain crops for his own family's consumption.

The Court also moved ahead on the bit-by-bit "incorporation" of the Bill of Rights. In 1937, in *De Jonge v. Oregon*, it invalidated the conviction of a communist under an Oregon statute outlawing criminal syndicalism. In 1943, it struck down as unconstitutional a West Virginia flag salute statute in *West Virginia State Board of Education v. Barnette*. Four years later the Court erected its famous "wall of separation" between church and state in *Everson v. Board of Education*. And in 1948 Justice Hugo Black, in a famous opinion in *Adamson v. California*, urged his brethren to dispense altogether with the ad hoc approach to incorporating the Bill of Rights and to decree the entire catalogue of the first eight amendments absorbed.

**Y**et none of these rulings was part of an overarching judicial vision. They came from different directions at different times and for different reasons. What Earl Warren was able to supply after he arrived on the Court in 1953 was precisely that unifying vision—not only of rights but of judicial power generally.

As one of his biographers put it, Warren felt he had a "mission to do justice," and he combined "an ethical gloss on the Constitution with an activist theory of judicial review." His was a calling, in Warren's view, that did not demand that he carry along much "theoretical baggage." His feelings and a commitment to do good were all that

he needed.

But an activist theory of judging without much "theoretical baggage" is a vacuum waiting to be filled, and the legal academy wasted no time in rushing to Warren's ideological rescue. As Judge J. Skelly Wright pointed out, Warren and his Court had nothing short of a "revolutionary influence" on an entire generation of law students, a generation that has long since passed into the law professoriate and the judiciary itself. That generation did carry a lot of "baggage," including Warren's dedication to act on those "ideals to which America is theoretically and rhetorically dedicated."

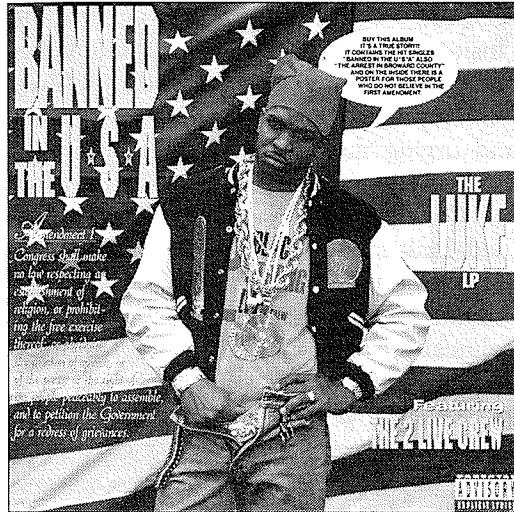
Indeed, the real revolution in rights during the last 40 years has occurred in the way constitutional theory is taught in the nation's law schools. Students are now trained to practice a muscular kind of "political jurisprudence," with the ultimate aim of persuading the courts to adopt new theories of rights in the name of doing justice. According to Robert H. Bork, many of today's constitutional theorists "continue to speak of 'constitutional law,' but it is clear that they view the Constitution less as a legal document with a meaning to be ascertained than as a general warrant for judges to implement the policies the professors favor." As the dean of the Stanford Law School, Paul Brest, once confessed, the writings of these thinkers are not so much political theory as "advocacy scholarship...designed to persuade the Court to adopt our various notions of the public good."

The theoretical keystone of this new judicial activism was finally laid in place in 1977 by Ronald Dworkin, in a book appropriately titled *Taking Rights Seriously*. Dworkin, an American lawyer who had become the University Professor of Jurisprudence at Oxford, aimed to "define and defend" a new liberal theory of law. That

required a concerted effort to achieve the "fusion of constitutional law and moral theory." At a minimum, that fusion required freeing judges from the shackles of history and urging them to exercise their moral imaginations in ways that the Framers of the Constitution never could have imagined. Law, in Dworkin's view, had to be an arena where "political morality" could be put into effect. But where was that vision of political morality to come from? Not from the people, Dworkin argues, but from judges: "The program of judicial activism holds that courts...should work out principles of legality, equality, and the rest, revise those principles from time to time in the light of fresh moral insight, and judge the acts of Congress, the states, and the president accordingly." Such a system "involves risks of tyranny," Dworkin concedes, but to his way of thinking that is simply a price worth paying.

While the years since the publication of *Taking Rights Seriously* have seen the emergence of an army of constitutional moralists—Philip Bobbitt of the University of Texas, Michael Perry of Northwestern, and Laurence Tribe of Harvard, to name but three—none departs very significantly from Dworkin's original vision. They all tend to share certain assumptions. First, they believe that the idea of rights is not static but dynamic. Thus, as Tribe argues, it is the Court's job to exploit the Constitution's alleged "necessarily evolutionary design" in order to encourage the "living development of constitutional justice."

Second, they assume that the idea of rights is not rooted in the consent of the governed or in any "archaic" notion of popular sovereignty. As Bobbitt argues, "constitutional decisionmaking has...an expressive function...and if we accept the expressive function of the Court, then it must sometimes be in advance of and even in contrast to, the largely inchoate notions



*Another First Amendment flap: 2 Live Crew hoped for a hit after its first record ran afoul of Florida authorities. It was a commercial flop.*

of the people generally."

The third assumption that unites Dworkin and his allies is the dismissal of the written Constitution as binding law. The idea that the intentions of those who wrote and ratified the Constitution can be known, they hold, is naive. And even if these intentions could be discerned, to think them binding on us at this late date is more than naive. It is ludicrous. Another of the activists, Craig Ducat of Northern Illinois University, bluntly declares that the Framers "are dead, and, in the contemporary world, their views are neither relevant nor morally binding." To seek the original meaning of the text, says still another theorist, is to do nothing more than to encourage "judicial autopsies on the Framers' minds."

What unites these shared assumptions into a vision of law is a simple belief that it is legitimate for judges to "define and enforce fundamental human rights without substantial guidance from constitutional text and history." Such a view obviously presupposes judges who are, as Michael Perry puts it, "committed to the notion of moral evolution and are themselves open

to the possibility of moral growth." In the name of taking rights seriously, these three fundamental assumptions ultimately lead, as political scientist Walter Berns has noted, to "treat[ing] the Constitution frivolously."

To many of those who founded the American republic, rights were important enough to require a bill of rights to shackle the new national government, just as the state governments were restricted. To keep the government in its place, it was necessary to get the rules in writing, to give concrete expression to those things we call rights. Such rights, or constitutional "fences" as John Locke called them, were to come from the collective judgment of the people, not from the moral imaginations of judges. The Framers recognized that it was not only the Constitution but the very idea of constitutionalism and the rule of law that was at stake. As Justice Benjamin Curtis wrote more than a century ago in his dissent in the infamous *Dred Scott* case, "When a strict interpretation of the Constitution, according to the fixed rules which govern the interpretation of laws, is abandoned, and the theoretical opinions of individuals are allowed to control its meaning, we have no longer a Constitution; we are under the government of individual men, who for the time being have power to declare what the Constitution is, according to their own views of what it ought to mean."

The idea that there are unenumerated rights waiting to be discovered and decreed by the judiciary is an idea at odds with the premises of constitutional government. Rights divorced from the idea of written protections in the form of a constitution are not "rights" in any meaningful sense. They may be the moral predilections of a judge, or of people who come to bar to press their claims, but they are not rights in the historic sense. Nor are they rights in the sense

that they are permanent "fences" against the pretensions of governmental power. Judicial power is still governmental power, and rights that depend upon governmental power for their definition are not rights at all but only privileges.

**T**herein lies the lesson for our time. The Warren Court is gone; the Burger Court is no more; and now the so-called Reagan Court under Chief Justice William Rehnquist will have its say about the rights of Americans. There is every reason to believe, of course, that the newly constituted Court will be less than friendly to some of the liberal claims of rights likely to arrive on its docket. Neither a significant limitation of capital punishment nor expansions of abortion rights, the separation of church and state, or affirmative-action policies that embrace racial preferences seem likely.

Since the Warren Court shed virtually all pretense of judicial restraint, the way is now clear for the Reagan Court to do virtually whatever it wishes—and some of what it does do will no doubt horrify the constitutional thinkers who have been so eager to trust in the moral imaginations of judges. There is, for example, a distinct possibility that the Court will revive the economic lib-

erties doctrine of the 19th century, albeit in new dress. There is no reason a creative judge could not stretch *Griswold's* unenumerated right to privacy to include a right to private property. Rent control, environmental regulations, and other allegedly socially benevolent laws may very well be roughly treated by a Court that includes many justices who are at least as libertarian in their economic beliefs as they are conservative in their politics. And there are important libertarian theorists in the law schools—notably, Richard Epstein of the University of Chicago and Bernard Siegan of the University of San Diego—who have helped lay the theoretical foundations for just such a drastic change of course should the Court choose to build upon them.

Whether the Court strikes out on that path or not, the status of rights in America is certain to remain confused. That is the inevitable result of our contemporary jurisprudence of rights. The rights of Americans will continue to have less to do with what "We the People" have marked off as beyond the reach of government than with what a majority of the Supreme Court may think or feel at any given moment. That is a sad state indeed for our country to be in as it celebrates the bicentennial of its Bill of Rights.

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## BACKGROUND BOOKS

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### THE BILL OF RIGHTS

**S**ince the American Revolution Bicentennial Commission opened for business in 1966, Americans have been benumbed by celebrations of big historical events. The indifference that one detects toward the bicentennial of the Bill of Rights is also evident in the scholarship on the origins of that document. Until the 1950s, scholars largely ignored the subject, with the result that, according to one expert, there is no good book on it.

What writing there has been on the birth of the Bill of Rights has treated its gestation in a cynical, disparaging manner. Thirty years of research have produced the following picture of its origins: The Bill of Rights was first promoted by politicians whose commitment to civil and religious liberties was suspect and who cynically advocated it to promote their hidden agendas. They were supplanted by another set of politicians who managed to enact the Bill of Rights, but only to achieve their own self-serving political ends.

The scholarly "rediscovery" of the Bill of Rights during the mid-1950s was a reaction to what were perceived to be the excesses of Senator Joseph McCarthy. One result was a monograph that Judge Edward Dumbauld identified in 1957 as the "first book devoted specifically to the Bill of Rights," Robert A. Rutland's **The Birth of the Bill of Rights** (1955, reprinted 1983). Rutland credited the Antifederalists, such as Virginia's George Mason, with supplying the impetus for the Bill of Rights. He thus aligned himself with those who hold, in the words of political scientist Herbert Storing, that the "Federalists gave us the Constitution, but the Antifederalists gave us the Bill of Rights."

No sooner had Rutland published, however, than historians, responding not to McCarthyism but to their profession's internal dynamics, made an abrupt course correction. It involved Charles Beard, who in his celebrated **Economic Interpretation of the Constitution of the United States** (1913) had rehabilitated the Antifederalists by picturing them as agrarian democrats struggling against a propertied elite that was conspiring to impose a reactionary constitution on the country. When Beard's the-

sis suddenly disintegrated in the 1950s, so did his heroic portrait of the Antifederalists.

Among those scholars who shattered Beard's thesis was Cecelia Kenyon. In "Men of Little Faith: The Anti-Federalists on the Nature of Representative Government," an essay in *William and Mary Quarterly* (Jan. 1955), Kenyon attacked Beard's vision of aristocratic Federalists arrayed against democratic Antifederalists. She contended that the political ideas of the antagonists were virtually indistinguishable. The chief reason for the Antifederalists' opposition to the Constitution was their fear, grounded in the best political science of the day, that the republican government that it established could not succeed over a geographical area as large as the United States.

Kenyon also showed that the Antifederalists were hostile to certain First Amendment rights, specifically those involving religion. They were, she wrote, "greatly displeased" with the ban on religious tests for federal officeholders. The absence of such tests, they asserted, would be "dangerous and impolitic" and tantamount to "an invitation for Jews and pagans of every kind to come among us."

Kenyon at least credited the Antifederalists with some regard for civil liberties. Beard's principal critic, Forrest McDonald, would concede them none at all. In **We the People** (1958), he argued that Federalists and Antifederalists were not divided into opposing camps of personality and realty, as Beard postulated, but were composed of coalitions of similar kinds of property holders. There were, McDonald demonstrated, many speculators, investors, and entrepreneurs among the Antifederalists. It was these men, he asserted in an article in the *Wisconsin Magazine of History* (Spring 1963), who shaped their party's attitude toward civil liberties. Through their control of state governments, they participated in a variety of "insider" transactions, many of them dependent on state issues of paper money and state taxes on commerce. By prohibiting these state practices, the Constitution directly threatened their pocketbooks.

How could they defeat the Constitution?

Selfish economic grounds would not do. A "cause" needed to be manufactured for public consumption and that cause was a bill of rights.

Beard still had his defenders, though they conceded that he had made mistakes. Jackson T. Main, for example, in **The Anti-Federalists** (1961), asserted that the principal difference between the Antifederalists and the Federalists was not their positions on the Bill of Rights but the location of the former in the noncommercial, the latter in the commercial, areas of the country. But Main thus joined his scholarly adversaries in de-emphasizing the connection between the Bill of Rights and the Antifederalists.

Another notable revisionist was historian Leonard Levy. In **Freedom of Speech and Press in Early American History: Legacy of Suppression** (1960, revised and reissued by Oxford Univ. as **Emergence of a Free Press**, 1985), he argued that the libertarian thrust of the American Revolution as a whole had been exaggerated. To scholars who claimed that "one object of the Revolution was to get rid of the English common law on liberty of speech and of the press," Levy replied that it was "closer to the truth to say that the Revolution almost got rid of freedom of speech and press instead of the common law on the subject." The state constitutions, Levy observed, contained few protections of those rights.

For that reason, Levy found it impossible to take at face value the Antifederalists' noisy campaign for a bill of rights. One suspects, he wrote, that "Antifederalists callously resorted to alarming the people" with lurid claims of threats to their rights in order to defeat or alter the Constitution to strengthen the states.

Thus, starting from different points, Levy and McDonald reached the same conclusion: The agitation for a bill of rights was, as Levy put it, "propaganda" by Antifederalists with ulterior motives.

The revisionist view of the Antifederalists was strengthened by several important books: Alpheus T. Mason's **The States Rights Debate: Anti-Federalism and the Constitution** (1964); Irving Brant's **The Bill of Rights: Its Origin and Meaning** (1965); and Gordon Wood's **The Creation of the American Republic, 1776-1787** (Univ. of North Carolina, 1969).

As for the Federalists, the scholarly account of their relationship to the Bill of Rights has changed little since the 1950s. That the Federalists initially and resolutely contested the demand for a bill of rights is conceded by every writer on the subject. Scholars have largely reduced the whole story to a chronicle of Madison's choices and activities.

Was Madison, for example, converted by the rhetoric of the ratification campaign from opposition to bills of rights to a belief in their efficacy as shields for civil and religious liberties? In **James Madison: A Biography** (Macmillan, 1971), Ralph Ketcham contends that Madison went "far beyond tactical reasons for supporting a bill of rights," that he was motivated by a "devotion to natural rights." Ketcham's claim has not convinced other scholars. As Leonard Levy put it in his **Essays on American Constitutional History** (Quadrangle, 1972), Madison "seems to have troubled to do no more than was necessary to get something adopted in order to satisfy popular clamor and deflect Anti-Federalist charges."

The Bill of Rights was, then, a phony issue cooked up by one group of politicians and appropriated, reluctantly, by another. Such is the current scholarly view of its origins. The problem with this view is that it obscures the commitment of the Framers, Federalists and Antifederalists alike, to civil liberties. It does so by failing to distinguish between their attitudes toward bills of rights and rights.

The Framers' disillusionment with bills of rights—state legislatures had regularly trampled parchment guarantees—did not indicate indifference to rights. As George Washington wrote to the Marquis de Lafayette in 1788, no Framer was opposed to what was "contended for by Advocates for a Bill of Rights." But no Framer believed that rights could be protected by words on paper. Only concrete checks against arbitrary exertions of power would do the job. The checks favored by Madison and the Federalists are familiar: multiple interest groups in an extended republic; the separation of powers; the "necessary fence" that the Senate embodied against the House; and others.

Antifederalists differed from the Federalists about how those checks could be constructed. They held that the state governments must themselves be the checks to secure the "liber-

ties of the people" and, therefore, their power, particularly their financial power, must be preserved. Thus, there were libertarian, as well as selfish, motives at work among the Antifederalists who advocated state power.

**W**hat of the power of judicial review? "The case that could be made for judicial review in 1787 on either the ground of workability or of precedent was a shadowy one at best," observed Edward S. Corwin in **Court Over Constitution: A Study of Judicial Review as an Instrument of Popular Government** (1938). Relatively few participants in the debates over the ratification of the Constitution perceived that the judiciary could transform bills of rights from "parchment barriers" to roadblocks against oppression. But this is what eventually happened. Bills of rights prospered as the judiciary flourished. Their credibility in American society depended, in short, on the establishment of judicial review.

Another question: If the Framers believed that bills of rights were dangerous and unnecessary and yet aspired to protect rights by constructing various kinds of checks, how were these rights to be ascertained? Was the common law, adopted by 12 states after 1776, to be

consulted? Was natural law?

More attention also needs to be devoted to the status of rights in 1776. According to Gordon Wood, "in the mind of most Whigs in 1776 individual rights, even the basic civil liberties that we consider so crucial, possessed little of their modern theoretical relevance when set against the will of the people." In **Popular Consent and Popular Control** (Louisiana State Univ., 1990), Donald S. Lutz agrees, adding that "emphasis on individual rights could only come with the decline of the radical Whigs." But these same radical Whigs have been described by generations of historians as being obsessed with individual rights, obsessed to the point of fighting a war with the mother country to protect them!

Overnight, apparently, the Founders became indifferent to their rights as they sat down to write their new state constitutions. So abrupt a change on so fundamental a matter is remarkable. It suggests that the account of rights in revolutionary America as we now have it is seriously flawed. The strange reality driven home by the bicentennial of the Bill of Rights is that we know surprisingly little about the origins of the rights that so proudly we hail.

—James H. Hutson

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*EDITOR'S NOTE: This essay is adapted from a longer piece that appeared in Prologue (Fall 1988).*

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# CURRENT BOOKS

## SCHOLARS' CHOICE

### *Did God Make Slaves?*

**RACE AND SLAVERY IN THE MIDDLE EAST:** An Historical Enquiry. By *Bernard Lewis*. Oxford. 184 pp. \$24.95

**THE ARROGANCE OF FAITH:** Christianity and Race in America from the Colonial Era to the Twentieth Century. By *Forrest G. Wood*. Knopf. 517 pp. \$29.95

Is the master-slave relationship so fundamentally unjust that all forms of slavery are similar regardless of time or place? Or was servitude in the Islamic world—as many Orientalists claim—tempered by humane considerations entirely unknown in the *Uncle Tom's Cabin*-like brutality of American slavery? The authors of these two books provide strikingly different answers, and just as striking are the different ways they reach their conclusions.

Bernard Lewis, the acclaimed Princeton Islamicist, assumes the role of an observer attempting to separate actualities from myths. Forrest Wood, a historian at California State University, sees the scholar as a kind of belated participant who applies current ethical criteria to the activities of the past. Their different historiographical approaches lead to two separate and distinct versions of the past.

Many scholars, Lewis notes, have sought to embarrass their fellow Christians by celebrating Islamic humanitarianism. Wood is evidently one such scholar. Arabs on *jihad*, Ottoman Turks, and other Muslim true believers knew no color bar, Wood assures us, and their treatment of slaves made the institution almost a blessing rather than a curse. Recognizing talent when they saw it, the Islamic conquerors drafted African slaves to join and even lead their armies—by stark contrast with white Americans, who feared slaves carrying

firearms or swords and would have quaked at the prospect of their receiving military training. By such arguments, Wood perpetuates the myth of a corrupted West compared to an innocent East.

And it is precisely such myths that Lewis so carefully takes apart in *Race and Slavery in the Middle East*. To be sure, Lewis sees Islam as a moderating force. Like the Bible, the Qur'an introduced notions of human individuality and the equality of souls. Yet these concepts did not challenge the slaveholding social order in which the faithful lived.

Economics and not religion, Lewis argues, made slavery and race into different propositions in the East and West. In the western hemisphere, slavery was usually a matter of private ownership and was tied to agrarian cash crops and mining and other menial labor. In Arabia, Iraq, and North Africa, slave labor was frequently used for governmental works, such as the draining of swamps in southern Iraq, or for military forces such as the Ottoman janissaries. But in the East castration was frequently the price of a slave's political or military advancement, which explains why ambitious slave soldiers occasionally requested emasculation. Imposed sexual impotence underscored what sociologist Orlando Patterson has called the "social death" of the slave. Cruel as Western slavery was, it encouraged slaves to have families (for economic reasons) and permitted them to develop their own culture. Lewis shows how castration, extraordinary mortality rates, and the use of slave women solely for their masters' sexual pleasure all resulted in there being far fewer subcultures of slave descendants in the Middle East than in the Americas today.

Lewis leaves no doubt that racial preju-

dice in the Muslim world was far more complicated than the simple Western myths about Islamic tolerance would have us believe. A person's color in the pre-Islamic Mediterranean world meant little. In ancient Greece, Rome, and North Africa, slaves had come from outlying populations, and the complexions of these peoples ranged from pale white (once thought an unmistakable sign of inferiority) to ebony. Moreover, in a world where only the mighty enjoyed true freedom, the bulk of mankind placed survival above status. To survive, free people badly in need of protection sometimes sold themselves or their children into bondage.

But an antipathy toward African blacks gradually emerged in the Islamic Near East, Lewis shows. In the seventh century, the expansion of the Arabian empire led to distinctions between the conqueror and the conquered. When subject peoples converted to Islam (as they inevitably did), social and racial distinctions began to replace religious ones. The conquests also brought

Arabs into contact with other Africans besides the Christianized and politically sophisticated Ethiopians, whom they had considered their equals (if not their superiors) in culture and intellect. Most important of all, however, as Arabs moved westward they encountered an African slave trade that had existed since Pharaonic and Roman times. Seeing Africans in bondage confirmed Arab perceptions of black inferiority, and the Muslim Arabs began to equate uncivilized and alien behavior with darker skin color, particularly as enslavement of lighter-skinned people became

less common. The word for slave in Arabic, 'abd, eventually came to refer only to a black slave and even, in some regions, to any black person, whether slave or free.

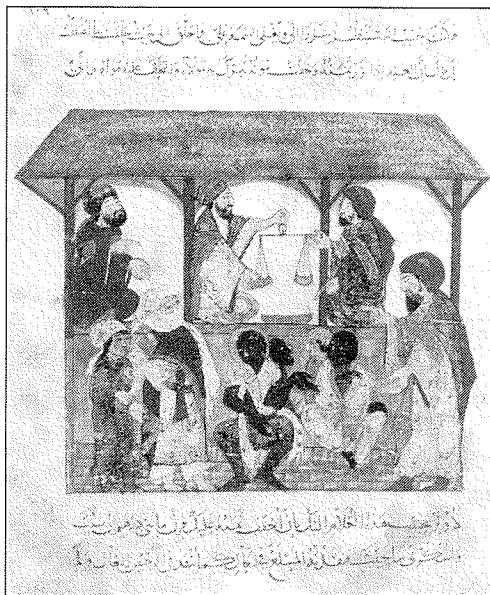
Lewis is too nuanced a historian to assume that Islam or slavery or even racial prejudice was static. He sees them rather as always in flux. By contrast, Forrest Wood claims that for five centuries, particularly in the New World, the Christian faith has been consistently malevolent. "Christianity," he writes, "has been fundamentally racist in its ideology, organization, and practice."

Comprehensive in scope, *The Arrogance of Faith* covers racial offenses of Christian Americans from the killing of the first Indian at home to the last Vietnamese abroad. By no means uninformative, Wood's catalogue nevertheless ignores every advance made under Christian inspiration.

Ignoring half the story, Wood has written a 500-page history that is ultimately ahistorical. From his present perspective, he inserts options for actions into the past that simply did not exist at the time. The

question for 17th- and 18th-century Christians was not how to overthrow institutions like slavery but rather how to make the slave's life less brutal and godless. Yet Wood insists that American ministers and Christian laymen consistently promoted the perpetuation of bondage. The conversion of slaves to Christianity, he maintains, was solely designed to inculcate in them values of submission. A more generous view might concede that some clergymen hoped to save a few black souls.

In the late 17th and early 18th centuries, most slaveowners—only nominally



religious themselves and largely unaware that their human chattel had sensibilities nobler than those of their cattle—did not want their slaves converted. Converted slaves might demand their freedom because they had adopted the new faith or else fight for it with Old Testament vigor. Church leaders, to their credit, tried to soften planter opposition to evangelization in the slave quarters. As Wood claims, they argued that Christianity sanctioned slavery and also provided a code of behavior useful for instilling obedience. But these arguments were less a celebration of slaveholding than a strategy designed to gain the masters' acquiescence and thus humanize the whole system.

If, as most human institutions do, Christianity fell short, it also partly succeeded. Post-Civil War church leaders such as Lewis Tappan helped to start hundreds of black schools and scores of colleges. During and after Reconstruction, when secular authorities were indifferent to the plight of African-Americans and white southerners were implacably hostile, the aid of church leaders was indispensable. Yet Wood belabors the missionaries for having sought to "civilize" former

slaves whom they saw as a benighted people. Unable to see shadings in the moral landscape, Wood obliterates the very real tension between church and society.

Throughout, Wood shows little charity for the humanness of the past. For that, we must turn to Bernard Lewis. From Lewis's perspective, both Islam and Christianity, though imperfectly practiced and interpreted, provided far more human consolation than their critics will allow. Western Christianity, Lewis further reminds us, was a major factor in the movement to abolish the scourge of slavery. Islam contributed nothing to its demise. "From a Muslim point of view," Lewis declares, "to forbid what God permits is almost as great an offense as to permit what God forbids—and slavery was authorized and regulated by the holy law." Lewis, who writes history, makes possible this kind of insight. Wood, who writes polemics, does not.

—Bertram Wyatt-Brown, '74, holds the Richard J. Milbauer Chair of History at the University of Florida and is the author of *Southern Honor: Ethics and Behavior in the Old South* (1982).

## Missionary Positions

**THE NATION, 1865-1990:** Selections from the Independent Magazine of Politics and Culture. Edited by Katrina vanden Heuvel. *Thunder's Mouth*. 534 pp. \$21.95

When I worked at the *New Statesman* in London in the 1970s, there were always those rounds of after-hours self-mockery, during which we subjected the production of a supposedly highbrow leftist weekly to a gin-sodden and masochistic review. One phrase from that period has stuck with me. "We are," said a future editor canting amid the bottles, "nothing more than a missionary outpost to the middle classes." Dismal as this objective sounded—as if some Fabian tutor had us

all on a permanent weekend retreat—it still had a certain nobility to it: a sense of calling. Nevertheless, it left open the question of who the missionaries were and how they recognized one another.

The *New Statesman* was founded by Fabian and Bloomsbury types on the eve of the Great War; the *Nation* by Harvard types a half-century earlier, at the close of the Civil War. In both instances a sort of elevated optimism was in evidence that ignored the contradiction of reformist journalism. Most reformist journalists believe in liberty and in human reason, in letting the truth speak, but they also have a mission or policy which directs how that truth shall be used to fight injustices.

In order to avoid the taunt that he is merely utopian or irrelevant, the "progressive" must at times be arrogant and even *dirigiste*, if not actually authoritarian. (Anybody who has spent time on the Left knows that those supporting the status quo always seem to be smugly waiting to consign him to one pit or the other—that of the authoritarian or of the irrelevant.) The antislavery fight of abolitionist William Lloyd Garrison, an early *Nation* figure, provides a salient example of the need for arrogant extremism in politics, as does the 20th-century battle against fascism. The reformist journalist's mission is not to speak truth coolly but rather to speak it forcefully in the face of hostile power—while partly hoping for power to be exercised by people more like, say, himself.

There are no solutions to this basic dilemma. Instead there is some outstanding journalism from the literary and intellectual tensions it creates:

The belief that fashion alone should dominate opinion has great advantages. It makes thought unnecessary, and puts the highest intelligence within the reach of everyone. It is not difficult to learn the correct use of such words as "complex," "sadism," "Oedipus," "bourgeois," "deviation," "Left"; and nothing more is needed to make a brilliant writer or talker.

That was Bertrand Russell in the *Nation*, January 1937. He helped clarify a point often unexamined by the radical intelligentsia; namely, intellectual public opinion can be as thoughtless as any mob.

It's easy enough, for leftists, to imagine confronting a mob of racial bigots, McCarthyites, or religious fundamentalists. The harder test is resistance to "public opinion" in one's own camp. The pressure of "solidarity," with its quasi-moral claim on the loyalty of the embattled remnant, is one that must be felt to be appreciated. A classic recent case—and one that finds no echo in this anthology—was the *Nation's* brief but acrid debate over the propriety of criticizing the Sandinista government in Nicaragua. Those critical of the Sandinistas were invariably described by their ene-

mies as (apart from the routine charges of being dupes and traitors) making their objections from a "comfortable" position.

It is easy in theory but difficult in practice to define the radical or dissenting journalist as one who does not care what anybody else thinks. Even this high-sounding definition is often made to seem "elitist" or undemocratic. All innovations in science and politics and literature and ideas, however, have to be made by the free intelligence, whether that intelligence requires the integrity of a Galileo or the individuality of a Flaubert.

Neither Galileo nor Flaubert feature in this selection of past *Nation* essays, but Henry James, Albert Einstein, Thomas Mann, Ezra Pound, Dalton Trumbo and I. F. Stone all take a bow. So do Martin Luther King, Jr., and Gore Vidal. I pick these contributors not because of their correctness but because they remind me of Orwell's view that the essence of truth-telling involves telling people what they do not want to hear. To their credit, most contributors included here, in one way or another, tried to make life more difficult for the reader.

**T**he *Nation*, during its various evolutions, has acquired different layers and armatures of reputation, either to be lived up to or to be lived down. Take only the most frequently made accusation, that between 1930 and 1956 (and perhaps after) the magazine was a communist fellow-traveler's journal. This commonplace both sharpens and dissolves under scrutiny. The political radical Emma Goldman, for example, composed an essay for the magazine in 1934 in which she said that Stalin's persecution of the politically inconvenient was more ferocious than the tsar's had ever been. The editor, Freda Kirchwey, ran the article but complained to Goldman: "While I do not quarrel with your right to say what you believe, I feel that at a time when fascist dictatorship is the dominant instrument of oppression in Europe . . ."

You can complete the sentence for yourself. Kirchwey at least defended Goldman's right to say it. The 1930s debate

over whether to criticize Stalin was, in a manner, resurrected in the 1980s in the debate over the Sandinistas, and indeed has raged throughout the *Nation's* history.

In the crucial years of the Cold War, the *Nation* kept an uneasy Kirchweyite truce between the obligations of truth and the emotional need not to "give ammunition to the enemy." In the *Nation*, Alger Hiss had to be innocent because otherwise Richard Nixon would be vindicated. It's no excuse, here, to note that many of the more prosperous journals put the same principle the other way about. And so a political fundamentalism of the Right and Left is created, which in turn creates a predictability in journalism. How bold a journal would have been to print then a version of what an observer now sees in retrospect: Alger Hiss may be guilty and Richard Nixon is lying.

An honestly expressed prejudice, well-written and heedless of consequence, usually supplies the most memorable journalism. Those who fear to be thought "offensive" or "elitist" are as indentured as those who tremble at the proprietor or the advertiser or—often the worst enemy—the circulation department. Thus my colleague Alexander Cockburn is worth more, by the muscular defiance of his prose, when he is wrong than is my valued editor Victor Navasky (who contributes to this collection a something-for-everyone essay) when he is right. Too much of today's dissenting journalism forgets that consensus is the enemy to begin with.

By this standard, the later sections of this anthology are rather too cautious and well-mannered for my taste. They have too much the flavor of the "correct" and the "sensitive." Currently the main leftist orthodoxy—and therefore one of the main orthodoxies for the Left to confront—is this culture of "sensitivity." The solidarity between radical groups, which characterized an earlier day in left-wing journalism, has been displaced by a plethora of competing mentalities and universes, each holding proprietary rights to special consideration, many believing that nobody but members of their group can truly under-

stand their "situation." The idea that "the personal is political"—an idea that emerged in an era of post-1960s depoliticization—has come to mean that personal identity or preference is a sufficient political commitment. Other magazines may satirize this attitude by publishing lampoons about lesbian one-parent families of color, but these lampoons are often vulgar or ill-natured. It ought to be the *Nation* that opens and extends the cultural and political debate, even on topics sacred to the Left, and keeps those debates going with some heat.

I took delight in the inclusion here of H. L. Mencken's self-portrait, published in 1923, in which appear the words:

When I encounter a new idea, whether aesthetic, political, theological, or epistemological, I ask myself, instantly and automatically, what would happen to its proponent if he should state its exact antithesis. If nothing would happen to him, then I am willing and eager to listen to him. But if he would lose anything by a *volte face*—if stating his idea is profitable to him, if the act secures his roof, butters his parsnips, gets him a tip—then I hear him with one ear only.

In an era where "conflict of interest" is a one-dimensional term and consistency is accounted a virtue, Mencken's "principle" is a great stay to morale.

Contrast Mencken's remark with the heavy political prose, several pages in length, with which the magazine endorsed Jesse Jackson's presidential campaign. This editorial is falsely "practical"—it speaks ponderously about an infinity of "coalitions"—and falsely utopian in taking a dubious character at face value. It is neither a real bid for public opinion nor a true exercise in intellectual scruple. But perhaps these are the failings of those who have the nerve to think as missionaries in the first place.

*—Christopher Hitchens has contributed his Minority Report column to the Nation since 1982. His most recent book is Blood, Class and Nostalgia: Anglo-American Ironies (1990).*

## Literature and Its Discontents

**THE DEATH OF LITERATURE.** By Alvin Kernan. Yale. 230 pp. \$22.50

**BEFORE NOVELS:** The Cultural Contexts of Eighteenth-Century English Fiction. By J. Paul Hunter. Norton. 421 pp. \$25

Two books, both by distinguished critics and both published in the apocalyptic-sounding year of 1990, make fascinating if contradictory reading for anybody concerned about the current state (read: disarray) of literary study in America. That should include anybody currently footing the king's ransom of a child's college tuition. When English departments offer courses in Science Fiction and Comic Books for full credit, isn't something wrong? And when they offer courses in "deconstruction"—a convoluted approach to reading that doesn't even consider the text primary—isn't something wrong?

As we approach the end of the second millennium, we expect a tendency to look for the end-of-civilization-as-we-know-it-now, the turning-around of all certainties. Chaos theory in physics, genetic engineering in biology, d-con in literature, "post-modern" as a justification for any degree of silliness in the arts or in human behavior: William Butler Yeats was evidently right when he wrote, "Things fall apart, the centre cannot hold." Or as Alvin Kernan, Avalon Professor of Humanities Emeritus at Princeton University, writes with a *Götterdämmerung*-lighting effect in his adjectives:

Humanism's long dream of learning, of arriving at some final truth by enough reading and writing, is breaking up in our time . . . the possibility of knowing the individual and the social world that has driven the humanities and the social sciences since the late Middle Ages is dissipating.

Doomsayers as articulate as Kernan always jazz up the scene. *The Death of Litera-*

*ture* delivers the dire, dark, we-happy-few-against-the-barbarians analysis implied in its title, although with a lot more wit, erudition, and sense of fun than E. D. Hirsch's *Cultural Literacy* (1987) or Alan Bloom's *The Closing of the American Mind* (1988).

Kernan's earlier work, including *Samuel Johnson and the Impact of Print* (1987), was in 18th-century studies, and he is one of the indispensable critics of the Age of Satire. That apprenticeship serves him



well in *The Death of Literature*, where he discusses the obscenity trial of *Lady Chatterly's Lover* and the controversy surrounding the exhibition of Robert Mapplethorpe's photos. In both cases, by quoting—with appropriate commentary—the confused and contradictory testimony of artists and critics, he shows how they make fools of themselves in defense of "art" without being able to say what they think "art" is.

And that is the gravamen of Kernan's wonderfully lucid and grumpy argument against the modern world. It is bad enough that the modern world with its new information technologies—"television, computer database, Xerox, word processor, tape, and VCR"—bypasses the printed word altogether. But even worse: Literature, that "great tradition" of writers and critics which began with 18th-century print, is now being dismantled by the very myth of the defiant artist it created.

Kernan is more original than Bloom or Hirsch. He blames the fall of culture on the poets and critics who should be its guardians. If we are collapsing into a new barbarism, Kernan says it is in no small measure due to the asocial artist whose every utterance, however outrageous, can be justified just because he calls himself that, an artist. And the part of the literary tradition that the "artist" leaves unharmed, the critic finishes off.

"Literary criticism," Kernan writes, "Byzantine in its complexity, mountainous in its bulk, and incredible in its totality, has turned on literature and deconstructed its basic principles, declaring literature an illusory category, the poet dead, the work of art only a floating 'text,' language indeterminate and incapable of meaning.... Rather than being near-sacred myths of human experience of the world and the self... literature is increasingly treated as authoritarian and destructive of human freedom, the ideology of the patriarchy devised to instrument male, white hegemony over the female and the 'lesser breeds.'"

Like Kernan, Paul Hunter, Tripp Professor of the Humanities at the University of Chicago, is a distinguished 18th-century scholar. Hunter's subject, however, is not the Tory satirists of the age but the (largely) Whig novelists, including Defoe and Fielding. He shows that at the moment grand "Literature" was being invented, these writers were finding ways for it to go beyond its aristocratic limitations.

**N**ext to the fin-de-millennium drama of *The Death of Literature*, Hunter's *Before Novels* can sound stodgy and taxider-

mic. Yet Hunter, who has spent more than a decade preparing this book, is concerned with finding out how that outrageous but holy monstrosity, the English novel, came to be born. The time was well spent. This may be the best book on the origins of the novel, simply because it is the best treatment of the relationship between fiction and all those vulgar and journalistic sources the academy refuses to dignify with the name of literature.

Most histories of the novel—including Ian Watt's magisterial *The Rise of the Novel* (1957), to which Hunter pays due homage—assume an "evolutionary" development, as if 17th-century religious confessions, diaries, and journalism were larval forms of what would grow into *Pamela* and *Tom Jones*. Hunter takes these "proto-novels" seriously in their own right. He does not ask how such simple life-forms evolved into high art but, rather, how the great early novels used and elaborated "the new sense of life implied in the print-culture explosion of the late 1600s?" The answers he provides to this question enrich our understanding of Richardson, Fielding, Smollett, and Sterne. More significantly, they subtly dismantle the myth, underwritten by the Tory Kernan, that there ever was a pristine, context-free "Literature" that was later subjected to the depredations of time and democracy.

Of the age that produced the novel, Hunter writes: "It was a time when new needs were being defined and others were developing, perhaps the first time in Western history when a distinctive youth culture was beginning to have an effect on the marketplace, including the intellectual marketplace and the world of booksellers and print." He argues that the new novelistic fiction was a force for altering social norms no less strong than our own electronic media are today: "We may never know," he writes, "how much of modern human history has gone the way it has because people at crucial moments have said or done a certain thing in imitation of some character in a novel who had acted that way, on the assumption that that was the way it was to be done." Hunter

describes the "needs of the audience to feel 'in,' up-to-date, aware of the latest facts, and current in the intellectual, cultural, and social trends of the moment."

The more things change, the more they remain the same? Perhaps. Hunter's depiction of the newly enfranchised 18th-century audiences would not make a bad description of the novelty-mad, tradition-ignoring, postmodern television mutants whom Kernan *et al.* regard as the pallbearers of "humanism's long dream of learning." It is ironic that Hunter, by far the more donnish of the two critics, should be the one to remind us that the barbarians at the gates are really only our children.

Hunter concludes that "the novel does not exist for the novel's sake but human culture is for human culture's sake, and the rest is implication and detail." He thus indicts those who mourn the "death of literature" because they have first constructed a mandarin and nostalgic idea of

Literature that not only excludes all the vitality of film, TV, comic book art, and rock and roll, but also ignores the fact that fiction sells better now than ever before. And if contemporary mandarins denounce the low quality of that popular fiction, they only echo the Tories who in the 1700s snorted at books that are now part of our revered canon. "The Kids Are All Right," sang Pete Townshend, the leading genius of The Who, two decades ago. A serious look at the cantankerousness and generosity of our real literary tradition helps us see how all right—and how true to the humanist tradition—the "kids" and their entertainments have always been.

—Frank McConnell, '78, is professor of English at the University of California, Santa Barbara, and the author of *Storytelling and Mythmaking: Images from Film and Literature* (1979).

## NEW TITLES

### Arts & Letters

**THE ILIAD.** By Homer. Trans. by Robert Fagles, with introduction and notes by Bernard Knox. Viking. 683 pp. \$35

Homer's *Iliad* seems as permanent as Western culture. Composed around the seventh century B.C., the poem circulated only in hand-copied form until 1488, when the first printed version appeared in Florence. Since then, the tale of war between invading Greeks and the defenders of the city of Troy has informed our notions of heroism and tragedy. Its adaptation into blank-verse couplets by the poet Alexander Pope (1688–1744) is only one early, famous attempt to make *The Iliad* not only a Greek but an English poem as well. Our century has seen

two notable translations, Richmond Lattimore's in 1951 and Robert Fitzgerald's in 1974. Now Fagles, a poet and classicist (like his most recent predecessors), attempts to make the poem's ancient formulas and archaic magic accessible to this generation of readers.

*The Iliad's* plot revolves around the rage of Achilles, the Greek champion who is so skilled at war as to be almost godlike. Slighted by Agamemnon, his king, Achilles refuses to take part in any fighting. His absence brings disaster for the Greeks, as Hector, the Trojan champion, drives the invaders back to their ships. Only when Hector slays Achilles's friend Patroclus does Achilles's rage change from injured pride to murderous vengeance.

As Bernard Knox suggests in his introduction, Achilles's wrathful return to battle also



marks the Greek rejection of Troy's "civilized ways of warfare." For nine years the Greeks had accepted ransom in exchange for Trojan warriors, an arrangement that led to the long stalemate between the armies that exists at the start of the poem. Now, however, Achilles refuses the ransom by Lycaon, one of Hector's brothers: "*Fool/don't talk to me of ransom. No more speeches./Before Patroclus met his day of destiny, true, it warmed my heart to spare some Trojans . . . /But now not a single Trojan flees his death . . . /Come, friend, you too must die.*" Perhaps nowhere else in literature are there more vivid descriptions of hand-to-hand combat than those related here: Armies advance on each other like two lines of reapers in a grain field; a man is caught up on a spear like a fish on a gaff. To Knox, these descriptions balance "the celebration of war's tragic, heroic values and those creative values of civilized life that war destroys."

The only person standing between Achilles and Troy's destruction is Hector, and Fagles's translation of this important scene shows how he differs from Lattimore and Fitzgerald. Lattimore is a traditionalist; his word-for-word approach retains the nobility of Homer's Greek but sacrifices some of the poem's emotion:

*[Hector] balanced the spear far shadowed, and threw it,  
and struck the middle of Peleides'  
[Achilles's] shield, nor missed it,  
but the spear was driven far back from the  
shield, and Hektor was angered  
because his swift weapon had been loosed  
from his hand in a vain cast.*

Fitzgerald, whose translation of Homer's *Odyssey* is considered unsurpassed, strives for a freer verse form:

*He twirled his long spear shaft and cast it,  
hitting his enemy mid-shield, but off  
and away the spear rebounded. Furious  
that he had lost it, made his throw for  
nothing,  
Hektor stood bemused.*

Of the three, Fagles tries hardest to match the language with the sense; in this battle scene he favors short, chopped words and excited interjections to achieve the sense of calamity on the field:

*Shaft poised, he hurled and his spear's  
long shadow flew  
and it struck Achilles's shield—a dead-  
center hit—  
but off and away it glanced and Hector  
seethed,  
his hurtling spear, his whole arm's power  
poured  
in a wasted shot.*

No doubt Fagles's translation will itself receive a few spears from those classicists raised on Lattimore. A modern reader, however, particularly a nonspecialist, will welcome Fagles's explanatory digressions. But deciding which translation is best is a bit like arguing whether "Homer" was a single poet composing alone or a composite of generations of oral bards. Knox reminds us that, since Homer recited the poem from memory, each performance was of necessity an improvisation. Knox's analysis could explain why each generation spawns a new translation: *The Iliad* "is new every time it is performed."

**VLADIMIR NABOKOV:** *The Russian Years.*  
*By Brian Boyd. Princeton. 607 pp. \$25*

"I probably had the happiest childhood imaginable," remembered Vladimir Nabokov in 1972. Boyd, an English professor at the University of Auckland, makes us feel the luxurious comfort of winter in the Nabokovs' great house in pre-revolutionary Russia and of the sunny, lilac-scented summers on the family's country estate. But at age 18 Nabokov had to flee from

those idyllic scenes: That year, the Russian Revolution forced his family to emigrate to Germany, leaving behind several million rubles, a 2,000-acre estate, and what Nabokov valued even more—"the beauty of intangible property, the unreal estate" of flora and fauna and affection where his memories were set. For Nabokov, literature became a way of preserving what circumstances take away: In a 1925 story titled "A Guide to Berlin," Nabokov said the role of fiction was "to portray ordinary objects as they will be reflected in the kindly mirrors of future times."

On March 28, 1922, Nabokov's beloved father, the liberal politician V. D. Nabokov, was killed in Berlin by a Russian monarchist. Nabokov quickly finished his studies at Cambridge (a string of his mother's pearls had paid for his education there) and made Berlin his home, there publishing four books in as many months. Nabokov soon became the darling of a Russian Berlin, a part of the city which Boyd describes as "a cultural supernova, without equal in the annals of refugee humanity." But being a writer in an émigré supernova is hardly a paying proposition, and Nabokov was forced to eke out a living working as a secretary, tutor, and tennis and boxing coach. Germany's emerging fascism appalled him long before it did most of the world. Nabokov also had special personal reasons for hating the Nazis: His wife Vera was Jewish, and his younger brother Sergei was arrested as a homosexual (and later died in a concentration camp). In 1940—the year this first volume of Boyd's biography closes—Nabokov is seen leaving for America, having already published more than most writers' entire oeuvre: eight novels, two novellas, four volumes of poetry, four plays, and 50 stories. In his suitcase were two unfinished works which, when later transformed into English and published as *Lolita* and *Pale Fire*, would make his reputation as a dazzling pyrotechnician in his second language.

Critics have often fastened on Nabokov's rich vocabulary and his mandarin elegance to complain that his novels are "all style and no content." Yet Nabokov had witnessed too much of the evil that politics can do to be an escapist or mere wordsmith. Boyd finds a surprising number of Nabokov's works that deal with politics, such as the novels *Invitation to a Beheading*

(1959) and *Bend Sinister* (1947) and the play *The Waltz Invention* (1966), where the Stalinist and Nazi versions of totalitarianism blend in surreal horror.

The charge that Nabokov is merely an aesthete misses the point that all his novels challenge the easy 20th-century opposition between politics and aesthetics. For Nabokov, the artistic is political precisely because it defeats the totalitarian goal (and to a lesser extent, the democratic conformist urge) to reduce consciousness to a set of predictable, familiar responses. Boyd defines Nabokov's formula for happiness: "Detach the mind from accepting a humdrum succession of moments, and everything becomes magical."

Nabokov always relished ironies. A posthumous irony is that Nabokov, who mistrusted biography and feared that it "can produce no closer likeness of its subject than macabre dolls," should have as his Boswell a critic as perceptive—and respectful—as Boyd.

**VAN GOGH:** His Life and His Art. By David Sweetman. Crown. 391 pp. \$30

**VINCENT VAN GOGH.** By Evert van Uitert, Louis van Tilborgh, Sjaar van Heugten, Johannes van der Wolk, Ronald Pickvance, and E. B. F. Pey. Rizzoli. Volume I: Paintings; Volume II: Drawings. 292 pp.; 336 pp. \$90

On December 23, 1888, Vincent van Gogh quarreled violently with the painter Paul Gauguin. Failing to wound him, Van Gogh rounded on himself and cut off part of his left ear. This violent act has entered the mythology of the modern artist driven to extremes by his sacrifices for art. According to the myth, the artist is ignored and despised by the public. This certainly describes Van Gogh, whose paintings now sell for more than \$10 million but which he couldn't sell for 10 francs during his lifetime. Popular works, most famously Irving Stone's novel *Lust*



*for Life* (1934), have indeed canonized Van Gogh as *the* martyr-saint of art and a hero in the cause of modernism.

Sweetman, an English art historian and producer of art documentaries for the BBC, wants to expose this "image of Vincent as isolated Holy Fool, artist-sage or whatever... as the nonsense it always was." Sweetman's task is not entirely simple, for many aspects of Van Gogh's life conform quite well to the tragic stereotype. Born in 1853, the son of a Dutch pastor, Van Gogh inherited a tendency toward depression and possibly epilepsy. (His favorite sister, Willemina, spent four decades in an insane asylum, where she died in 1941.) At age 37, Van Gogh took his own life, in part discouraged because in his whole career he had sold only one painting. As for the myth of the "holy fool," Van Gogh did have an extravagant desire for holiness. He volunteered as a missionary to the coal-miners in southern Belgium, where, taking Christ's teaching literally, he gave away all his possessions and slept in a bare hut. It was only when his ecclesiastical superiors dismissed him in 1880, finding him lacking in solid bourgeois respectability, that Van Gogh turned to art.

Sweetman doesn't make light of Van Gogh's suffering—after all, Van Gogh spent the year 1888 in an asylum. Sweetman's argument is rather that whatever Van Gogh "was suffering from cannot be directly 'read' into his art." The two volumes, *Vincent Van Gogh*, prepared for the 1990 exhibition in Holland on the centenary of his death, sumptuously reproduce that work. They show, contrary to customary opinion, that Van Gogh was as original drawing on paper as he was painting on canvas. Van Gogh completed more than 800 paintings and 700 drawings in his 10 years as a painter, most of them done in the last three years. This unprecedented achievement, Sweetman argues, could only have been accomplished by someone in control of himself. Sweetman quotes from Van Gogh's correspondence to prove there was no evidence of insanity whenever the painter was discussing art. At times, in Sweetman's biography, Van Gogh comes off sounding like the sanest man in Europe.

Sweetman thus puts Van Gogh's suffering in context. But he doesn't explain the achievement of the art which, in the years 1887–90, is

so extraordinary as almost to justify an outlandish explanation. Perhaps some confusion is due to labeling. When the Museum of Modern Art opened in New York in 1929, its first show was devoted to the four fathers of modernism in art: Cezanne, Gauguin, Seurat, and Van Gogh. But Van Gogh wouldn't have considered himself a modernist; his own taste ran to more old-fashioned (and now almost forgotten) painters like Jules Breton or Ernest Meissonier, and his intentions were less exclusively "artistic" than the true modernist's. His free association of colors with emotions, his flat, at times all but abstract perspectives, and his fluid contours and loose brushmarks were less an artistic experiment than an attempt to show visually a world that was more than the visible world. The spiritual fervor that once propelled him as an evangelist he now realized in the blue-violet foliage against a yellow sky in *The Sowers* (1888); he painted his *Yellow House* (1888) in a light that made the house equal to a place of worship. His old popularizers, while hackneyed, may have been on the right track when they treated art like religion. But for Van Gogh, the relation of religion to art reads the other way round: He broke fresh ground by realizing his idiosyncratic religious longings in the secular medium of paint.

### History

**SOVIET DISUNION:** A History of the Nationalities Problem in the USSR. By Bohdan Nahaylo and Victor Swoboda. Free Press. 432 pp. \$29.95

Thomas Hobbes should be in the Soviet Union now. While not yet engaged in a Hobbesian "war of all against all," the country is torn by fighting among ethnic minorities and by the threat of secession by at least half of the 14 non-Russian republics. Even the Ukraine—the republic closest to Russia culturally and longest a part of the Russian empire—has effectively issued its own currency. Those hoping for easy solutions will not be heartened by *Soviet Disunion*. It shows how deep and intractable the current divisions are. The Ukrainians, for example, welcomed the German invaders as liberators during World War II, showering them with

flowers.

Nahaylo, a research analyst for Radio Liberty, and Swoboda, a scholar at the University of London, write that the "nationalities problem" today is putting "the Kremlin's entire new course to the test." The creators of perestroika envisioned democratic reforms to make a malfunctioning economy viable. But the Russian empire—under both tsars and commissars—was always held together by military power, not by democracy. The supreme irony is that the Kremlin's sharing of power has not defused but increased opposition: No longer do the Armenians, the authors write, mainly vent "their nationalist sentiments against Azerbaijanis across the border. Now they are venting them against Soviet power."

In the early 1920s both Lenin and Stalin paid lip service to the rights of national minorities, even while they engaged in a bloody seven-year struggle to reconstitute the old tsarist empire by force. The Soviet Constitution of 1923 granted the national republics the right to secede, and native language newspapers and schools were encouraged. By the end of the 1920s, however, the old empire was reassembled, and Stalin abrogated the "national contract" and resumed the tsarist policies of Russification.

The authors speculate about possible futures for the Soviet Union—disintegration, confederation, or a renewed authoritarian empire—but conclude that only "one thing is clear: Genuine democratization and the preservation of empire, however disguised, are incompatible."

One other thing, however, seems certain. Russia needs the other republics more than they need Russia. Great Russia by itself is hardly great. It has limited access to the sea, little good agricultural land, and no natural borders for defense. With its own army in turmoil, the Soviet leadership today faces the challenge of devising a federation whose advantages to the different national minorities will be clear enough to win their support. Surprisingly, Nahaylo and Swoboda write, Gorbachev has shown until quite recently little interest in this problem: "The mere fact that glasnost was now bringing certain problems to the surface did not necessarily mean that the authorities were any more receptive to what the non-Russians had to say."

**LEWIS MUMFORD: A Life.** By Donald L.

Miller. Weidenfeld & Nicholson. 628 pp. \$24.95

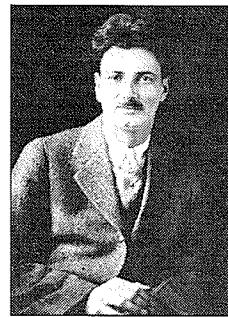
**LEWIS MUMFORD: Public Intellectual.**

Edited by Thomas P. Hughes and Agatha C. Hughes. Oxford. 450 pp. \$39.95

Lewis Mumford, declared his friend Van Wyck Brooks, was "one of the few men who have not *ideas* but an *idea*." Through some 30 books and more than 1,000 essays on art, history, literature, architecture, city planning, and social philosophy, Mumford elaborated his idea—his erudite and impassioned warning about technological civilization and its human toll. Mumford's heyday was the 1920s, when most people were singing the benefits of technology and he was the ugly frog croaking in dissent.

Miller, a historian at Lafayette College, here traces Mumford's life (1895–1990), which nearly spans the 20th century. Mumford called himself a "child of the city," growing up in a quainter, more humanly scaled New York that, already by the 1910s, was disappearing under megalopolitan height and sprawl. He was an illegitimate child of a patrician Jew and a German housekeeper. To offset the stigma of illegitimacy, he vowed to advance himself through his intellect. His education at New York's City College was secondary to his course of independent readings in which he discovered Sir Patrick Geddes. Geddes (1854–1932) was a Scottish botanist and town planner who believed that no living form could be understood in isolation from its environment. Geddes's organic perspective inspired Mumford's central perception that an environment fragmented by technology deprived people of the connections and unity that give meaning to life. (Mumford expressed his debt to "his master" by naming his only son Geddes.)

The 16 essays in Thomas and Agatha Hughes's volume analyze the various ways Mumford elaborated his one idea. Mumford wasn't against the contemporary world. He became the first champion of Frank Lloyd Wright



and he saw the benefits of technology. His criticism of the "machine" had less to do with any particular technology than with a way of thinking. Even before the machine, Mumford argued, Western society had embraced a set of values—material progress, disregard for limits, commitment to endless growth—whose corollary was specialization, mechanization, and strict rationality.

Could technology be used to repair its own damages? In *Technics and Civilization* (1934), Mumford envisioned ways in which the automobile and electricity would allow the creation of "garden cities"—loose, decentralized "green belts" around urban centers—to replace the crowded dehumanizing concentrations built by steel and the railroads. Mumford's vision made him a "father of the suburbs," although suburbs today are hardly the green communities he intended.

In 1926 Mumford and his wife tested their principles by abandoning Greenwich Village to settle in a model housing project in Sunnyside, Queens. Ten years later, they moved to the rural upstate town of Leedsville. From there Mumford issued his manifestos with what Miller calls an irritating "priestly certainty." Yet what is most striking in retrospect is how prescient Mumford was. His warning about the dangers of unlimited growth in the 1920s, his criticism of the cold functionalism of Le Corbusier and the International Style in the 1930s, and his early jeremiads against atomic power—all out of step at the time—are today commonplace. Mumford's fate is that of the thinker whose ideas become so accepted that people forget who first sounded them.

#### *Contemporary Affairs*

**BRAVE NEW FAMILIES:** Stories of Domestic Upheaval in Late Twentieth Century America. By Judith Stacey. Basic Books. 328 pp. \$22.95

Here's an annual Thanksgiving celebration that Norman Rockwell never painted. Around the turkey dinner are Pam, her husband, her ex-husband and his children, her ex-lover and his live-in companion and their daughter, and several friends, among them a gay and a lesbian.

Anthropologist Stacey finds that such "extended kinship networks" have supplanted the traditional family. The New York Supreme Court recently validated a gay man's right to retain his deceased lover's apartment, and San Francisco passed a law that accords live-in partners the legal rights of spouses. Contrary to popular opinion, Stacey asserts, the family is not declining, but its definition is changing. Reaganites championed the working-class family as the bulwark of traditional values, yet it was during the Reagan years, as blue-collar jobs disappeared and more wives were forced to work, that the "traditional" family became an endangered species.

To write *Brave New Families*, Stacey spent time with two families working in the electronics industry of Silicon Valley in California. Both families are run by strong, independent women who in the 1970s left stifling, 1950s-style marriages to fulfill the feminist ideals of self-reliance. Silicon Valley is itself an important "character" in the book. A 1950s Promised Land for the working class, it held out the lure of good jobs and cheap houses, but by the 1980s the thousands who had flocked there saw its golden promise disappear. Stacey has a wonderful feel for the area, the inhuman production lines set in beautiful "industrial parks" and the flimsy tract houses that now cost 15 times the average worker's annual wages.

As the political analyst Andrew Hacker observed, "it is hardly news that families are not what they used to be." Stacey, however, sup-



"We used to be old-fashioned. Now we're postmodern."

plies a useful reminder that the "traditional family," with its single male wage earner and wife-run household, was the product of a particular historical development. As such, it was always likely to be superseded. Many "alternative family practices" are customarily treated as primarily white, middle-class developments. Stacey points out that working mothers and two-earner households "appeared earlier and more extensively among poor and working-class people." Middle-class spokespeople only later endowed such people with the values of feminists and yuppies.

Although she is a left-wing feminist herself, Stacey is honest enough to emphasize that feminism has failed to be a liberating force for the women she studies. The two principal women, after a brief euphoric period of surviving on their own, soon realized they would never attain the standard of living they had enjoyed as housewives. Meanwhile, their daughters have no understanding of the feminist ideals that motivated their mothers. For the daughters, earning their own living or making their way as single parents is merely what is normal, part of living in a world where little can be expected from their jobs or from their men.

How typical are Stacey's two intriguing examples? Looking for nontraditional relationships in California is about as difficult as looking for sand in the Mohave Desert. Two families are more than enough material for a novel, which is what this anthropological tour de force reads like. "The American family" in its full diversity, however, remains beyond Stacey's scope.

**OUT OF BEDLAM:** The Truth About Deinstitutionalization. By Ann Braden Johnson. Basic. 306 pp. \$22.95

In 1955 there were more than half a million public-hospital beds for mental patients in this country; today there are 100,000. Where most of these patients went after "deinstitutionalization" (as the phenomenon was named, largely after the fact) is the story of *Out of Bedlam*.

During the 1960s and early '70s, the medical profession was confident that new psychiatric drugs would soon make the state mental hospitals, or "snake pits," obsolete. The hospitals

themselves, or the state governments financing them, were only too glad to pass their burden off to community health centers. Finally, lawyers and legislators, influenced by anti-psychiatric works such as R. D. Laing's *The Divided Self* (1960) and Thomas Szasz's *The Myth of Mental Illness* (1967), enacted regulations to change hospital inmates from mental patients into victims of oppression.

Johnson, who heads the mental health services for women in New York's Rikers Island jail, originally supported deinstitutionalization. Now she sees it as "a self-serving, politically motivated, fiscally oriented move on the part of government to rid itself of an unrewarding and expensive public burden." Yet, curiously, this cynical move has been justified by a "high-minded, idealistic, happy faith in our society's willingness to tolerate the presence of the bizarre and the deviant."

What exactly went wrong? During the early 1960s, the state mental hospitals began sending their patients to inadequate nursing homes and ill-funded community residences which at the time received no federal support. And when Medicaid (starting in 1965) and federal disability insurance (starting in 1974) began providing support, neither required recipients to receive treatment. Nor did the federal programs fund essential services such as day hospitalization, casework, advocacy, and vocational counseling. During the 1980s, as social programs were cut under President Reagan, the problems reached crisis proportions. Residents of state mental hospitals with no families to return to found their ways into decreasing numbers of nursing homes and care facilities or—more commonly—into jails, shelters, and the streets.

Johnson does not pin the blame on deinstitutionalization as much as on "the fact that we implemented it in a very hypocritical way." In those few cases where adequate programs exist, deinstitutionalization works. At the Fairweather Lodge in New York City, for instance, former patients live and work together, while the Program for Assertive Community Treatment actively monitors outpatients' medication and trains them in everyday skills. But with the mental health system split between those who know the patient population and those who exercise bureaucratic control, Johnson doubts whether such programs can be implemented.

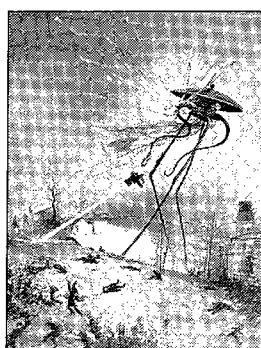
on a large scale. Her readable, humane study underscores the difficulty of coming up with answers. She can propose nothing more—or less—than a plea for a system that treats mentally ill people as individual medical patients instead of as statistics.

#### Science & Technology

**MARS BECKONS:** The Mysteries, the Challenges, the Expectations of Our Next Great Adventure in Space. By John Noble Wilford. Knopf. 244 pp. \$24.95

"Someone's crawling out of the hollow top—someone or . . . something . . . I can see the thing's body now . . . I can hardly force myself to keep looking at it, it's so awful . . . with saliva dripping from its rimless lips that seem to quiver and pulse." This description of Martian invaders, from Orson Welles's 1938 *War of the Worlds* broadcast, terrified the country, in part because it was then accepted as common knowledge that life existed on Mars. If Earth had a twin anywhere, it was Mars, with its similar axial tilt, its polar caps, and its 24-hour days. In 1877, the astronomer Giovanni Schiaparelli sighted a system of "canals" on Mars. They seemed to indicate intelligent life and the means to sustain it, water. Even after 1947, when spectroscopy (an analysis of the light waves reflected off the planet) determined that the atmosphere consisted primarily of carbon dioxide and very little oxygen, scientists and lay people still believed that some forms of life existed on Mars. Then in the 1965 space probe, Mariner 4 swung within 6,118 miles of the planet for a closer look.

What it found, says Wilford, a two-time Pulitzer Prize winner and a science correspondent for the *New York Times*, was an arid land whose "canals" were nothing but an optical illusion. Finally, in 1976, the Viking spacecraft touched down on



the surface of Mars and relayed back actual images of the planet. Mars was stranger than science fiction: Although half the size of Earth, it had sand dunes vaster than the Sahara, a grand canyon as long as the distance from New York to Los Angeles, and a volcano twice the size of Everest. But there was no sign that Mars could support life. Its surface lacked the protection of a dense atmosphere and was so heavily bombarded by radiation that no carbon-based forms (i.e. life as we know it) could possibly survive. Even astronomer Carl Sagan, who had long held out hope of finding life on the "red planet," acknowledged that Mars's surface was "antiseptic with a vengeance."

Yet Mars still beckons. President George Bush has called for America to land a man on Mars within the next 30 years. Wilford seconds this proposal, though he makes no compelling case for the mission. Oddly, in envisioning the exploration of Mars, Wilford ignores costs. In the past two years the National Aeronautics and Space Administration's budget has risen by 36.6 percent, even though the agency initiated no new projects. To get humans to Mars, a roundtrip of 48 million miles, could cost an almost inconceivable \$400 billion. Now, three decades after John F. Kennedy exhorted Americans to send a man to the moon, we may be reaching the outer limits of space exploration: the ability to pay for it.

**HISTORY OF SYPHILIS.** By Claude Quétel. Trans. by Judith Braddock and Brian Pike. Johns Hopkins. 342 pp. \$35.95

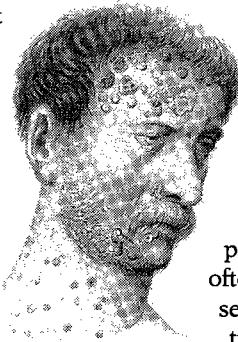
There are two histories of syphilis. According to the popular version, scientists and doctors waged a long war against the disease, gaining victory with the 20th-century discovery of penicillin. Claude Quétel, a historian at the Centre nationale de la recherche scientifique in Paris, has written a rather different story.

For 500 years, Quétel says, society has failed to gain control over a disease spread by a fragile organism that can barely survive a few hours outside the body. Although the syphilis bacterium can now be killed by a few injections, the disease is not only alive but spreading. The 70 million *reported* cases worldwide represent only the tip of the iceberg.

Quétel argues that the war against syphilis was never mainly between science and disease. From the very beginning, it was waged between those who sought to preserve syphilis as a scourge on sinners and those who sought its cure.

In the beginning, syphilis was a shepherd: In 1530, a Veronese poet wrote an epic about a shepherd whom the gods punished with a venereal disease. The poem supplied a name for a disease that a few years earlier, Quétel says, had been "unheard of." The sudden appearance of the disease in Italy just after the discovery of the New World led many Europeans to believe it came from America. (Its origins actually are unclear, which might be less a mystery if Quétel had investigated earlier writers, including the 12th-century's Hildegard of Bingen, who wrote about a "*lepra incontinentia*.") During the years 1510-20, as syphilis spread throughout Europe, each country named it after its enemy of the day. The Italians called it the French sickness; the French, the Neapolitan disease. Later the Japanese would name it the Chinese ulcer.

Medical understanding of the disease long remained confused. Some ascribed it to "the magnetic frictions produced by an act of copulation, a kiss . . . or even the flutter of the eyelids." Moralists were less troubled by uncertainty. During the 18th century, "abolitionists" (those wanting to abolish the registration of prostitutes) "refused to teach the general public to protect itself on the grounds that to do so would be to promote debauchery." During the next century, the Vatican condemned the con-



dom, manufactured by balloon makers, as "thwarting the decrees of Providence." For the moralist, syphilis had the advantage of making sin visible.

In *Illness as Metaphor* (1979), Susan Sontag explains how diseases, especially those involving psychiatric disturbances or sexuality, often have been linked to heightened sensibility and creativity. In 19th-century literature, syphilis was a more common subject than alcohol or drugs. The French author Guy de Maupassant boasted at age 27, "I've got the pox [syphilis]! at last! the real thing! not the contemptible clap [gonorrhea]." From Rabelais to Boswell to Isak Dinesen, writers who "romanticized" venereal disease hardly differ from those moralists who see it as a well-deserved punishment. Both subscribe to the myth that connects the illness harming the body to a necessary development in the soul. It is this myth that scientists have battled for centuries in the attempt to gain mastery over disease.

The five-century history of syphilis is important, Quétel insists, because AIDS has experienced the same tensions and obstacles in its short 10-year history. Curiously, when he comes to the subject of AIDS, Quétel seems to regret a certain amoral attitude: "We are increasingly unwilling to blame anyone for anything," he writes; "the disease is [merely] transmitted by sex, just as malaria is transmitted by mosquitoes." With this statement, he demonstrates the old difficulty of separating morality from science that made—and still makes—diseases like syphilis difficult to combat.

## The President We Love to Blame

Vilification is the lot of U.S. presidents. But as even Richard M. Nixon found, leaving the White House can, in time, do wonders for one's reputation. An exception seems to be Lyndon B. Johnson (1908-73). In the 22 years since he left office, he has been reviled by biographers, lashed by assorted critics, and scorned by the public. Bitter memories of Vietnam, the "credibility gap," and the disappointments of the Great Society have not died. What has been lost, historian Robert Dallek argues, is an appreciation of the considerable merits and accomplishments of our 36th president.

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*by Robert Dallek*

**H**e was the dominant political figure of the 1960s. He challenged us to wipe out poverty, to end racial segregation, and to win a morally confusing war in a remote place. But Lyndon Baines Johnson has largely receded from the American memory. Where biographical studies of Roosevelt, Truman, Kennedy, and Nixon abound, Johnson is something of an unloved orphan. Twenty-two years after he left the White House, and long after he christened a magnificent 11-story presidential library housing millions of pages of material, no historian has published a major research study of his life, and two journalists promising to do so, Ronnie Dugger and Robert Caro, have merely vilified him in books that only come up to the 1950s, the years of his Senate career.

This paucity of work, compared to the numerous biographies devoted to other presidents, partly reflects the public's low esteem for Johnson. A 1988 Harris poll on

presidential performance from Franklin D. Roosevelt to Ronald Reagan showed that Americans consistently ranked Johnson near or at the bottom of every category. Asked which of these presidents made them feel proudest of being an American, most inspired confidence in the White House, and could be trusted most in a crisis, respondents consistently put LBJ last, along with Gerald Ford and *behind* Richard M. Nixon.

Who will history view as the best among these presidents? Only one percent chose Johnson. The president best able to get things done? Three percent said Johnson, one percent more than said Jimmy Carter and two percent more than said Ford. And the president who set the highest moral standards? John F. Kennedy, Reagan, and Jimmy Carter, in that order, led the list. Johnson stood alone in last place, chosen by only one percent of the sample. Even Nixon fared better!

Johnson's distinction as the only president in American history to have lost a war

is certainly one reason for his poor standing. Conservatives deplore his timidity in fighting a "limited war" and his failure to do what was needed against North Vietnam. Liberals denounce his affinity for a knee-jerk anticommunism that drew the United States into a civil war that had little to do with U.S. national security. Many other Americans simply see "Johnson's war" as a pointless conflict, escalated by stealth, that claimed 58,000 American lives and divided and demoralized the country.

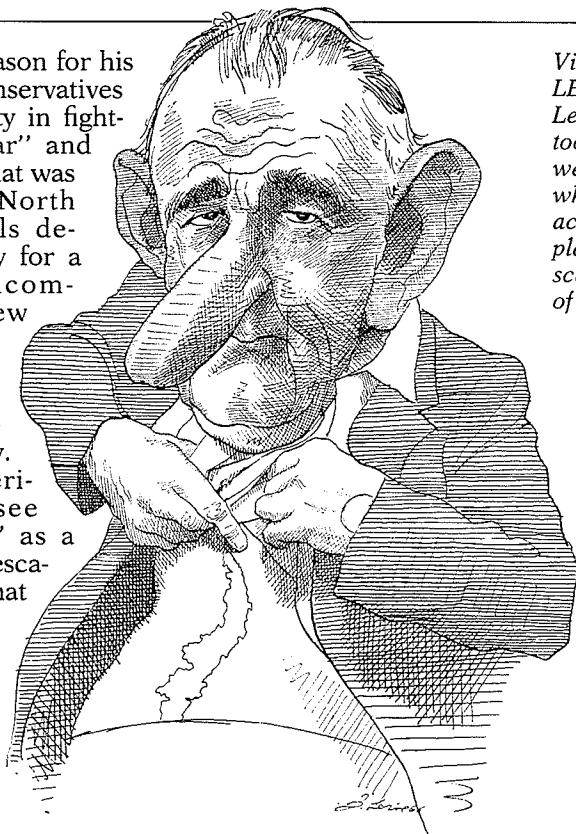
Johnson has also been hurt by his reputation as a political

operator who lied to the public throughout his career and made himself rich during the 1940s and '50s by exploiting his connections at the Federal Communications Commission to develop lucrative radio and television properties. Stories of Johnson's wheeling and dealing are legion. One of my favorites concerns a visit Johnson made to former president Harry S. Truman's home in Independence, Missouri, in the fall of 1968. "Harry," Johnson said, "you and Bess are getting on in years. You ought to have an Army medical corpsman living with you in this big old house."

"Really, Lyndon, can I have that?" Truman asked. "Of course, you can. You're an ex-president of the United States. I'll arrange it," Johnson replied.

After LBJ left the White House in 1969, a reporter caught up with him one day on the banks of the Pedernales. "Is it true that you have an Army medical corpsman living here on the ranch with you?" the journalist asked. "Of course it's true," Johnson said. "Harry Truman has one."

A backlash against Johnson's Great So-



*Vietnam was, and is, LBJ's chief scar. David Levine's classic 1968 cartoon was a takeoff on a well-known incident in which the president, often accused of vulgarity, displayed a fresh surgical scar to startled members of the press.*

cietiy social programs has also taken its toll. As journalist Nicholas Lemann wrote not long ago in the *Atlantic* (December 1988): "There is a widespread perception that the federal government's efforts to help the poor during the 1960s were almost unlimited; that despite them poverty became more severe, not less; and that the reason poverty increased is that all those government programs backfired and left their intended beneficiaries worse off. The truth is that the percentage of poor Americans went down substantially in the 1960s." Nevertheless, it is the negative perception rather than the positive reality of the War on Poverty that shapes the public view of LBJ.

The few Johnson biographies that have appeared since he left the White House have sent his already tarnished reputation into a free fall. I think here particularly of Dugger's *The Politician* (1982) and the first two volumes of Caro's *The Years of Lyndon Johnson* (1982 and 1990) as well as *Remembering America: A Voice from the Sixties* (1988), the recollections of Richard

Goodwin, a Kennedy-Johnson aide. Goodwin depicts Johnson as an emotionally unstable personality, so "paranoid" about Vietnam critics that Goodwin consulted a psychiatrist and considered public disclosure of Johnson's state of mind. In his bestselling books, Robert Caro has portrayed Johnson as an unprincipled scoundrel—a self-serving, deceitful, power-hungry opportunist. Caro writes of LBJ's "hunger for power...not to improve the lives of others, but to manipulate and dominate them.... It was a hunger so fierce and consuming that no consideration of morality or ethics, no cost to himself—or to anyone else—could stand before it." Johnson had, Caro says, "a seemingly bottomless capacity for deceit, deception, and betrayal."

**I**t is instructive to compare the post-presidential reputations of Richard Nixon and Lyndon Johnson. Unlike LBJ, Nixon has won a measure of public redemption. His dogged 17-year campaign to convince Americans (yet again) of his virtues partly explains this. The waning of the Cold War and the triumph of detente, with which the Nixon presidency is closely associated, has also served Nixon's cause. But his resignation from the White House in 1974, which is generally seen as the worst public humiliation ever suffered by an American president, may have played the largest part. Nixon's implicit admission of fallibility has won him a degree of public forgiveness. By contrast, Johnson did not live long enough—for only four years after he left office—to work at repairing his reputation. He never acknowledged any failing—never "'fessed up" or asked forgiveness for mistakes or wrongdoing. It is a great irony of history that Nixon, the Republican who identified with and sought to serve the interests of the well-to-do, has come to be seen as a sort of fallible common man. But Johnson, the populist who tried to help the disadvantaged, is re-

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membered as a man apart from the people, a kind of arrogant potentate too imperious to acknowledge weaknesses common to ordinary men.

The popular perception of Johnson is captured in a drawing that accompanied Lemann's *Atlantic* article. Dressed in a blue Napoleonic uniform with gold epaulettes, a red sash, medals, and saber at his side, Johnson sits at a dressing table smiling at himself in a mirror that reflects not only his image but that of two black cherubs holding a halo above his head. A gold pocket watch and a photograph of an avuncular FDR are on the dressing table. It is a portrait of a totally self-absorbed, grandiose character intent only on his image in history.

That caricature has a basis in fact. Johnson needed to hold center stage and to advance himself at every turn. Reared in poverty in the remote Texas Hill Country, Johnson was driven by the power of an ambition that was, as somebody once said of Abraham Lincoln's, "a little engine that knew no rest." It helped carry him to the U.S. House of Representatives (1937) and Senate (1948), the vice presidency, and the White House. But ambition alone did not give LBJ the wherewithal, the inner confidence, to imagine himself in Congress or the Oval Office. In one of the many paradoxes that shaped his life, Johnson was not simply an impoverished farm boy who made good. He also possessed a family history—his ancestors included congressmen, a governor, prominent Baptists, a college president, and a father who was a state legislator—which gave initial stirrings to his dreams. Although he suffered painful self-doubts throughout his life, he considered his heritage a birthright to govern and lead. As an elementary school teacher in Cotulla, Texas, as director of the New Deal's National Youth Administration in Texas between 1935 and 1937, and during his 32 years in Washington, Johnson could be utterly self-serving,

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but he also had a strong sense of *noblesse oblige*, which made him eager to improve the lot of the less fortunate. While acknowledging LBJ's many flaws, Harvard psychiatrist Robert Coles once wrote that his "almost manic vitality was purposefully, intelligently, compassionately used. He could turn mean and sour, but . . . he had a lot more than himself and his place in history on his mind."

Even so, Johnson was, as former U.S. Secretary of State Dean Acheson once told him to his face, "not a very likeable person." He needed to be the best, to outdo everybody. As Nicolas Lemann writes, Johnson "wanted to set world records in politics, as a star athlete would in sports. 'Get those coonskins up on the wall,' he would tell people around him." Above all, he wanted to surpass his mentor FDR by passing more reform legislation and winning a bigger electoral victory than Roosevelt had in 1936. When he was presented with a set of presidents' State of the Union messages, Johnson said: "You know, my recent State of the Union Address was shorter than Mr.

Kennedy's 1963 speech. But everyone thought mine was longer, because I was interrupted for applause more often than he was."

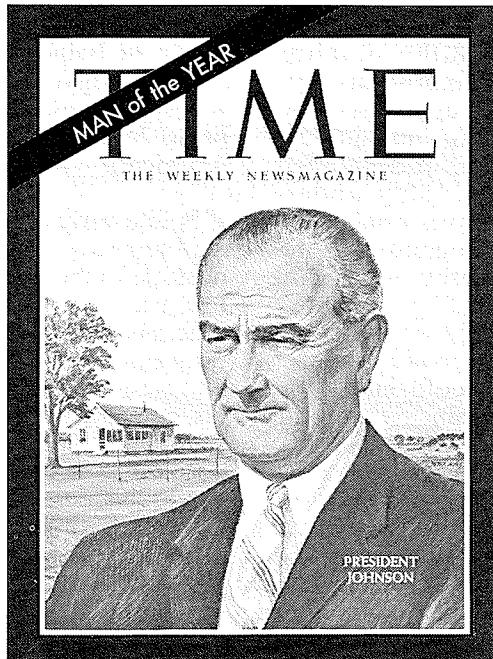
Johnson's driven, overbearing personality is, however, only part of the story. *New York Times* columnist Russell Baker remembers Johnson as "a human puzzle so complicated nobody could ever understand it." Baker, who covered the Senate for the *Times* during the late 1950s, when Johnson was majority leader, describes the upper house as filled with a cast of remarkable men. Yet, all of them, "from a writer's

point of view . . . were long magazine pieces who might at best, with plenty of coffee and cigarettes, be stretched into thin campaign biographies. Johnson was the exception. Johnson was a flesh-and-blood, three-volume biography, and if you ever got it written you'd discover after publication that you'd missed the key point or got the interpretation completely wrong and needed a fourth volume to set things right. He was a character out of a Russian novel, one of those human complications that filled the imagination of Dostoevsky, a storm of warring human instincts: sinner and saint, buffoon and statesman, cynic and sentimental, a man torn between hungers for immortality and self-destruction."

Not only have we been content with one- and two-dimensional portraits of LBJ, we have also focused too much attention on Johnson himself, at the expense of larger historical themes. I am not suggesting that a Johnson biography relegate the man to a secondary role that neglects his colorful personality and the ways in which he used the sheer force

of his character to advance himself and his ends. But when unsavory revelations are related with little emphasis on Johnson's contribution to the transformation of America between 1937 and 1969, we are left with an ahistorical portrait of a self-serving man who made little difference in recent American history.

When Charles de Gaulle came to the United States for John Kennedy's funeral in 1963, he made an interesting comparison. This man Kennedy, de Gaulle said, was the country's mask. But this man Johnson was the country's real face. De



*Better days: after LBJ won a 61 percent landslide over Senator Barry Goldwater in 1964.*

Gaulle's observation has much to recommend it: Johnson is an excellent vehicle for studying America since the 1930s.

For example, Johnson's part in the "nationalization" of the South and the West, as they were integrated into the national economy, is a largely neglected piece of American history. Johnson was a materialist who saw the economic transformation of both sections as essential to their well-being. In this he was hardly typical. Economist Gavin Wright argues in *Old South, New South* (1986) that most southern congressmen and senators in the 1930s were more concerned with maintaining "the separateness of the southern labor market . . . than with bringing federal money into their districts" and states. Yet, Wright says, the basis for maintaining the South's economic isolation or separation was already being thoroughly undermined. "Under the incentives established by the New Deal farm programs, plantation tenancy was disintegrating, and sharecroppers were being turned into footloose wage laborers. At the same time, federal labor policies had sharply raised the level of base wage rates in the South, effectively blocking the low-wage expansion path for regional industry."

Johnson supported all of the New Deal legislation and agencies, from the Works Progress Administration to the Farm Security Administration, that could speed the transformation of southern economic life. Through the Reconstruction Finance Corporation, the Public Works Administration, and the Rural Electrification Administration, among others, the New Deal raised living standards and transformed the lives of southerners and westerners. "We no longer farm in Mississippi cotton fields," novelist William Faulkner said. "We farm now in Washington corridors and congressional committee rooms." No one in the House or Senate was a more active farmer than Johnson. By the early 1950s, partly because of Johnson's efforts, south-central Texas had been transformed into a more prosperous region by dams built on the Lower Colorado River; Texas had more military airfields than any other state in the Union; and the Sunbelt was on the verge of becoming the dominant political and economic force in American life.

Yet Johnson's most important role may have been as a pioneer in reaching out to the disadvantaged and combatting racial segregation. For all his self-serving ambition, Johnson never forgot his childhood poverty. He did not become involved in these efforts simply when it became politically expedient, during the late 1950s and early 1960s. As early as the 1930s, he exerted himself consistently on behalf of black, Hispanic, and poor white Texans, and he secretly aided Jewish refugees from the Nazis to enter the United States. (Sensitized to the issue by the plight of the Austrian Jewish musician Erich Leinsdorf, whom he helped to obtain a visa in 1938, Johnson began working with a prominent Jewish businessman from Austin, Texas, to bring Jews out of Europe through Latin America.)

Quite early in his political career, Johnson saw racial discrimination as an obstacle to the South's economic progress. According to Harry McPherson, a long-time LBJ aide, Johnson was "your typical southern liberal who would have done a lot more in the field of civil rights early in his career had it been possible; but the very naked reality was that if you did take a position . . . it was almost certain that you would be defeated . . . by a bigot . . . But Johnson was one of those men who early on disbelieved in the southern racial system and who thought that salvation for the South lay through economic progress for everybody." As head of the Texas National Youth Administration and afterward as a congressman, Johnson kept trying to assure that a share of New Deal student grants, job training, agricultural subsidies, and low-rent public housing went to blacks—at a time when blacks in Texas were in no position to reward him with votes. And after the mid-1950s, when southern blacks began challenging segregation, Johnson believed that no southerner would win the White House without confronting the civil rights question.

Johnson also believed that the race question diverted the South from attending to its economic and educational woes. As Johnson later told his biographer Doris Kearns, author of *Lyndon Johnson and the American Dream* (1976), the South during

the 1940s and '50s was "on the verge of new possibilities for rapid expansion. However, the realization of these possibilities was far from certain . . . Among the most significant determinants of southern prospects would be the willingness of southern leadership to accept the inevitability of some progress on civil rights and get on with the business of the future."

In 1957, three years after he became majority leader, Johnson pushed a largely symbolic civil rights bill through the Senate. Narrowly focused on voting rights, with no effective enforcement provisions, the bill was denounced as a sham. Eleanor Roosevelt called it "mere fakery." Prominent black leaders Ralph Bunche and A. Phillip Randolph thought it would have been better to have no bill. The liberal Senator Paul Douglas of Illinois disdainfully remarked that the bill "was like soup made from the shadow of a crow which had starved to death." Nevertheless, many civil rights proponents considered the bill a significant advance for the time. Former FDR adviser Benjamin Cohen called it "a great, historic event . . . the first time in over three quarters of a century [since 1875] that the Senate has taken positive action on a civil rights bill." Black civil rights leader Bayard Rustin thought it was a weak law that nevertheless would "establish a very important precedent." Rustin was right. The 1957 law was more symbol than substance, but it worked a radical change in legislative behavior. Effective civil rights legislation was no longer out of reach. The "mere fakery" of 1957 led directly to great victories seven years later: the 1964 Civil Rights Act and the Voting Rights Act of 1965.

Likewise, Johnson's successful advocacy of Medicare and Medicaid as president rested upon precedents for federal health care for the aged and indigent that he helped lay earlier in his career. In 1956, over the objections of President Dwight D. Eisenhower, Johnson drove a landmark Social Security bill through the Senate. By providing benefits to totally disabled persons at the age of 50 instead of 65, the bill began the transformation of Social Security, as Eisenhower complained, from a retirement plan to "a vehicle for broad social welfare schemes." "I happen to

believe passionately in Social Security," Johnson wrote to labor leader George Meany. "I went through the Depression and saw what it did to our older people. A country that is as great as ours does little enough for them." Spending four 12-hour days on the floor of the Senate in the closing phase of the battle, Johnson won passage of the bill by 47 to 45. The crucial vote came from conservative Nevada Republican George (Molly) Malone, whom Johnson promised a tungsten subsidy that aided Nevada interests and boosted Malone's chances of reelection in 1958.

Passage of these early Social Security and civil rights reforms partly rested on Johnson's powerful hold on the Senate when he was majority leader—a hold that nobody since has rivaled. Johnson made personal persuasion into a science. The famous Johnson Treatment, as journalists Rowland Evans and Robert Novak called it, consisted of "supplication, accusation, cajolery, exuberance, scorn, tears, complaint, the hint of threat. It was all these together. It ran the gamut of human emotions. Its velocity was breathtaking, and it was all in one direction . . . He moved in close, his face a scant millimeter from his target, his eyes widening and narrowing, his eyebrows rising and falling. From his pockets poured clippings, memos, statistics. Mimicry, humor, and the genius of analogy made The Treatment an almost hypnotic experience and rendered the target stunned and helpless." Great preparation, however, preceded the Treatment. Johnson told reporter Sarah McClendon that he had "a complete study made of the life of each Senator. He knew everything about them, their weaknesses, their good and bad things. And this he needed, he felt, to work with those men and to get along with them." Clark Clifford, adviser to Democratic presidents since Truman, said that Johnson "played the Democrats in the Senate the way a skilled harpist would play a harp. He knew which string to pull at a particular time and how he could bring a fellow along."

In the White House, Johnson put all his political talent and drive for personal greatness in the service of a prosperous, progressive America, a Great Society liberated from prejudice and poverty. Declar-

ing "an unconditional war on poverty," Johnson launched in 1964 what one journalist called "the most bellicose program of social reform in history." In 1964–65, the president drove a host of reform bills through Congress that, in the words of one Washington reporter, "brought to a harvest a generation's backlog of ideas and social legislation." The list of new laws and agencies is long: Medicaid, Medicare, federal aid to education, Head Start, the Job Corps, Model Cities, pollution control, federal aid to the arts, and many more.

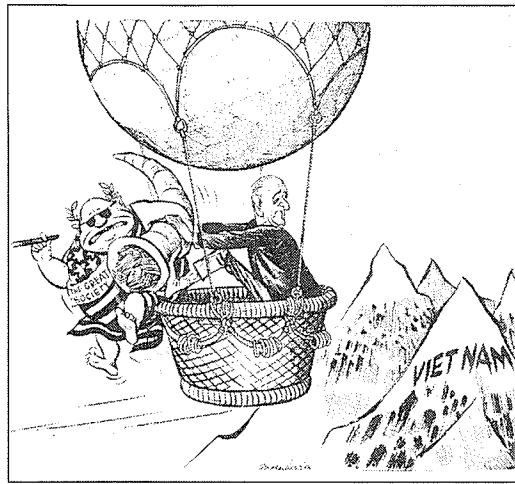
Diametrically opposed claims about the consequences of Johnson's Great Society programs have been a point of depar-

gains the poor made, these critics say, came much less from the Great Society than from economic growth fueled by spending on the Vietnam War. The arguments on both sides represent a bit of overkill. The truth about the Great Society probably lies somewhere between.

However one assesses Johnson's political effectiveness and vision in domestic affairs, all was overshadowed by his destructive limitations in foreign affairs. His shortcomings in dealing with foreign policy, notoriously Vietnam, were not the result of parochialism or ignorance of the world. Johnson spent over two decades involved in defense and foreign policy questions, as a member of the House Naval Affairs and the House and Senate Armed Services committees. In 1960, President Eisenhower told the *New York Times* that he could not understand how the Democrats could consider nominating an "inexperienced boy" like Kennedy, "or for that matter [Stuart] Symington or [Adlai E.] Stevenson. Lyndon Johnson . . . would be the best Democrat of them all as president from the viewpoint of responsible management of national affairs."

Why then did Johnson commit America's power and prestige in a risky land war in Asia? Like Truman, Eisenhower, Kennedy, and most of America's foreign policy leaders after World War II, Johnson believed that communism threatened the American way of life and that any communist gain anywhere weakened the long-term U.S. effort to defeat the worldwide communist menace. And with the memory of the Allies' appeasement of Hitler still strong, Johnson and other American leaders saw resistance to communist aggression in Vietnam as a way to prevent a larger war. Withdrawal from Vietnam or a compromise that ended in a communist victory, Johnson also worried, would produce a new round of McCarthyism, the defeat of his administration, and an end to Great Society reforms.

The irony, of course, is that American involvement in Vietnam helped bring about exactly what it was supposed to prevent: It destroyed Johnson's presidency and his efforts to build a Great Society. Unanticipated problems in Vietnam went far to undermine Johnson. But the "credibil-



*The growing cost of the Vietnam War is often blamed for the demise of Great Society programs, but shrinking political support also hurt.*

ture for evaluating his presidency. Though Johnson's advocates freely admit that his Great Society was "underfunded and oversold" and that part of what his administration did fell short of stated goals or failed completely, they nevertheless claim victory. They assert that between 1961 and 1969, as a result of a substantial tax cut in 1964 and the benefits extended to needy Americans, the nation's 22 percent poverty rate was cut in half. Charles Murray, the author of *Losing Ground* (1984), and other critics of the Great Society have argued that the programs "not only did not accomplish what they set out to do but often made things worse." Whatever economic

ity gap"—the public loss of confidence in his sincerity—played as large a part in Johnson's political demise. In dealing with Vietnam, Johnson forgot the lesson that Roosevelt had applied before Pearl Harbor: To maintain a policy abroad you need a stable consensus at home. Had Johnson allowed a national debate to occur and built a solid consensus for escalation, he could have blunted some of the criticism that Vietnam was essentially "Lyndon Johnson's war." More important, a less imperious or more democratic American involvement in Vietnam would have given Johnson leeway to withdraw gracefully from the conflict.

The question is: Why did so astute a politician so badly mismanage the domestic politics of Vietnam? The answer lies partly in Johnson's pre-presidential experience with foreign affairs. Presidents, and congressional leaders too, had often been high-handed and imperious when they were convinced they were serving the national interest abroad. Johnson, like most of his Capitol Hill counterparts, supported Truman's unilateral decision to fight in Korea, the Eisenhower administration's secret operations in Iran and Guatemala in 1953–54, and congressional resolutions in 1955 and 1957 endorsing executive freedom to defend Formosa and the Middle East. Johnson's Tonkin Gulf resolution of 1964 partly rested on these precedents of the Truman-Eisenhower era.

Johnson's affinity for secret machinations in foreign affairs also grew out of a life-long practice of cutting political corners. Johnson viewed politics as a dirty business in which only the manipulative succeeded. He did not come to this simply out of some flaw in his character. He learned it in the rough-and-tumble Texas politics of the first half of the 20th century. And almost every political figure Johnson admired or loathed, both in Texas and in Washington—Alvin Wirtz, Maury Maverick, Sr., Sam Rayburn, "Pappy" O'Daniel, Coke Stevenson, Thomas G. Corcoran, Harold Ickes, FDR, Harry Truman, Herbert Brownell, and Joseph, John, and Robert Kennedy—was certainly, in Johnson's

view, a master manipulator. Johnson, for example, knew how FDR, Truman, and Eisenhower used the Federal Bureau of Investigation (FBI) to serve their political ends. In 1941, Roosevelt wanted the FBI to prevent O'Daniel supporters from changing votes in east Texas and stealing the Senate seat won by LBJ. The FBI arrived on the scene too late to make a difference. (Johnson refused to take legal action against O'Daniel for fear that it would lead to revelations about his own corrupt campaign practices.) Johnson knew that Truman had the FBI wiretap Tommy Corcoran's telephones when the former FDR aide and Democratic kingpin wanted to replace Truman with Supreme Court Justice William O. Douglas as the Democratic presidential candidate in 1948. Johnson also knew that the Eisenhower administration had the FBI open a derogatory file on him in 1956 and even probe his tax returns. Johnson himself received a little help from J. Edgar Hoover in his own 1954 Senate reelection campaign.

Experience showed Johnson that secret operations were as much a part of politics as democratic discussions and public statements of policy. Consequently, when he believed that quick action for the good of the country was necessary in the Dominican Republic (in 1965) and Vietnam, he had few qualms about misleading the Congress and the public.

The coupling of Johnson and Vietnam goes a long way toward accounting for his current low standing in the polls. The animus toward Johnson may satisfy a continuing sense of moral revulsion toward the war. Historical understanding is, however, another matter. A more balanced assessment of Johnson must include his genuine contributions to American society during his long political career. Johnson was a figure whose election campaigns, accumulation of wealth, and manipulation of power in both domestic and foreign affairs say much about America during the four decades after 1930. We need to see his life not as a chance to indulge our sense of moral superiority but as a way to gain an understanding of many subjects crucial to this country's past and future.

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## Western Science, Eastern Minds

"I'm going crazy!" Would such an exclamation have the same meaning in Calcutta as it does in Chicago? Freud believed that psychoanalysis expressed laws that were scientific and as universally true as the laws of physics. But the patients whom analyst Sudhir Kakar sees in India have an understanding of the mind and body totally unlike Freud's—and most Westerners'. The "psyche" has had different histories in the East and West. The practice of psychotherapy in Asia shows what happens when those two histories collide.

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by Sudhir Kakar

Ramnath is a 51-year-old man who owns a grocery shop in the oldest part of the city of Delhi. When he took the unusual step of coming to see me, a Western-trained psychoanalyst, he was suffering from an unspecified anxiety which became especially acute in the company of his father. He did not call it anxiety, of course, but a "sinking of the heart." This condition was less than three years old, a relatively new development.

Ramnath had, on the other hand, long suffered from a number of other complaints, in particular a nervous stomach. It is now never quite as bad as it was in the months following his marriage some 30 years ago, when it was accompanied by severe stomach cramps and an alarming weight loss. His father had taken him to the hospital, where he was X-rayed and tested. Finding nothing wrong with him, the doctors had prescribed a variety of vitamins and tonics which were not of much

help. Older family members and friends had then recommended a nearby *ojha*—"sorcerer" is too fierce a translation for this mild-mannered professional of ritual exorcism—who diagnosed his condition as the result of magic practiced by an enemy, namely his newly acquired father-in-law. The rituals to counteract the enemy magic were expensive, as was the yellowish liquid emetic prescribed by the *ojha*, which periodically forced Ramnath to empty his stomach with gasping heaves. In any event, he was fully cured within two months of the *ojha*'s treatment and the cramps and weight loss have not recurred.

Before coming to see me about his more recent anxiety, Ramnath had been treated with drugs by various doctors: by allopaths (as Western-style doctors are called in India) as well as homeopaths, by the *vaidis* of Hindu medicine as well as the *hakims* of Islamic tradition. He had gone through the rituals of two *ojhas* and was thinking of consulting a third who was highly recommended.

His only relief came through the weekly gathering of the local chapter of the Brahmakumari (literally "Virgins of Brahma") sect which he had recently joined. The communal meditations and singing gave him a feeling of peace and his nights were no longer so restless. Ramnath was naturally puzzled by the persistence of his anxious state and its various symptoms. He had tried to be a good man, he said, according to his *dharma*, which is both the "right conduct" of his caste and the limits imposed by his own character and predispositions. He had worshipped the gods and attended services in the temple with regularity, even contributing generously toward the consecration of a Krishna idol in his native village in Rajasthan. He did not have any bad habits, he asserted. Tea and cigarettes, yes, but for a couple of years he had abjured even these minor though pleasurable addictions. Yet the anxiety persisted, unremitting and unrelenting.

**A**t first glance, Ramnath's understanding of illness and well-being seems incredibly cluttered. Gods and spirits, community and family, food and drink, personal habits and character, all seem to be somehow intimately involved in the maintenance of health. Yet these and other factors such as biological infection, social pollution, and cosmic displeasure—which most Asians would also acknowledge as causes of ill health—only point to the recognition of a person's simultaneous existence in different orders of being. To use Western categories, from the first birth cry to the last breath, an individual exists in his or her *soma*, *psyche*, and *polis*. In other words, a person is simultaneously a body, a self, and a social being. Ramnath's experience of his illness may appear alien to Westerners only because the body, the self, and the *polis* do not possess fixed, immutable meanings across cultures.

The concept of the body and the under-

standing of its processes are not quite the same in India as they are in the West. The self—the Hindu "subtle body"—is not primarily a psychological category in India, though it does include something of what Westerners mean by "psyche." Similarly, for most Indians, the *polis* consists not only of living members of the family and community but of ancestral spirits, other "spirit helpers," and the gods and goddesses who populate the Indian cosmos.

An Indian is inclined to believe that his or her illness can reflect a disturbance in any of these orders of being. If a treatment, say, in the bodily order fails, one is quite prepared to reassign the cause of the illness to a different order and undergo its particular curing regimen—prayers or exorcisms, for instance—without losing regard for other methods of treatment.

The involvement of all orders of being in health and illness means that an Indian—and this holds true for the Chinese or Japanese too—is generally inclined to seek more than one cause for illness in especially intractable cases. An Indian tends to view these causes as complementary rather than exclusive and arranges them in a hierarchical order by identifying an immediate cause and then more peripheral and remote causes.

To continue with our example: Ramnath had suffered from migraine headaches since his adolescence. Doctors of traditional Indian medicine, *Ayurveda*, had diagnosed the cause as a humoral disequilibrium—an excess of "wind" in the stomach which periodically rose up and pressed against the veins in his head—and prescribed *Ayurvedic* drugs, dietary restrictions, as well as liberal doses of aspirin. Such a disequilibrium is usually felt to be compounded by personal conduct—bad thoughts or habits which, in turn, demand changes at the level of the self. When a disease like Ramnath's persists, its stubborn intensity may be linked with his unfavorable astrological conditions, re-

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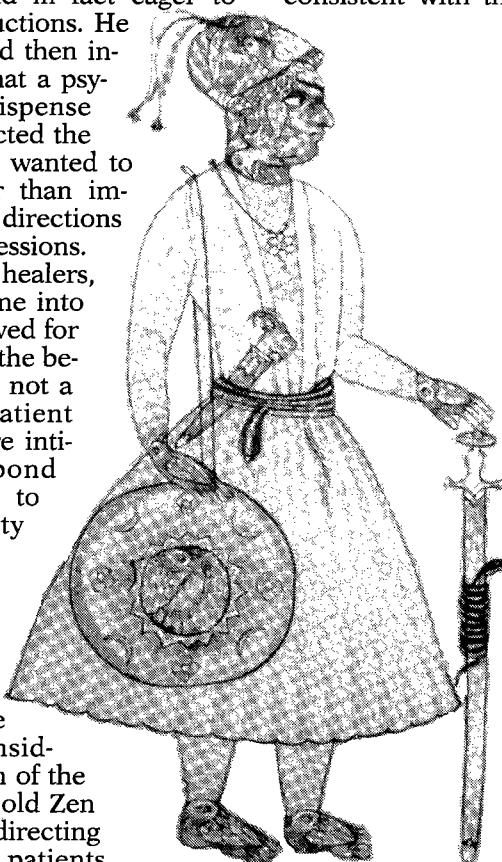
quiring palliative measures such as a round of prayers. The astrological "fault" probably will be further traced back to the bad *karma* of a previous birth about which, finally, nothing can be done—except, perhaps, the cultivation of a stoic endurance with the help of the weekly meetings of the "Virgins of Brahma" sect.

Ramnath had turned to me, a representative of Western psychological medicine in an Asian country, not knowing what to expect but willing and in fact eager to carry out all my instructions. He was at first puzzled and then increasingly dismayed that a psychoanalyst did not dispense wise counsel but expected the "client" to talk, that I wanted to follow his lead rather than impose my own views or directions on the course of our sessions.

In the universe of healers, Ramnath had slotted me into a place normally reserved for a personal guru. From the beginning, he envisioned not a contractual doctor-patient relationship but a more intimate guru-disciple bond that would allow him to abdicate responsibility for his welfare. This is, of course, not uncommon in modern psychotherapeutic practice in other Asian countries. In Japan, for instance, the therapist is often considered the personification of the wise old sage—like an old Zen master—benevolently directing sincere, hardworking patients toward happiness, in the tradition of the Buddha who rewards devotion with mercy.

We can understand Ramnath's dismay better if we remember that the guru model also demands that the therapist demonstrate his compassion, interest, warmth, and responsiveness much more openly than is usual or even possible in the normal model governing Western psychotherapeutic relationships. Furthermore, the emphasis on therapeutic communication

through words runs counter to the dominant Indian idiom in which words are only a small part of a vast store of signs and symbols. The pitch and intonations of voice, facial expressions, hand gestures, and bodily movements are expected to play a large role in any close interpersonal encounter. From Ramnath's viewpoint—and I tend to agree with him—my clinical detachment (though leavened with a subversive Indianness we both shared) was inconsistent with the way a guru ought to



*In the West, a person is defined, confined, and outlined by his body. This 18th-century drawing of a warrior with head and appendages made up of birds and animals shows how, in India, each person is seen as a microcosm of the whole natural and supernatural world.*

behave.

As Ramnath discussed his illness, there was a striking absence of the psychological terms which roll so easily off the lips of most Western middle-class patients. Ramnath, as I mentioned, complained of a "sinking of the heart" rather than anxiety. He would talk of a burning of the liver rather than rage. Here he is similar to the Chinese patient who talks of his *shen-qui* or "waning of the kidneys" and his *qi-ji* or "frustrated breathing." The absence of psy-

## ASIA'S HIDDEN HEALTH PROBLEM

For health conditions, the 20th century has been the proverbial best of times and worst of times in Asia. Infectious diseases, such as tuberculosis and typhoid fever, which once swept in mortal plagues across the Asian continent, have dramatically declined. Today, in industrialized East Asia, the death rate from infectious disease is among the lowest in the world. Even in India and in China, where the rate remains high, it has nonetheless dropped to less than half of what it was earlier this century.

But because of "modernization," and the changes in behavior and diet it has brought, Asian death rates from chronic disease have risen alarmingly. Consider only the "small matter" of cigarette smoking. In China, nicotine consumption increases by 10 percent each year; more than 60 percent of adult men now smoke. From 1957 to 1984, deaths from cardiovascular diseases rose by 250 percent, while deaths from cancer and stroke registered similar increases.

Yet it is in the realm of mental health and behavioral problems that modernization has had the gravest consequences. A "just-say-no" American politician could scarcely envision in his worst nightmare the increase in drug use—and drug-related violence—in the past few years in Asia. Fifteen years ago Pakistan had fewer than 50,000 heroin addicts; today it has more than one million. More than 10 percent of all adults in Thailand are addicted to some form of opium. As with drugs, so with drink: Alcohol consumption is rising, even in Japan and China, whose populations were once considered almost immune to alcoholism. The rise in drug and alcohol abuse is accompanied by increasing juvenile delinquency, family breakdown, abandonment of children, suicides, and widespread mental illness.

There is a fallacy or myth that mental illness is a "luxury" of advanced societies. In Asia, depression and anxiety account for more visits to primary-care providers than do infectious diseases. From 10 to 20 percent of all outpatient visits in Asian countries are for depression and anxiety, which, however, are usually neither diagnosed nor treated effectively. Even when a mental illness is no more common than in the past—as with schizophrenia—the sheer numbers

of cases in the populous Asian nations are daunting. There are six million schizophrenic patients in China, and one million in Pakistan. To treat them, Pakistan has perhaps 100 psychiatrists—one for every 10,000 schizophrenics. China may have, all told, 3,000 mental health experts and less than 80,000 hospital beds for the mentally ill. One fact is thus indisputable: Asia cannot follow the Western model for treating mental health problems.

And often what could be done is not done, so powerful is the stigma attached to mental illness. In Taiwan a \$70-billion trade surplus has financed the creation of outstanding medical facilities for all disorders—except mental illness. The mentally ill in Taiwan, as in mainland China, are simply locked up in appalling institutions. For patients seeking help on an outpatient basis, the prospects are hardly brighter. The length of the first visit to a health-care provider averages less than five minutes; the length of the typical return visit is only two minutes. In many Asian societies, the biomedical care system is thus as much the problem as it is the solution.

Economists tend to see modernization as an unalloyed good, but the psychologist must acknowledge that, in Asia at least, modernization has been accompanied by a grave worsening of mental health. What is to be done? Individual psychotherapy can help somewhat but is hardly available except to a narrow group of affluent Westernized elites. Beyond that, what good does it do when psychology or psychiatry defines problems but has nowhere near the resources needed to treat them? Does it help to label the victims of ethnic violence in India or in Sri Lanka as sufferers of "posttraumatic stress disorder?" Such medicalization trivializes the social and political sources and moral consequences of suffering, while it offers no health benefit to the millions who suffer.

—Arthur Kleinman, Professor of Anthropology and Psychiatry at Harvard, has conducted research in East Asia since 1968. He is the author of *Patients and Healers in the Context of Culture* (1980), *Social Origins of Distress and Disease* (1986), and *Rethinking Psychiatry* (1988).

chological language has led some Western psychiatrists to conclude that the Chinese or, for that matter, Indians tend to make psychological symptoms somatic. This may be a hasty conclusion. One reason for the physical presentation of symptoms by Asians is the greater shame associated with purely psychological complaints. Even more importantly, both the Chinese and the Indians do not distinguish as sharply between psyche and *soma* as Westerners do. M. L. Ng, a Hong Kong-based psychiatrist, remarks, "When a Chinese complains of *sinn i*, which literally means a pressing discomfort over the chest or heart, a fellow Chinese immediately understands that he is not just complaining about a heart or chest discomfort but also about a feeling of depression, worry, or loss." Similarly, in India if one tries to determine whether a patient who says "my heart does not feel up to it" or "my liver is not doing its work" actually means the physical organ or some emotional disturbance, it often evokes puzzlement, for the patient has never distinguished between the two aspects (body and emotion)—that is, if he or she is not Westernized.

The very word for health in Hindi—*swastha*, from the root *swa* (I) and *astha* (stable)—implies something which is present or stable in the "I": not in the body, not in the mind, not in the various organs, but in the underlying self.

As an analyst, one of my chief concerns is the personal, life-historical dimensions of Ramnath's symptoms, especially of the anxiety which gets worse in his father's presence. Ideally, I would like him to be biographically introspective, which I know is not a natural process in Indian or, for that matter, Chinese or Japanese culture. It is rarely recognized that such introspection—a *sine qua non* for psychoanalytically oriented therapies—is a peculiarly Western trait, deeply rooted in Western philosophical and literary traditions. It can be traced back to later Greek thought where the definitions of the self and of identity became contingent upon an active process of examining, sorting out, and scrutinizing the "events" and "adventures" of one's own life. This kind of introspection is simply not a feature of most

Asian cultures and their literary traditions. Indian autobiographies, for instance, with rare exceptions, are evocations of places and accounts of careers—records of events from which the self has been excised. The meditative procedures involved in Indian "self-realization," to which introspective activity might conceivably be compared, are of a different nature altogether and aim at radically different goals. The Indian injunction "Know thy Self" (*atmanam vidhi*) refers to a self very different from the one referred to by Socrates. It is a self uncontaminated by time and space and thus without the life-historical dimension which is the focus of psychoanalysis and of Western romantic literature.

An Indian analyst knows that his patients who are not highly Westernized will usually not recognize their emotional problems as having a genesis in a "psyche" or in their personal histories. If not attributed to possession by malevolent or unsatisfied spirits who definitely lie *outside* the individual, the disorders and conflicts are often seen as the product of the *karma* of a previous life. A woman in her early thirties, becoming aware of her rage against her husband as revealed in a dream, spontaneously exclaimed to me, "Ah, these are due to my *samskaras* [the karmic traces from a past life]. However hard I try to be a good wife, my bad *samskaras* prevent me." Introspection in the Western sense may have to be taught, so that an Indian analyst is often more didactic than his Western colleague, skirting perilously close to the analytical sin of suggestion. Yet heightened didactic activity on the part of the Indian or Asian analyst need not be *ipso facto* suggestive, which would be to go against his professional identity. The analyst can exhort, encourage, and interact, so long as he refrains from suggesting the content of an unconscious conflict and lets the patient discover it for himself.

The conflicting demands of an Asian culture and of Western psychotherapy, however, are not always so easy to reconcile. The reconciliation becomes much more difficult if the therapist and the patient do not share—as they often do not in Asian countries—fundamental cultural assumptions about human nature, human experience, and the fulfilled human life.

## PSYCHOTHERAPY IN JAPAN: HAMLET WITHOUT GERTRUDE

Can psychotherapy, laden with its "Western" assumptions about the individual, be directly imported into Asia? Japan would seem the ideal country to test this question.

Psychotherapy works best in a secular culture, and the Japanese are at least as secular as Europeans and Americans. Individual psychotherapy is also an expensive proposition, but Japan is the one Asian nation sufficiently affluent to support psychotherapy on a wide scale. Even in the West, many intellectuals, from D. H. Lawrence to Jean-Paul Sartre, opposed the psychoanalytic understanding of the unconscious, but Japanese writers and novelists have explored the workings of an inner mind as irrational and perverse as anything in Freud. And the Japanese have certainly integrated every other Western social science—anthropology, political science, sociology—wholeheartedly into their culture.

The supposed affinity of the Japanese for psychotherapy proves, at first glance, justified: Graduates of Buddhist seminaries talk about Freud, and the popular "new religions" hire psychologists to conduct group-therapy sessions. Yet when it comes to individual psychotherapy, there seems to be a resistance to many basics of Freudian psychology. The reasons for this, according to George De Vos, a psychologist in the an-

thropology department at Berkeley, are not hard to find.

The Japanese may have largely dispensed with a religion of the gods, De Vos observes, but they still have a religion—that of the family. Because of the family's sacrosanct character, Freudian investigations into its workings—such as ambivalence toward a parent or a parent's role in a patient's neurosis or, especially, the ways in which a maternal figure may not be all-loving and good—are practically taboo. "Such concepts," De Vos writes, "cannot be pursued by a Japanese who wishes to remain Japanese."

A Japanese, instead of investigating his past, romanticizes it: Instead of analyzing his early childhood, he creates fictions about it. The Japanese, De Vos says, learn to control their thoughts hypnotically: "One comes to reinterpret past behavior of parents as possible expressions of love, perhaps previously ignored or misinterpreted because of one's immature selfishness."

Even for adults, expressions of individuality are often considered signs of selfish immaturity. Freud's definition of psychological health described an autonomous individual. But for most people in Japan, De Vos writes, "autonomy is anomie—a vertigo of unconscionable alienation leaving life bereft of purpose." Consequently, the Westernized

For psychotherapy depends upon how health and maturity are defined in a particular culture. Even Sigmund Freud conceded this point when he wrote, "In an individual neurosis we take as our starting point the contrast that distinguishes the patient from his environment, which is assumed to be 'normal.'" In other words, psychotherapy is the practical application of cultural myth that is normally shared by both the patient and the therapist.

**T**he model of man underlying most Western types of psychotherapy is uniquely a product of the post-Enlightenment period in Western history. In the psychological revolution that occurred during this period, the older ideas about the metaphysical scope of the mind narrowed and the mind came to be viewed as an isolated

island of individual consciousness, profoundly aware of its nearly limitless subjectivity. The perspective of almost all varieties of modern psychotherapy is thus informed by a vision of human experience that emphasizes man's individuality and his self-contained psyche. Each of us lives in his own subjective world, pursuing personal pleasures and private fantasies, constructing a life and a fate which will vanish when our time is over. Together with other value-laden beliefs of the Enlightenment—in individual autonomy and individual worth, in the existence of an objective reality that can be known, in the possibility of real choice—the individualist model of man has pervaded contemporary psychotherapy.

The goals of Western forms of psychotherapy are then very much related to the

understanding of mental illness and healing is, in Japan, often stood on its head: A neurosis, for example, is not the person's inability to achieve "individuation" but his incapacity to fulfill role expectations.

Alan Roland, the author of *In Search of Self in India and Japan* (1988), agrees with many of De Vos's conclusions, but he nonetheless finds that psychotherapy is slowly taking hold in Japan. The Japanese Psychoanalytic Association alone has over 1,000 members, 80 percent of them psychiatrists. Roland says that Japan was never burdened by a colonial legacy which denigrated its indigenous culture. Japanese psychotherapists have thus found it easy to maintain the uniqueness of the Japanese psyche, and they have re-written classical psychoanalytic theory with an unFreudian lack of inhibition.

The all-important Oedipus complex, for example, has been transformed into nearly its opposite—the Ajase complex (named after a Buddhist myth). The Oedipus complex tells of an irreconcilable conflict among father, mother, and son; in the Ajase complex, the father is absent from the picture—and so is the irreconcilability. Although in adolescence the son may rage over the "loss" of his mother's unqualified love, he finally repents after realizing her great sacrifices for him. Japan's most famous psychoanalytic theorist, Takeo Doi, has gone even further and challenged the entire Freudian frame-

work, in order to justify dependency. In *The Anatomy of Dependence* (1973), Doi argued that Western vocabularies lack even the terms to understand, much less to appreciate *amae*—the healthy Japanese "need" for psychological dependency. Indeed a pathological condition, *hikikureta* (warping), is produced when one's sense of dependency is frustrated. Concepts like *amae* undercut traditional psychotherapeutic goals, but, as Roland points out, "a psychoanalytic world view that guides the person in a world of crumbling cultural and social supports is not at this point very appropriate to the Japanese."



Japan—when and if it experiences the individualism and family strains of other advanced societies—could well revert to more traditional Freudian therapy. Now, however, Japan is in the unusual position of welcoming Western psychotherapy but, because of its inability to scrutinize family life, changing it into something else. Psychotherapy in Japan resembles, if not quite *Hamlet* without the Prince of Denmark, then *Hamlet* without Gertrude, the suspect mother.

individual even in those instances where the therapy, in its techniques, addresses the group. All Western therapies talk, in some fashion or other, about the growth, development, and self-actualization of the individual. They talk of increasing the individual's environmental mastery, his positive attitudes toward himself, and his sense of autonomy.

By contrast, in India I had the case of a 28-year-old engineer who came to the initial interview accompanied by his father and sister. Both relatives described his central problem as one of "unnatural" autonomy. As one said: "He is very stubborn in pursuing what he wants without taking our wishes into account. He thinks he knows what is best for himself and does not listen to us. He thinks his own life and career more important than the concerns

of the rest of the family."

Indian patients, like Chinese and Japanese, have in their minds what might be called a *relational model* of the self, which is quite different from the individual model of the post-Enlightenment West. In Asia, the person derives his nature or character interpersonally. He is constituted of relationships. His distresses are thus disorders of relationships not only within his human—and this is important—but also his natural and cosmic orders. The need for attachment, connection, and integration with others and with his natural and supernatural worlds represents the pre-eminent motivational thrust of the person, rather than the press or expression of any biological individuality.

The tendency to look at a person in transpersonal or relational terms is re-

flected in all aspects of Indian culture, from astrology to medicine to classical poetry. The Indian image of the body, for instance, emphasizes its intimate connection with nature and the cosmos. It stresses an unremitting interchange taking place all the time between the person and the environment, in which the location of the self, so to speak, is not circumscribed by the boundaries of the skin. This is in marked contrast to the typical individualistic Western image of a clearly etched body, sharply differentiated from the rest of the objects in the universe, with the self "inside" the body. Similarly, traditional Chinese culture conceptualizes man as an integral part of nature, as a microcosm of the universe, with his functioning dependent on the smooth circulation of the Yin and Yang forces which are part of the universe.

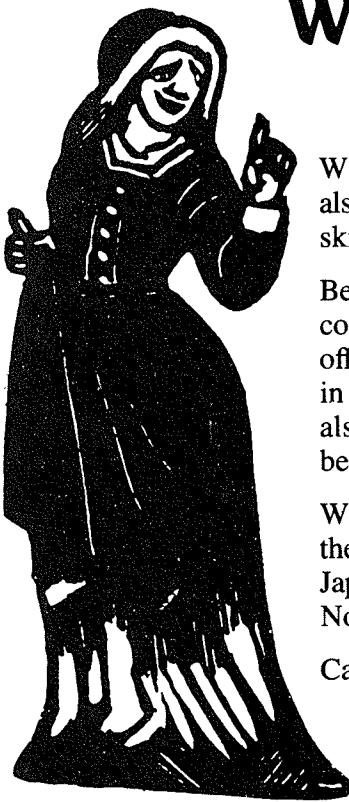
The Asian psychotherapist is acutely aware of this conflict between two sets of psychotherapeutic assumptions. The Western assumptions—stemming from an individualistic model of man and crucial in the formation of the therapist's professional identity—are epitomized in classical psychoanalysis. These include, in the words of psychologist Kenneth Kenniston, a "limitless respect for the individual, faith that understanding is better than illusion, insistence that our psyches harbor darker secrets than we care to confess, refusal to promise too much, and a sense of the complexity, tragedy, and wonder of human life." The other set of assumptions, which derives from the relational model and is absorbed in the therapist's very bones from his culture, stresses that surrender to powers greater than the self is better than individual effort. The source of human strength, in the Asian view, lies in a harmonious integration with one's group, in en-

tering into the living stream, naturally and unselfconsciously, of the community life, and in cherishing the community's gods and traditions.

Fortunately for the Asian psychotherapist and his patients, the conflict between the two models of man is not, in practice, a simple dichotomy. Both visions of human experience are present in all the major cultures, though a particular culture may, at times, emphasize one at the expense of the other. Relational values, which were submerged during the 19th and first half of the 20th century in the West, now increasingly inform Western modes of psychotherapy. Similarly, stirrings of individualism have not been completely absent from the history of Asian societies.

The Asian psychoanalyst has a choice, for instance, whether to orient his practice more toward the newer "object-relations" therapy which concerns the internalization of early family relationships—an approach which does not run counter to the dominant cultural orientation of his patients. Or he can resolutely stick to Freud's classical individualistic model, confident that, because of modernization throughout the world, he will find enough patients who will see him as their best ally in the realization of their full individuality.

In his more helpless moments, though, when confronted with the cultural incomprehension of his patients—an incomprehension the Asian analyst is often tempted to confuse with personal obduracy—he can always console himself with the thought that Freud himself called psychoanalysis one of the impossible professions. Unfortunately, it is impossible for the Indian, Chinese, or Japanese analyst to repeat Freud's words with the same saving sense of irony.



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*Continued from page 16*

ten poorly run and heavily upholstered with middle managers—were ripe targets for corporate raiders, who seized them and sold off some of their far-flung ventures. In 17 of the 62 hostile takeovers between 1984 and 1986, the authors note, more than half of the acquired conglomerates' assets were sold within three years—mostly to buyers in the same business.

The authors believe that the move toward more specialized firms should help the U.S. economy. In fact, they say, none of the misgivings economic forecasters had about the negative effects of takeovers were warranted. Retail prices did not rise, because, in most cases, the market share of the combined companies remained too small to affect prices. In 62 hostile take-

overs, 26,000 workers lost their jobs—only 2.5 percent of the work force. And most post-takeover layoffs were targeted at redundant white-collar workers who could quickly find other jobs. Finally, the authors say, takeovers did not cause a drop in research and development (R&D). Most takeover targets were mature "cash cows," not R&D-intensive companies. Besides, they add, despite the media hype over hostile takeovers, the majority of corporate mergers in the 1980s were voluntary.

In the long run, the authors conclude, corporations have less to fear from takeovers that threaten to break them up than from the increasing number of state antitakeover laws that threaten to keep them together.

## SOCIETY

### *After Math*

"Whatever Happened to New Math?" by Jeffrey W. Miller, in *American Heritage* (Dec. 1990), 60 5th Ave., New York, N.Y. 10011.

In the mid-1950s a radical new way of teaching math to America's reluctant students was born, and was soon hailed as the greatest advance since Pythagoras's theory. A little more than three decades later, however, the term "new math" is virtually a profanity.

New math was born after World War II as a modest attempt to improve math education. Math classes of the day were deadly dull; textbooks were practically designed to kill off curiosity. Two-thirds of high school students quit studying math after their freshman year.

A new approach to learning math was needed. And in 1951, William Everitt, the Dean of the University of Illinois Engineering School, hired Max Beberman, a irrepressible 25-year-old high-school teacher, to develop it. Promising to make students passionate about polygons, Beberman tossed aside multiplication tables, long division, and the rest of the "old math" in favor of a "base system," "frames," and "truth sets." New math was built on twin

pillars of pedagogy: "discovery learning" and "nonverbal awareness." Simply put, instead of memorizing rules and procedures, students used number lines, word problems, and graphs to "discover" answers to problems.

But it was the launching of Sputnik in 1957 that truly launched new math. At first limited to four laboratory schools, new math was quickly installed in 19,000 public schools, propelled by national hysteria over America's mathematic and scientific "inferiority" and by generous federal support. Recognizing that teachers had to be taught how to teach new math, Beberman traveled the country conducting workshops. Meanwhile, a group of Yale mathematicians, under the direction of Edward Begle, wrote a series of textbooks designed to introduce new-math instruction as early as kindergarten. New math had arrived. Sales of the textbooks jumped from 23,000 copies before Sputnik to 1.8 million in 1959.

But by the mid-1960s, writes Jeffrey W.

Miller, of the University of California, San Francisco, new math had grown beyond Beberman's or Begle's control. Parents and poorly trained teachers balked; publishers confused matters with textbooks that were hodge-podges of old math and new. Critics denounced new math as elitist, indecipherable, and impractical. And finally it turned out that new-math students scored no higher on standardized

tests than those schooled in old math. By the mid-1970s, new math was dead.

If the space race hadn't pushed new math along so quickly, Miller writes, it might have been a success. Instead, "its most lasting impact might be that of a cautionary tale." Today's curriculum reformers, he concludes, would do well to work "from the teachers up, not from the universities down."

## Drug Bust

"The Economics of Legalizing Drugs" by Richard J. Dennis, in *The Atlantic* (Nov. 1990), 745 Boylston St., Boston, Mass. 02116, and "Imagining Drug Legalization" by James B. Jacobs, in *The Public Interest* (Fall 1990), 1112 16th St. N.W., Washington, D.C. 20036.

While drug legalization advocates are quick to criticize the high cost of the federal drug war and its failure to control drug use and drug-related crime, says Jacobs, a law professor at New York University, they can't decide how exactly they would legalize drugs if given the chance.

Dennis, of the Drug Policy Foundation, counters with a concrete legalization plan: Make all currently illegal drugs legal, with the exception of crack cocaine and other drugs that make the user violent. Marijuana, powder cocaine, heroin, and other drugs would be sold to adults in government-licensed stores, just as liquor is now. The resulting drop in drug prices, Dennis says, would take the enormous profit out of drug dealing, deflating a \$100 billion market and curtailing drug-gang violence by at least 80 percent. Drug-related crime would also tumble as users quit stealing to support their habits. Prisons and the courts would be freed up for serious criminals; police departments could direct their attention, and the \$10 billion annually they spend fighting drugs, to other problems.

But Jacobs dismisses such hopeful scenarios. A black market will form around any drug—such as crack—that remains illegal, he says. Indeed, drug dealers might even stay in business, competing with legal suppliers by cutting prices and boosting potency. And what about prescription drugs? Could heroin, cocaine, and speed be sold over the counter while Valium,

sleeping pills, and antibiotics remain available only on a doctor's prescription? Wouldn't *all* regulation of food and drugs eventually have to be abandoned?

He adds that if drugs were legal and cheap, users might want to use more, and thus might steal as much money as they did before. Moreover, he says, just as alcohol use shot up after the repeal of Prohibition, the number of drug users would jump. And there are already 10 million monthly cocaine users and 1.5 million hardcore addicts in the United States. If Washington slapped heavy taxes on legalized drugs, prices would rise and users would have the same incentive to engage in crime as before.

Dennis concedes that the number of drug addicts would increase after legalization, but he says only by 250,000. He points to one opinion poll in which only one percent of the respondents said that they would try cocaine if it were legal. Even if black-market corruption continued around the sale of crack, there would still be an immediate drop in drug crime. And the \$10 billion in new tax revenue that he projects would more than make up for the "social costs" of new addicts.

Jacobs believes that legalization is too big a gamble. If we lose, he says, "it will be too late to go back to the *status quo ante*." Dennis, however, says that he is willing to run that risk to preserve the individual's right to be wrong.

## The Ivory Battleground

A Survey of Recent Articles

The American university has become an ideological battlefield. While conservative critics lament assaults on the traditional canon and the "politicization" of the university, critics on the Left demand new courses designed to emphasize the historical achievements of women and minorities. Students, they complain, still overwhelmingly study the work of "white, European men."

Writing in the *Atlantic* (Sept. 1990), Caleb Nelson, of the *Public Interest*, cites the 1979 debut of Harvard's new core curriculum as a turning point in this debate. It was met with wild enthusiasm. "Not since 1945 had the academic world dared to devise a new formula for developing 'the educated man,'" declared the *Washington Post*. A former education editor of the *New York Times* hailed it recently as "the most exciting collection of academic offerings in all of American higher education." The Harvard core started a revolution, as other universities began copying it. Yet, writes Nelson, "the history of the core is a study in what's wrong with American universities."

The new program's focus on "shared relationships common to all people" represented a sharp departure from the goals of Harvard's influential 1945 "Redbook": "to create responsible democratic citizens, well versed in the heritage of the West and endowed with 'the common knowledge and the common values on which a free society depends.'" The idea of "general education" was abandoned, and courses in esoteric subjects, more congenial to professors' research interests, proliferated. Thus, the course "Epic and Novel" was replaced by "The Imagery of the Modern Metropolis: Pictorial and Literary Representations of New York and Berlin from 1880 to 1940"; "Principles of Physical Science" gave way to "Plants and Biological Principles in Human Affairs."

Harvard downplayed the teaching of Western culture, under the (laughable) assumption that many students had already

learned "the facts" in high school. The hard sciences were neglected. Considered more important were courses aimed at inculcating an "appreciation" of other cultures. As a result, Nelson says, such influential authors as Virgil, Milton, and Dostoevsky are absent from the core's literature courses. "The philosophy behind the core," Nelson concludes, "is that educated people are not those who have read many books and have learned many facts but rather those who could analyze facts if they should ever happen to encounter any."

But higher education's decline began a century ago, not in 1979, asserts Thomas Fleming, the editor of *Chronicles* (Sept. 1990). He says that the classical curriculum of ancient Greece—literature, the arts, mathematics, and public speaking, as well as contemporary "social mechanics"—remained largely intact for centuries. Even our American forebears, he writes, "saw themselves in the mirror of antiquity; it was not by some historical accident that Jefferson and Adams and Madison turned constantly to ancient examples in their deliberations on the best form of government."

By the early 20th century, however, educational reformers in American universities abandoned Latin and ancient Greek to make room for new general courses in the humanities and sciences. In the following decades, Fleming laments, "what had been a coherent curriculum, refined by experience and precedent, turned into a grab bag of electives, whose only shape was determined by a loose set of core requirements." Now, he says, New Left activists have entrenched themselves in university women's and ethnic studies departments, where they practice "critical theory" and clamor for "diversity" and "inclusion" of minorities. But Fleming doubts that they genuinely seek an appreciation of non-Western cultures. "That would require a serious study of difficult foreign languages, anthropology, and religion."

## Encouraging Homelessness

To many New Yorkers, daily encounters with homeless people sleeping in door-

"What Really Causes Family Homelessness?" by Randall K. Filer, in *NY* (Autumn 1990), 42 E. 71 St., New York, N.Y. 10021.

ways, roaming Central Park, or panhandling suggest a problem of crisis propor-

Rather, he says, they merely vent "militant resentment" against Western culture.

One result, Edward Alexander, a professor of English at the University of Washington, says in *Commentary* (Nov. 1990) is an epidemic of "race fever" on campus. "Official committees on 'racism and cultural diversity,' departmental commissioners of moral sanitation, and freelance vigilantes are in a state of high alert for signs (real or alleged) of 'racism,'" he scolds. At the University of Wisconsin and other schools, new rules prohibit "discriminatory speech." As punishment for singing *We Shall Overcome* in what was deemed a sarcastic manner, one Southern Methodist University freshman recently was sentenced by the university to 30 hours of community service.

Citing Matthew Arnold, the great English critic of the 19th century, Alexander argues that the ideal of the university is "predicated on the assumption that values which originate in the self or the group or the nation can be extradited and made available to those who share with the originators nothing except the human status." To demand "representation," he insists, is fatuous; to teach Western civilization, is hardly to "oppress" students. It is ironic, he writes, that self-styled "progressive" professors call for a "celebration of diversity" while acting as thought police.

Conservative critics such as Alexander really don't mean that universities have been corrupted by politics, counters Louis Menand, of Queens College. They only mean, he writes in the *New Republic* (July 9&16, 1990), that "they have been corrupted by the wrong kind of politics."

"The notion that the function of a liberal arts education ought to be to teach and affirm the values of bourgeois liberal democracy" is ridiculous, he says. If university courses should strive to cover the breadth of human thought and teach students to think critically, as Nelson, Fleming, and Alexander suggest, then they must include much

that is unsympathetic to the democratic tradition. In fact, Menand argues, Matthew Arnold, whom Alexander holds up as a model, valued the disinterested study of liberal arts not because it promoted democratic ideals but precisely because "he thought it might operate as a countervailing force *against* the tendencies of democratic society" to place the marketplace over culture.

Fleming argues that requiring students to read the ancient Greek and Latin texts—in the original—would be a good first step toward curriculum reform. Nelson would settle for a core curriculum that doesn't "sacrifice content in order to preserve consensus." Alexander favors a revival of Arnold's principles. But Menand believes that such solutions miss the point. Yes, the university is ailing, he says, but faculty radicalism isn't to blame. The modern research university, born a century ago, has *always* been mediocre. It rests on the belief that "knowledge develops by the accumulation of research findings, brick piled onto brick, until the arch of knowledge about a field stands clearly defined." Today, Menand continues, "vast quantities of bricks are produced...but they are simply thrown onto the heap. No one expects a wall to rise up." Narrow specialists rule. It is a situation that breeds cynicism and intellectual conformity. Menand cheers the insurgent critics—feminists, deconstructionists, and others—who have temporarily upset things, but laments that most have already "set up for business peddling pieties of their own."

There is a sense, however, in which Menand and his more conservative antagonists agree. Their common enemies, after all, are the narrow specialists who have seized control of the curriculum and the classroom. As long as the curriculum is sliced into esoteric bits and students are funneled into narrow academic channels, they seem to agree, it will be hard for universities to produce much more than the proverbial herd of independent minds.



tions. And it is, says Filer, an economist at Hunter College, but not of the kind or for the reasons most people think.

According to a 1984 survey, there are about 1.4 homeless single adults per 1,000

residents in New York—one third the rate of 20 other large American cities. Curiously, though, New York has more than double the rate of family homelessness than these cities.

Neither of the two explanations commonly given for this anomaly—a shortage of affordable housing and more “at risk” families—adequately accounts for the problem. Between 1983 and 1987, the city’s welfare housing allowance rose by 25 percent and the supply of cheap apartments was as great as in other cities, yet the number of homeless families rose steadily. New York families are more vulnerable, Filer concedes. But while there are 30 to 50 percent more poor, female-headed families in New York than in other large cities, the city’s family homeless rate is 250 percent higher.

Filer suggests a third, perverse possibility: New York’s generous homeless and housing policies encourage families to become homeless.

Since 1984, becoming homeless has been a good way for a family to jump to the top of the monumental waiting list for public housing. Moreover, Filer writes, becoming homeless increases income, especially “if the family is able to secure place-

ment in a hotel room rather than a city shelter.” In 1987, a poor family of four in its own home typically received \$326 in welfare each month, a housing allowance of \$270, and \$62 in food stamps. If the same family became homeless and was assigned to a hotel room, Filer points out, it would receive additional transportation and restaurant allowances worth more than \$362 a month. (Overall, the city spends \$25,000 annually on each sheltered homeless person; Los Angeles, Chicago, Houston, and Philadelphia spend an average of \$5,500.) Not surprisingly, in 1985 more than half of New York’s homeless families said that they would accept only an apartment or hotel room as shelter.

Filer argues that contrary to popular wisdom, providing more housing will only increase the number of homeless families. Since 1987, he notes, family homelessness has been dropping steadily in New York. Not coincidentally, the city began cutting back the number of hotel rooms available for homeless families four years ago.

## PRESS & TELEVISION

### Biting the Hand That Feeds

“If *Time* and *Newsweek* had to lavish praise on cars in general and credit General Motors in particular to get GM ads, there would be a scandal—maybe a criminal investigation. When women’s magazines from *Seventeen* to *Lear’s* praise beauty products in general and credit Revlon in particular to get ads, it’s just business as usual.”

So writes Gloria Steinem, founding editor of *Ms.*, in the premier issue of the feminist magazine’s latest incarnation in a new, no-ads format.

When she started *Ms.* in 1972, Steinem was appalled to discover that many advertisers would buy space only on the condition that the magazine run “complementary” articles alongside their products and mention their products by name in ar-

“Sex, Lies & Advertising” by Gloria Steinem, in *Ms.* (July–Aug. 1990), One Times Square, New York, N.Y. 10036.

ticles. Pillsbury, Kraft, and other food manufacturers refused to advertise with *Ms.* because the magazine didn’t print recipes. Cosmetic companies such as L’Oreal and Estee Lauder demanded that the magazine run a “beauty tips” column to put readers in the right “frame of mind” to buy their products. (Steinem says that a cover story on Soviet women undid years of negotiating to get Revlon cosmetic ads: The Soviet women on the cover weren’t wearing makeup.) Other large companies, such as Procter & Gamble, wouldn’t place ads in any women’s magazine that included articles on gun control or abortion, among other hot topics.

Many women’s magazines are nothing more than “giant ads,” Steinem laments. Of 326 pages in the May 1990 edition of

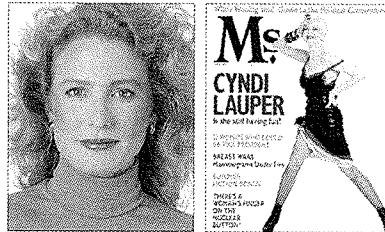
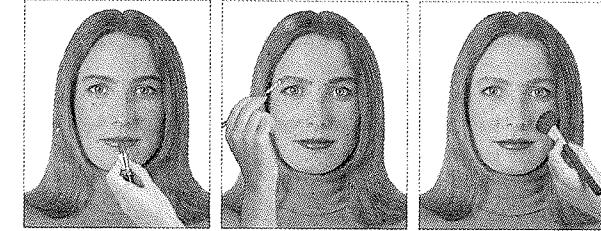
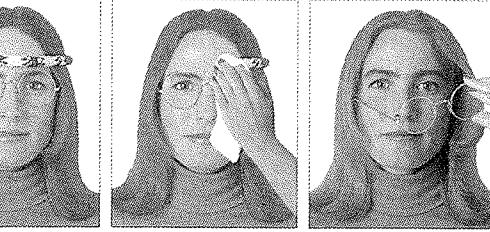
*Elle* magazine, for example, only 39 weren't ads or ad-related. *Glamour's* April 1990 edition had 339 pages; 274 were either ads or ad-related articles. Similar ratios hold true for *Vogue*, *Redbook*, and *Family Circle*.

She points to *Lear's*, which recently featured a woman executive on the cover. The contents page said she was wearing Guerlain makeup and a new fragrance by the same company. Inside the magazine were full-page ads for two Guerlain products. The woman on the cover, it turned out, was Guerlain's public relations director.

Food and cosmetic companies regularly advertise in magazines such as *People* and the *New Yorker* without demanding recipes or beauty columns, Steinem adds. So where does the habit of controlling the content of women's magazines come from? "Tradition." Since the invention of the clothing pattern in 1863 and the mass-manufacture of patent medicines, women's magazines have been little more than catalogues of products alongside articles on how to use them.

This "ad-edit linkage" is slowly creeping beyond the women's magazine market, Steinem warns: The *New York Times Magazine* recently ran an article on "firming creams" that mentioned advertisers; *Vanity Fair* profiled a major advertiser, Ralph Lauren.

"What could women's magazines be like



### We're not the Ms. we used to be.

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Ms. courted skeptical advertisers with this 1988 trade magazine advertisement, which suggests that even feminists, such as the Gloria Steinem look-alike pictured, buy makeup.

if they were as free as books? as realistic as newspapers? as creative as films?" The only way women will ever find out, says Steinem, is by refusing to buy magazines "that are just editorial extensions of ads."

## Not Necessarily The News

During the 1960s, black leaders and the news media were allies in the struggle against Jim Crow. Today, however, says William J. Drummond, a professor of Journalism at Berkeley, "a deep suspicion of the news media" appears to be endemic

"About Face: Blacks and the News Media" by William J. Drummond, in *American Enterprise* (July-Aug. 1990), 1150 17th St. N.W., Washington, D.C. 20036.

among blacks.

The civil rights movement, Drummond recalls, provided reporters and editors with the kind of predictable storyline and easily identifiable heroes and villains that they yearn for: "Negroes heroically mount

nonviolent civil disobedience; white segregationists react with violence; federal government steps in." The alliance between blacks and the media, however, was built on shifting sand. When the civil rights movement splintered in the late 1960s, it no longer lent itself to simple "sound bite" reports, and the press lost interest.

Two decades later, the news media are fitting blacks "into a terrible new storyline: black pathology. Blacks are routinely portrayed in the news as drug lords and crack victims. They make up the underclass, the homeless, the subway muggers." In fact, blacks are no more likely than are whites to use drugs; and more whites than blacks are arrested on drug charges. And yet news stories about drug abuse, crime, and poverty overwhelmingly center around blacks.

Drummond contends that this distorted portrayal of blacks is made worse by a lack of non-crime-related news reporting on blacks. "Reports invariably will give minority legislators ample coverage when the subject is a so-called minority issue,"

notes one black state legislator, "but when minority legislators become involved in the mainstream of economic, political, government, and social matters," they are "either ignored or very lightly reported."

The small number of black reporters is one reason for the media's poor coverage of blacks, Drummond says. In 1989, for example, black reporters and news anchors garnered just five percent of network news air time. Less than eight percent of American newspaper reporters are black; more than half of the nation's 1,600 papers have no black reporters at all. Still fewer blacks make it into newspaper or television news management, where the decisions about what stories will be covered are made.

Drummond suggests, however, that hiring black reporters and editors may not change the way news about blacks is reported. One reason is that many black professionals are reluctant to become pigeonholed as "black affairs" specialists. More important, the news media will always favor the story that is "easy to find and photograph."

## RELIGION & PHILOSOPHY

### *Revolutionary Thought*

"Positivism, Pragmatism, and Everyday Life" by Steven Ross, in *Society* (Nov.-Dec. 1990), Rutgers Univ., New Brunswick, N.J. 08903.

In 1936, a slim volume written by a 26-year-old philosopher rattled the world of Anglo-American philosophy. In *Language, Truth, and Logic*, A. J. Ayer argued that the big questions that philosophers had been wrestling with for 2,500 years—questions such as "What is truth?" and "What is man's purpose?"—are unanswerable. Not because they are so profound, but because they are nonsense.

Ayer's "logical positivism," writes Ross, who teaches philosophy at Hunter College, energized Anglo-American philosophy. Often criticized as sterile in its preoccupation with analyses of language, especially in contrast to the pyrotechnics of Continental philosophers such as Heidegger

and Sartre, the field has in fact been in a state of creative ferment for the past 50 years. Or so Ross maintains.

Positivism emphasized the use and meaning of specific language rather than abstract notions. Ayer argued that only two kinds of statements are meaningful: Analytic statements are true by definition ("A triangle is a three-sided figure"); synthetic statements are true because they happen to match the way things are ("No man weighs more than 2,000 pounds"). Any statement that doesn't fall into either of these categories is considered meaningless for the purposes of philosophy. Abstract discussions of justice and morality are therefore impossible. Virtually overnight,

writes Ross, metaphysics, aesthetics, and ethics lost respectability, at least among Anglo-American philosophers.

In the immediate postwar years, however, two powerful criticisms of positivism emerged from philosophers equally convinced of the centrality of language. The pragmatist W. V. Quine (b. 1908) of Harvard argued that there is no clear distinction between analytic and synthetic statements. Rather, he said, truths form an interconnected "web of belief," with our dearest beliefs entrenched in the center. Truth, in Quine's view, frequently is indeterminate.

Ludwig Wittgenstein (1889–1951) took a different tack. Whereas Ayer's positivism presented itself as "offering a conception of meaning and truth that was somehow untainted by the messiness of life," and Quine sought to construct a fluid philosophy of belief, Wittgenstein said that each person's truth is revealed in the way he perceives his life's experiences. Ultimately, the philosopher cannot hope to discern universal truths.

Not all Anglo-American philosophy of the past half century has been concerned with language, Ross continues. In his elegant *Theory of Justice* (1971), Harvard philosopher John Rawls set out explicitly to construct a set of "just principles of society." A principle is just, he argues, if it would be chosen while under a hypothetical "veil of ignorance." Unaware of his own race, for example, a person will always choose equal rights for minorities. Rawls' book, Ross believes, is as powerful and influential a brief for equality as has ever been written. More recently, "philosophers of the mind," such as John Searle, have argued over the differences between humans and machines—no small distinction in a world of advancing computer technology.

Anglo-American philosophy is not the purely esoteric pursuit that its most vocal critics have painted it as, Ross concludes. Philosophers today are more deeply immersed than ever before in the gritty realities of everyday life—politics, the law, even artificial intelligence.

## Supreme Sacrifice

"Disabled for the Kingdom: Celibacy, Scripture & Tradition" by Paul E. Dinter, in *Commonweal* (Oct. 12, 1990), 15 Dutch St., New York, N.Y. 10038.

Like many young Catholic priests, Paul Dinter took the vow of celibacy believing that it would inspire his work. Twenty years later, he says that he maintains the commitment to celibacy, "but with a different, a chastened attitude."

"I value it," he writes, "if at all, only in spite of itself. In other words, the good that I do as a priest is not a *direct* result of celibacy, but *despite* my celibate condition." The Church celebrates celibacy as a triumph of personal generosity and psychosexual maturity. Dinter says that it should be considered instead as he believes Jesus himself presented it: as a disability.

In the book of Matthew, Dinter points out, Jesus speaks of three kinds of "eunuchs": those "who have been so from birth," those who have "been made so by men," and those who have made themselves so for the sake of the kingdom of

Heaven. "Let the one who can receive this, receive it." Celibacy was, Dinter insists, a voluntary undertaking that "responds to the same gift which allows someone to turn the other cheek, to walk the extra mile, to pray for your persecutors—in a word, to be able to act out of the same inner completeness or perfection as God does. Simple justice cannot require any of these extraordinary acts."

During the 12th century, Dinter argues, the Church transformed what was a voluntary invitation into a requirement for the priesthood. (The Eastern Orthodox Church, by contrast, only requires monks and bishops to be celibate, and Protestants reject celibacy altogether.)

Dinter views the persistence of celibacy as part of the Catholic Church's resistance to change, including the possibility that such "perversions" as homosexuality are

not grave sins. Because of this ideological gap between lay-Catholics and official Catholic theology, Dinter continues, many Catholics have ceased to look to the clergy for counsel, and no longer follow Church doctrine. Worse, he says, the priesthood tends to attract misogynists and latent homosexuals who, in celibacy, can feel moral superiority without having to confront

their sexuality.

Curiously, Dinter says that despite his deep reservations about the wisdom of celibacy, he will remain "disabled for the Kingdom." However, he concludes, he cannot in good faith encourage young men to take a vow that "continually alienates the clergy from the laity whom they are supposed to serve."

## SCIENCE & TECHNOLOGY

### *Scuttle the Shuttle*

The U.S. space shuttle was supposed to open the door to routine, affordable space flight. Needless to say, it hasn't. Keyworth and Abell, both researchers at the Hudson Institute, argue that it was "doomed from the start. The shuttle is too costly, too complex, and too inflexible to support today's space access needs." Scrap it, they urge, and instead pump money into the fledgling National Aerospace Plane (NASP).

Conceived in the late 1970s and under development since 1985, the NASP would be the first spacecraft to take off from a runway and without rockets. Vents located on its flat underside would force air into a high-powered jet engine, ideally allowing the NASP a speed of 22 times the speed of sound (Mach-22), or about four miles per second. From there, liquid-oxygen thrust-

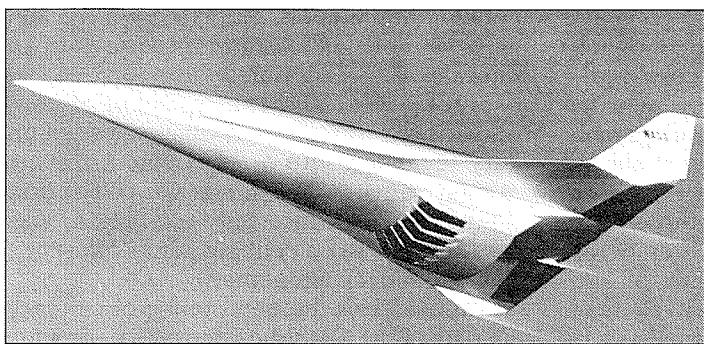
"How to Make Space Launch Routine" by George A. Keyworth II and Bruce R. Abell, in *Technology Review* (Oct. 1990), Building W59, MIT, Cambridge, Mass. 02139.

ers would provide a quick boost to the Mach-24 velocity that the craft would need to enter earth orbit.

The NASP is so similar in design to commercial aircraft—with the exception of its exotic carbon-carbon compound skin—that it would require only routine maintenance between flights, enabling it to return to space a day or two after landing. The shuttle, by contrast, requires two months of ministrations by 12,000 technicians before it can fly again. Conceivably, the NASP (which would be smaller than a DC-10) could fly into and out of commercial airports, and might also provide two-hour New York-to-Tokyo service.

The authors project that the NASP's reliable performance would be available at the super-saver rate of \$800,000–\$4.4 million per flight; a shuttle mission costs \$275 million. The same 100-pound satellite that the shuttle launches for \$500,000 could be dropped into orbit by the NASP for \$2,000–\$20,000.

Recently, other alternatives to the troubled shuttle—such as the unmanned Advanced Launch System and the drop-launched Pegasus—have emerged from space-industry drawing boards. But the authors



*The National Aerospace Plane's supersonic combustion "ramjet" engine would eliminate the need for external rockets.*

warn that the dated multistage rocket engines needed to power them would be, like the shuttle's booster, heavy, expensive, and unreliable.

Still, the NASP has not been warmly embraced by the U.S. National Aeronautics and Space Administration (NASA), which is wary of any program that threatens the shuttle's future. Partly because of such bu-

reaucratic indifference, Congress cut the NASP's 1990 budget from \$427 million to \$254 million, pushing back the first scheduled flight test from 1994 to 1997. Keyworth and Abell worry that the NASP will be killed. "Only when travel into orbit ceases to be a newsworthy event," they conclude, "can we claim to have truly entered the Space Age."

## Dinosaurs' Demise

"An Extraterrestrial Impact" by Walter Alvarez and Frank Asaro, and "A Volcanic Eruption" by Vincent E. Courtillot, in *Scientific American* (Oct. 1990), 415 Madison Ave., New York, N.Y. 10017.

What killed the dinosaurs? The conventional view among scientists has been that they died off slowly, perhaps over millions of years. Lately, however, many have argued that the dinosaurs perished in some kind of catastrophe. But what kind?

Alvarez, a Berkeley geologist, and Asaro, a nuclear chemist at the Lawrence Berkeley Laboratory, believe that a meteor was to blame. They note that animal fossils in sedimentary rock deposits suddenly disappear at the 65-million-year old "KT boundary"—the line separating the dinosaur-inhabited Cretaceous period from the mammal-led Tertiary period. Deep-water limestone deposits found in Spain and Italy show a thin layer of clay between these Cretaceous and Tertiary layers. The thickness of this clay indicates that the dinosaurs may have been killed off in as little as 50–1,000 years, a flickering instant by geologic standards.

The authors argue that only their "impact hypothesis" of mass extinction can fully account for the suddenness of the hulking saurians' demise. Some 65 million years ago, they believe, an asteroid 10 kilometers in diameter struck the earth, throwing tons of dust into the sky and setting off global fires that resulted in prolonged darkness and acid rainstorms. By the time the earth regained its ecological composure, half of its plant and animal life had been wiped out.

The geological record supports this theory, say the authors. Among other things, KT-boundary deposits contain high levels

of iridium—a metallic element common in meteorites and in the earth's mantle, but unusual in its crust. Furthermore, chalk layers discovered just above and below the KT-boundary in Denmark contain extra-terrestrial amino acids, and many KT-boundary minerals are flecked with shocked, deformed grains of quartz crystal that the authors contend could have been altered only by the tremendous heat and pressure of a meteorite's impact. No crater fitting the description has been found; the authors speculate that it is buried under the Antarctic ice sheet.

French geophysicist Courtillot agrees that an environmental cataclysm did away with the dinosaurs. But the cause was a series of violent volcanic eruptions lasting some 500,000 years, he says, not a sudden meteor impact.

Courtillot argues that toward the end of the Cretaceous period, the Deccan Traps, 10–150-foot walls of lava originating in India, eventually oozed over two million cubic kilometers of the earth's surface, triggering the fires, global warming, and acid rains described by Alvarez and Asaro. Lava, in Courtillot's view, is also responsible for the iridium deposits at the KT boundary; and the tremendous heat and pressure of molten lava also have been known to deform quartz crystals.

Still, whether by meteor or magma, Courtillot concludes that "events that at first seem to have been disasters may in fact have been agents essential in the evolution of complex life."

## Trial of Errors

"Pathological Science in Court" by Peter W. Huber, in *Daedalus* (Fall 1990), 136 Irving Street, Cambridge, Mass. 02138.

Scientists have no patience for colleagues who cook numbers and gloss over errors. So it is ironic, says Huber, a Fellow at the Manhattan Institute, that half-baked scientific theories and unproven hypotheses have found a home in, of all places, the American courtroom. During the last decade, he writes, "courts have become steadily more willing to decide factual issues that mainstream scientists still consider unresolved, and to award judgments on the strength of scientific claims that few scientists would endorse."

Huber points to one \$200 million Agent Orange court settlement of a suit based on scientific evidence that even the judge found groundless. Another court handed down a \$4.7 million verdict for the unsubstantiated claim that certain spermicides cause birth defects. Plaintiffs claiming the hazards of microwaves, radon, and extra-

low-frequency electromagnetic fields have also come before judges. "Each favorable verdict," he warns, "each lengthy trial in which the science and non-science are presented to a jury on cosmetically equal terms, attracts more legal capital, spawns more litigation, and fuels greater public concern."

Huber blames procedural changes for the legal system's acceptance of what the chemist Irving Langmuir called "pathological science." Until the early 1960s, juries in product liability cases decided only whether or not the manufacturer of a harmful product was negligent. Today, they must decide only if the product itself was harmful; scientists' *intentions* count for nothing. Moreover, for half a century the 1923 Frye rule permitted only scientific theories that were "generally accepted" among specialists to be heard in court. But new federal rules of evidence issued in 1975 made no mention of the Frye rule, a green light for judges at all levels to admit nearly any "expert" testimony, no matter how widely disputed.

Unequipped to fathom complex scientific cases even when Frye protected them from questionable scientific testimony, jurors must now also decide whether the "hard scientific evidence" presented to them is actually worthless speculation. That is preposterous, in Huber's view.

Won't some victims be denied compensation if the courts must await a scientific consensus? Maybe so, Huber concedes, but opening up the courts to rank speculation is a greater sin. And science usually moves faster than the Trial Lawyers of America. Huber points out that the courts did not begin handing down verdicts on asbestos until a decade after researchers confirmed that it causes cancer.

To their credit, Huber observes, some judges are beginning to informally reinstate the Frye rule. But many courts are still wide open to the "hundreds of separate legal clinicians who conduct their own forensic diagnoses, reach their own idiosyncratic results."

## Man Bites Mosquito

Noted in *Science*, (Sept. 28, 1990):

*If a promising line of research pans out, you may someday get a chance to help stamp out malaria while inflicting poetic revenge upon one of man's oldest insect enemies. Stanford immunologist Leon Rosenberg believes it may eventually be possible to inoculate humans—not against viruses, but against mosquitoes.*

*Inspired by a series of studies in which cattle injected with ground-up ticks developed antibodies that interfered with the ticks' digestive processes, Rosenberg thinks he might be able to develop a similar antigen for certain mosquito species. Used in a vaccine that is harmless to people, such an antigen would quickly kill any mosquito unwitting enough to bite a vaccinated person.*

*The most obvious application of this technique would lie in controlling the spread of malaria, Rosenberg says. The vaccine wouldn't protect people from the malaria parasite itself, but... further spread of the disease could be halted.*

## RESOURCES &amp; ENVIRONMENT

*Smog and Mirrors*

"What Kind of Fuel Am I?" by Michael Fumento, in *The American Spectator* (Nov. 1990), 2020 N. 14th St., Ste. 750, Arlington, Va. 22216-0549.

For years environmentalists have called for the development of cheap, clean alternatives to gasoline. In November, they were rewarded when Congress passed its landmark Clean Air Act. It requires, among other things, that localities that fail to reach clean air targets by 1992 begin mixing "clean" fuels with gasoline to lower pollution. But while the Clean Air Act might make for a tidy political victory, writes Fumento, a journalist, promoting existing alternative fuels won't do the environment any favors.

The smoke that pours out of your car's tailpipe is a nasty blend of carbon monoxide and other "volatile organic compounds" that become especially harmful when exposed to sunlight. Alternative fuels supposedly burn more completely and thus emit few of the pollutants that create smog. Not quite right, says Fumento. He points to methanol, or wood alcohol, the fuel of choice of Formula One race car drivers and a much-touted "wonder fuel." According to one study, methanol emits more pollutants than gasoline. Ethanol, distilled from corn, sugar cane, or other grains is another "clean-burning" fuel with a large following. Mixed with gasoline, it becomes "gasohol." And while Fumento concedes that its use would cut carbon monoxide emissions, output of hydrocarbons and nitrogen oxides, which also cause smog, would jump.

Even if alternative fuels were cleaner

than gasoline, Fumento says, they are inefficient and expensive. Ethanol, for instance, costs a hefty \$1.40 per gallon to produce and delivers only 70 percent as much energy per gallon as gasoline.

If alternative fuels are not the wonders that we've been led to believe, then why is Congress so eager to support them? Fumento says it has less to do with clean air than with "good old-fashioned politics and payoffs." As an example, he points to ethanol, the alternative fuel that would be most widely used in potential gasoline-restricted localities. "It is doubtful," he argues, "that ethanol would be considered at all as a fuel today without the legendary lobbying effort of Archer Daniels Midland," the world's largest grain processing company and a leading producer of ethanol. One of its political action committees even has the benign-sounding name, the Renewable Fuels Association.

Fumento isn't sour on all alternative fuels, however. In the near future, he believes, electric vehicles, which currently are limited by batteries that need frequent recharging and replacement, will offer the best alternative to gasoline. General Motors plans to have a model in production by the mid-1990s. In the meantime, though, he says frequent tune-ups and better engine designs—which have already cut auto emissions by 96 percent since 1970—will do more to clean the air than any supposedly "clean" fuel.

*The Greening of GNP*

"Toward a New 'Eco'-nomics" by Sandra Postel, in *World Watch* (Sept.-Oct. 1990), 1776 Mass. Ave. N.W., Washington, D.C. 20036, and "The Green Thumb of Capitalism" by William K. Reilly, in *Policy Review* (Fall 1990), 214 Mass. Ave. N.E., Washington, D.C. 20002.

Sometime in the next few years, official tallies of U.S. gross national product (GNP) will be accompanied by an alternative measure that reflects changes in the value

of the nation's natural resources, such as forests, water, even air. This cheers Postel, of the Worldwatch Institute, who notes that current measures of national wealth

can be perverse.

When trees are cut for timber, for instance, the profits from their sale are added to GNP. But nothing is subtracted from GNP for the loss of the forest. Economists do, however, count money spent to combat environmental destruction and pollution. Thus, the \$40 billion that Postel says Americans dole out to doctors each year to treat pollution-related ailments is, strangely enough, counted as wealth. Despite its devastating effect on Alaska's wildlife, the 1989 Exxon Valdez oil spill actually showed up as a gain in GNP: The clean-up generated \$2 billion in income. Postel charges that the result is "an inflated sense of both income and wealth, creating the illusion that a country is better off than it really is."

The new "alternative GNP" is a step in the right direction, in Postel's view. She also favors punitive taxes on polluters and incentives for corporations to replenish the natural resources that they use. But for any significant environmental improvement to be possible, she concludes, politicians and business must be weaned from the notion that growth is essential for a healthy economy.

Nonsense, says Reilly, the administrator

of the U.S. Environmental Protection Agency (EPA). Although he agrees with Postel that excluding natural resources from GNP creates a distorted picture of economic health, a growing economy, he insists, is the best hedge against ecological abuse.

Only in wealthier societies, he writes, do people "pay attention to the quality of their lives and the condition of their habitat." Japan's historically heavy pollution levels tumbled as its economy grew rapidly in the 1970s and 1980s. As the U.S. economy expanded over the last 20 years, he says, standards established by the EPA cut particulate emissions by 63 percent and carbon monoxide by 40 percent. Without the phase-out of leaded gasoline, he adds, lead emissions alone would be 97 percent higher than they are today. Lake Erie, declared dead 20 years ago, is now the largest commercial fishery in the Great Lakes. Meanwhile, in developing countries and in Eastern European nations, pollution remains out of control.

For good reason, Reilly says. Compliance with EPA regulations costs the United States \$90 billion (about 1.7 percent of GNP) annually. Poor countries, he concludes, can't afford a clean environment.

## ARTS & LETTERS

### *Urban Blight*

"The Prince, the People, and the Architects" by Nathan Glazer, in *The American Scholar* (Aut. 1990), 1811 Q St. N.W., Washington, D.C. 20009.

Modernist architecture, born after World War I in the "Bauhaus" of Germany's Walter Gropius, arrived in the United States in the 1930s to much critical acclaim. In New York, Boston, and other cities, whole city blocks were razed to make room for new "stripped down," "functional," high-rise apartment buildings for workers, "scientifically" situated to capture the sun. Today, writes Glazer, a Harvard sociologist, this "socially concerned" architecture has been roundly condemned by, among others, the Prince of Wales. "Soulless, bureaucratic, and inhuman," is his verdict.

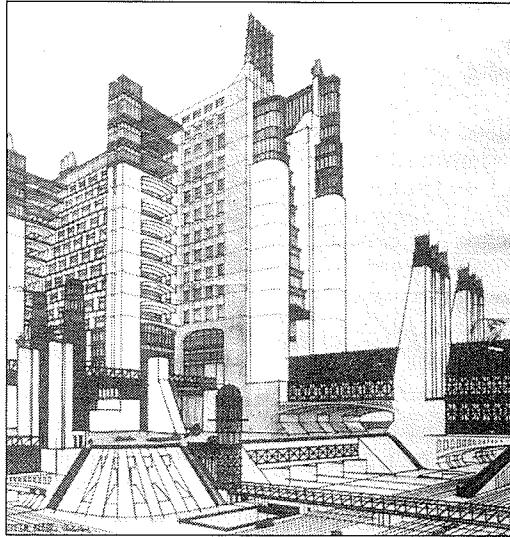
Architects have reacted hysterically. One writer likened the prince's preference for single-family homes to the tastes of the Nazis. His call for a return to classical architectural forms has been denounced as elitist, colonialist, and imperialist.

And yet, Glazer observes, the common people for whom the gleaming towers were designed seem to have sided with Prince Charles. Over the years they have bitterly defended their "grubby" tenement houses, pushed up against the pavement in front and boxed in on all sides in back, against the urban renewal schemes of ar-

chitects and urban planners. And now, middle-class gentrifiers see many of the old tenements as diamonds in the rough.

Why is it, Glazer asks, that the old houses, built by speculators, "with ostensibly no attention to personal taste and desire, thrown up to cover the most land and make the most money, using the materials and technology of the 1870s, [have been] considered superior by many of those living in them to the new flats designed by the best planning authorities using good architects?" Because most people, especially those raising families, share a "taste for the low-rise, the small-scale, the unit that gives some privacy, some control, some access to the ground, a small piece of land wholly under one's control."

These are tastes that architects and urban planners do not find very interesting to explore or to satisfy, Glazer observes. In hindsight, urban planners might have admitted that leveling neighborhoods and uprooting long-standing communities was an extreme step. Instead, they have attacked working-class people and their defenders as boorish, backward-looking phi-



*The best-laid plans: Antonio Sant'Elia's 1914 citta nuova apartment building complex, which featured external elevators and a tramway.*

listines. Glazer finds it ironic that modernist architecture, conceived to provide housing for the working-class, should now require an elitist defense.

## McPoetry

"The Contemporary Workshop Aesthetic" by David Dooley, in *The Hudson Review* (Summer 1990), 684 Park Ave., New York, N.Y. 10021.

The poet Donald Hall recently lamented that instead of nurturing young artists, this country's flourishing university poetry workshops are turning out scribblers of lukewarm "McPoems." Dooley, who is also a poet, believes he knows why.

The "workshop lyric," as Dooley dubs most of the poetry written by university-trained poets in the last 30 years, is the diminished legacy of "confessional" poets such as Sylvia Plath, "quasi-surreal" poets such as W. S. Merwin, and "regional-pastoral" poets such as Wendell Berry. While these artists grappled with words, ideas, and emotions, Dooley writes, workshop poets merely mimic their forms.

Workshop poets are paralyzed by what Dooley calls "three terrors: terror of emotion, terror of thought, terror of language." The adept composition of their predeces-

sors is replaced by heightened, awkward diction, as in Stephen Dunn's highly acclaimed "The Routine Things Around the House," in which he writes: "Mother, dead woman/who I think permits me/to love women easily...."

Workshop poets mostly write free verse, Dooley notes, because rhyming poetry requires more effort than they are willing to muster. Laziness also accounts for the flaccid images common in their work, most notably the ubiquitous "adjective noun of noun" phrase (such as "sweet revisions of memory" or "dim lands of peace") decried by Ezra Pound years ago. Emotion, indeed any genuine expression, is replaced by blandness. In the hands of a workshop poet, Dooley continues, once-effective traditional poetic techniques, such as the "line/break," made popular by William

Carlos Williams, become pretentious and stultifying. He points to the opening lines of a poem by Phillip Booth: "On the far side/of the storm/window." The break is used as a trick to interrupt the flow of the poem and call attention to the cleverness of its author.

Are there any antidotes to the workshop syndrome? Dooley knows that little can be

done about the larger cultural trends and smaller academic imperatives that foster mediocrity. But he does have a few hints for budding McPoets. Avoid obvious clichés, such as the "adjective noun of noun" formula. Read lots of poetry, especially verse written by dead poets, whose work was never dulled by a workshop. And *feel* something.

## Bloodsuckers

"The Real Vampire" by Paul Barber, in *Natural History* (Oct. 1990), American Museum of Natural History, Central Park West at 79th St., New York, N.Y. 10024.

To most people, the "typical" vampire would be a tuxedoed gentleman with over-developed canines and a predilection for nighttime activities. But this is the vampire of Bram Stoker's *Dracula* (1897), based on a Walachian prince named Vlad Tepes. In the actual folklore of Walachia (part of present-day Romania) the *vampir* had more humble origins.

The Slavic revenant (literally, one who returns from the dead) was usually a peasant. "Victims" of vampires described their attackers as bloated figures with ruddy skin, having long fingernails and stubbly beards. In the 1730s, an outbreak of vampire attacks in the Serbian village of Medvegia prompted a group of Austrian physicians to investigate. In the harsh light of modern forensics, writes Barber, a research associate at UCLA's Fowler Museum of Cultural History, the evidence for vampires included in such accounts as their *Visum et Repertum* (Seen and Discovered) seems to vanish.

Much of the hysteria in Medvegia during the 1730s was fueled by memories of Arnold Paole, a suspected vampire. When they had exhumed Paole's body years earlier, the villagers told the Austrians, they had found that his corpse was "undecayed, and that fresh blood had flowed from his eyes, nose, mouth, and ears." They also saw that "the old nails on his hands and feet, along with the skin, had fallen off, and that new ones had grown." Convinced that Paole was a vampire, they had driven a stake through his heart, "whereby he gave an audible groan and bled copiously."

Scholars once simply dismissed such accounts, but Barber says they contain some telling details. The condition of Paole's corpse, which suggested to the villagers some kind of continuing life, actually exhibits classic signs of decomposition. Nails fall off after death; the "new nails" probably were the glossy "nail beds" underneath. Burial slows the rate of flesh decomposition, and even copious bleeding from corpses is natural. What of Paole's groan? Merely the compression of chest air through the larynx, forced out by the driving stake. The bloating mentioned in many accounts was due to an accumulation of gases, not to gorging on blood.

But how to explain the victims' certainty that they had been attacked by a vampire? In the case that brought the Austrians to Medvegia, a woman named Stanacka had awakened from her sleep "with a terrible cry . . . and complained that she had been throttled by [a man] who had died nine weeks earlier." After suffering from chest pains for three days, Stanacka died. Barber believes that the attack was nothing more than a nightmare. The peasants' willingness to believe Stanacka was natural, since the record suggests that an epidemic, beyond their ability to comprehend or cure, was sweeping the area. It probably was the epidemic that claimed her life, too, but to the peasants, Stanacka's death was proof enough that she had been the victim of a vampire. No doubt it gave them some solace to personify the agent of their troubles. At least a vampire can be dispatched with a stake through the heart.

## OTHER NATIONS

*Advice and Dissent*

"Parliament in the United Kingdom: Balancing Effectiveness and Consent?" by Philip Norton, in *West European Politics* (July 1990), 11 Gainsborough Rd., London E11 1RS.

After seven centuries, the British Parliament is experiencing, in typically subdued British fashion, a revolution in its ways. Over the last 20 years, says Norton, a political scientist at the University of Hull, Parliament has become more aggressive and influential. For better or for worse, it has come in some ways to resemble the U.S. Congress.

Britain's political tradition favors a strong executive, and for much of its history Parliament was a reactive body, waiting for the prime minister to submit legislation. The outcome of parliamentary votes, Norton writes, was usually predictable: Members of Parliament (MPs) rarely broke party ranks. In 1965 political scientist Samuel Beer told his peers that "party cohesion" was so consistently close to 100 percent that there was no longer any point in measuring it.

But in 1970 the House of Commons witnessed a sudden upsurge in cross-party voting among MPs, largely in reaction to the failed economic policies of Conservative Prime Minister Edward Heath. Six times between 1970 and 1974 Conservative dissenters voted down Heath's proposals. In the five years that followed, the number grew to more than 100 under the Labour governments of Harold Wilson and James Callaghan. A similar upheaval has taken place in the House of Lords. Prime Minister Margaret Thatcher suffered 120 defeats in the Upper House.

This new parliamentary independence has prompted other changes that have enhanced the power of individual MPs. In 1979 Parliament created a series of standing oversight committees to advise on legislation and keep an eye on the executive. Three thousand witnesses have been called to testify before them. Constituents (about a million of whom tune in to Parliamentary proceedings on television each

week) are now more likely to identify with their MP as an individual and not merely as an arm of the party, and have begun to demand more of their representatives.

Parliament as a whole may have lost the trust of the people, like the U.S. Congress, but polls show that most British citizens believe that contacting their MP is the single most effective political action they can take to redress their grievances. To handle the flood of constituent mail and phone calls, in 1986 members' secretarial and research allowances were raised by 50 percent. And, individual MPs have begun to court voters vigorously. Professional lobbyists, who previously trolled only in ministerial offices, can now be found roaming Westminster's halls in force.

Norton argues that the recent changes aren't "procedural pettifogging." Parliament, he says, is grooming itself for a leading spot in the new integrated Europe. British parliamentarians know that if they do not assert themselves, their counterparts in the European Parliament in Strasbourg, France, will be glad to do so.



*Hardly the genteel proceedings many Americans imagine, parliamentary debates are often interrupted by raucous confrontations between rival members, as in this 1830 print.*

## Trouble on the Kibbutz

"Is the Kibbutz Kaput?" by Tom Bethell, in *Reason* (Oct. 1990), 2716 Ocean Park Blvd., Ste. 1062, Santa Monica, Calif. 90405.

To Israelis, the kibbutz is as vital a national symbol as the family farm is to Americans. Like the American family farm, the kibbutz is an ideal that has been sustained by a few; at no time has more than three percent of Israel's population lived on a kibbutz. Now, according to Bethell, a *Reason* contributing editor, kibbutzim share one other similarity with family farms: They are facing extinction.

More than 80 years ago, kibbutzim were created to establish a Jewish presence in Palestine and to fulfill the socialist dreams of transplanted European Jews. Their communal ideology—members receive food, clothing, shelter, medicine, and a small stipend for their work but are allowed no personal possessions—amounts to almost a second religion. Organized as agricultural collectives, many of the 277 kibbutzim in Israel today also manufacture goods; at Kibbutz Tsuba outside of Jerusalem, for instance, laminated auto windshields are made. But despite their reputation as successful economic ventures, most kibbutzim have survived into the 1990s only through a combination of government subsidy, Jewish philanthropy, and debt forgiveness from Israeli banks. Their insolvency was exposed only during the 1980s by Israel's massive inflation. Today, the kibbutzim's debt is a staggering \$4 billion, equivalent to 13 percent of Israel's gross national product.

The problems were there from the start. Beginning after World War II, the Israeli government, sensitive to the symbolic importance of the kibbutzim, began subsidizing them and protecting them from competition. But this policy only made them

dependent on government aid. Even during the supposedly golden years of 1954–57, Bethell says, most kibbutzim lost money, once the depreciation of assets is accounted for. The Jewish Agency actually had to "adopt" 100 newer kibbutzim during the late 1950s and early '60s to save them from bankruptcy.

Unfortunately, money is not the only problem down on the kibbutz. Because of what one leader terms a decline in "ideological strength" among the young, older kibbutzniks are witnessing an exodus of their children. At least half, by some estimates two thirds, now choose to leave when they come of age. (Collective child-rearing—once applauded by psychologists such as Bruno Bettelheim—was long ago eliminated at most kibbutzim.) Many youngsters are put off by the rigid property restrictions. According to Bethell, kibbutzim in recent years have "loosened their restrictions on private property," allowing members to own books, furnishings, and tools. But some leaders feel that too loose a standard will doom the kibbutzim.

What does the future hold? For now, the most pressing need is to pay off the debt. The government has organized a collective bailout, but the fear, says Bethell, is that "dead-weight kibbutzim will drag down those that are making a sincere effort." A more serious threat, however, may come from the young. Yochanan Blumenfeld, a second-generation kibbutz member, blames the financial troubles on a "crisis of motivation." Until kibbutzim solve the "problem of providing economic rewards," Blumenfeld predicts, "kibbutz members will vote with their feet."

## Lethal Injection

"The Sick Man of Eurasia," in *The Economist* (Sept. 22, 1990), 10 Rockefeller Plaza, New York, N.Y. 10020.

During the 1980s, Western analysts hotly debated the quality of health care in the Soviet Union—and, implicitly, the Soviet quality of life. While *glasnost* still has not come to Soviet health statistics, it is increasingly clear that the country has seri-

ous problems.

Infant mortality, the *Economist* notes, often used as a gauge of general health care standards, is very high. While fewer than 10 American infants in 1,000 die in their first year—high, by Western stand-

## Greek Nudes

Why did the ancient Greeks admire nudity? To them, writes Larissa Bonfante, a professor of classics at New York University, in *Archaeology* (Sept.-Oct. 1990), nudity was a form of *haute couture*.

*Long before the Classical period of the fifth century B.C., Greek youths had been initiated into manhood in ceremonies during which they appeared naked. Athletes exercised and competed in Olympic games and other pan-Hellenic contests nude; warriors trained for battle without clothing, their trim, naked bodies an inspiration to fellow warriors and to poets who would extol their heroic deeds. By the fifth century, vases used at symposia—gatherings for male conversation, drinking, and amusement—were regularly decorated with figures of nude athletes; phallic sculptures guarded the crossroads; and statues of naked youths, life-size or larger, played an important role in the art of Athens and other Greek cities. To be nude was not only heroic and perhaps divine, it was also the true mark*

*of the aristocratic Greek male . . . .*

*Like clothing, nudity could be used to visually distinguish social groups—separating Greek from non-Greek, civilized from barbarian, men from women, and citizens from slaves . . . .*

*Certainly the Greeks were proud of their soldiers' physique and of their tan skin . . . . The contrast between their own bronzed bodies and the white, effeminate flabbiness of the Persians inspired courage in the Greek troops . . . .*

*Ancient Greek authors recognized the singularity of the custom and tried to explain it. Thucydides believed that the introduction of athletic nudity into the everyday life of the gymnasium was part of the 'modern' way of life—freer, simpler, and more egalitarian.*

*The Greek habit of finding rational explanations for social customs persisted. Plutarch . . . saw a social purpose in the nakedness of men and women competing in the gymnopaidia at Sparta: to encourage young men to marry as soon as possible.*

ards—the official Soviet number is 23. (It is an appalling 55 in the poorer Central Asian republics.) And Georgetown University's Murray Feshbach, a longtime skeptic of Soviet health data, thinks the real number is closer to 33. In some republics, 10 percent of all infants may be dying.

Why is infant mortality so high? One obvious reason is that among poor people everywhere it usually is. But Soviet children face an additional risk: an "injection epidemic." Soviet doctors, some of whom bribe their way into medical school and skip classes, treat even minor ailments with injections. Infants in the Central Asian republics receive 200–400 injections in their first year (American children typically receive five). A child with an uncomplicated upper respiratory illness can get 38 shots in one doctor's visit.

Painful, but not the end of the world—unless the needles are not sterile. All too often they are not. Disposable syringes are in extremely short supply, so needles are often re-used. And Soviet sanitary standards are poor. In Central Asia, 65 percent

of hospitals lack hot-water boilers and 17 percent have no running water at all. One result is that the AIDS virus, though less common in the Soviet Union than in other nations, is spreading rapidly. Today, children account for half of the country's 10,000–15,000 HIV infections.

Many parents, fearful that their children will be injected with an HIV-contaminated needle, compound the problem by refusing to allow them to be vaccinated against childhood diseases. In 1989 one-quarter of Soviet children were not vaccinated against polio; one-third missed vaccinations for whooping cough.

The Soviets are blunt about the danger: "Our maternity hospitals are simply made for AIDS to spread uncontrollably," is how one television commentator put it. Even so, a serious solution has yet to appear. To combat the problem, Moscow ordered that all children under 15 be vaccinated only with single-use syringes. Yearly demand for single-use syringes is at least 3.5 billion. In 1989, however, Soviet factories turned out 192 million.

## RESEARCH REPORTS

*Reviews of new research at public agencies and private institutions*

### "What Older Americans Think: Interest Groups and Aging Policy."

Princeton Univ., 41 William St., Princeton, N.J., 08540. 164 pp. \$24.95.

Author: *Christine L. Day*

America is aging rapidly. During the past two decades, the number of people 65 and over has grown twice as fast as the rest of the population, reaching 28.5 million—12 percent of the total U.S. population.

During the same period, older Americans became a powerful political force. The American Association for Retired Persons (AARP), founded in 1958 and now claiming some 28 million members over age 50, and the 4.5-million member National Council of Senior Citizens (NCSC) are just two of the more than 1,000 advocacy groups that have sprung up to lobby in Washington on behalf of the elderly. "Old-age interest groups appear to be one of the great political success stories of the last two decades," writes Day, a University of New Orleans political scientist. Federal spending on programs for the elderly rose from less than 15 percent of the federal budget in 1960 to about 27 percent in 1986, cutting the poverty rate among the elderly from 33 percent in 1959 to 12.5 percent in 1987.

Politicians, fearful of a backlash from the "gray lobby," have virtually exempted Social Security and other programs

for the elderly—such as Medicare—from budget cuts. As a result, Day says, the old stereotype of the elderly as impoverished and ill-cared for has been replaced by a new one: that of affluent "greedy geezers," intent on milking the government for all they can get.

But surprisingly, she argues, the elderly are actually *less* likely to support increases in federal spending for the elderly than are younger people. According to one 1984 poll, 55 percent of people aged 18 to 35, and 53 percent of those 36 to 64 think spending on Social Security should be increased; but only 45 percent of people 65 and over think so. Similarly, while 78 percent of people in the youngest group believe that the government doesn't spend enough on the elderly in general, only 51 percent of the elderly agree. Among people 75 and over, that number drops to 41 percent. And a surprising 14 percent of those 75 and older think that *too much* is spent on the elderly. (One old-age advocacy group, the National Alliance of Senior Citizens, actually lobbies against increases in federal spending for old-age programs.)

So why are old-age political

organizations such as the AARP so successful? Day points out that while they may be divided on federal spending, a clear majority of the elderly oppose mandatory retirement and favor better long-term health-care benefits, both issues that the groups address. Moreover, many groups provide valuable non-political services and benefits. The AARP, for example, offers discounts on insurance and drugs. And most organizations have steered clear of openly partisan stands in order to attract members from across the political spectrum.

Recently, Day observes, the groups have shown signs of weakness, as public concerns about the federal deficit and the large share of the budget going to the elderly have fomented a political backlash. But public reaction against the organizations has only galvanized support for them among the elderly, she adds.

In any event, reactions against programs for the elderly probably won't last long. After all, it is a safe bet that in 2010, the year America's 78 million baby boomers begin to retire, being old suddenly will become hip.

### "The Machine That Changed the World."

Rawson Associates, Macmillan Publishing Company, 866 Third Ave., New York, N.Y. 10022. 323 pp. \$29.95.

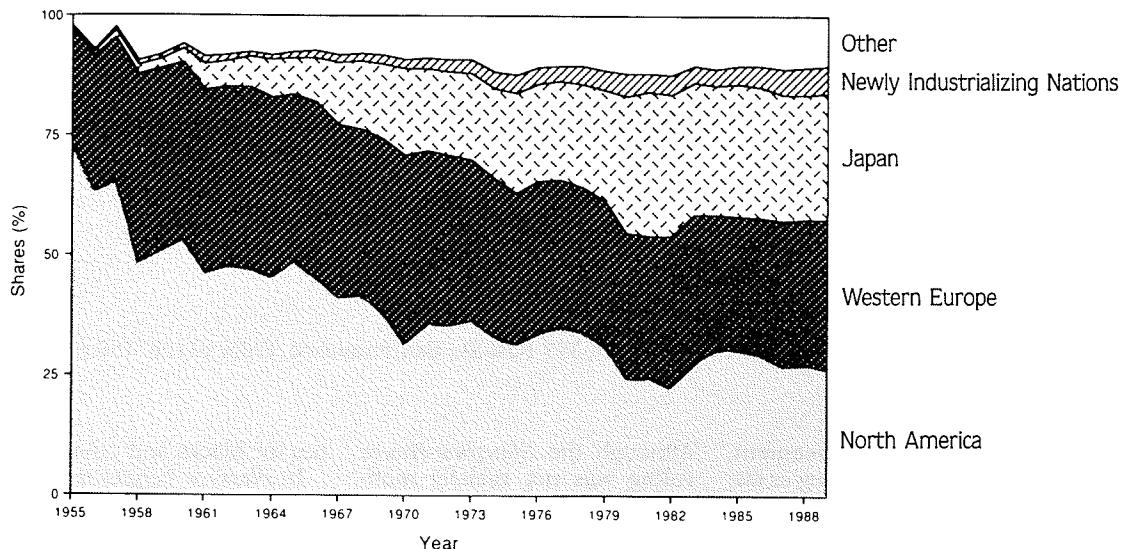
Authors: *James P. Womack, Daniel T. Jones, and Daniel Roos*

Twice in this century the automobile has revolutionized industrial manufacturing. Henry Ford's 1914 Model T set the first standard for factory mass production. Uniform, inter-

changeable components and moving assembly lines replaced individual craftsmen and hand-machined parts, reducing assembly time from more than 12 hours to less

than two. Consumer costs dropped by two-thirds. In 1923, Ford produced an astonishing 2.1 million Model T's. Following Ford's lead, factories across the world were

### Shares of World Motor Vehicle Production by Region, 1955–1989



mass-producing everything from toasters to tricycles by mid-century.

In 1950, a young Japanese engineer from the then-modest Toyota Motor Company named Eiji Toyoda visited Ford's Rouge plant in Detroit, and concluded that mass production wouldn't work in Japan. Among his reasons: the Japanese auto market required a wide variety of vehicles; auto workers demanded better working conditions and job security than their American counterparts; and businesses in the war-ravaged economy couldn't afford the expensive machinery and huge parts inventories needed for Ford-style mass production. Toyota set out to improve the system.

The "lean production" methods that the company evolved, write Womack and Jones of MIT's International Motor Vehicle Program, and Roos of the University of Sussex, are responsible for the remarkable success of Japanese automakers.

The Toyota engineers began by modifying the massive die machines used to stamp sheet metal into body parts. They designed machines with easily removable dies and changed them every few hours, keeping on hand only a one-half-day inventory of parts instead of the American companies' two weeks. That freed up large amounts of capital.

Workers were guaranteed lifetime employment with pay and promotions tied to seniority and given subsidized housing. Employee turnover all but ended, allowing assembly workers to be better trained. A Japanese auto worker today typically receives more than 380 hours of training, compared to 46 hours for his American counterpart. Organized in self-managed teams, workers are encouraged to stop the line anytime they spot a problem.

"Lean production" methods also extend to managers and engineers, who begin their careers with a three-month stint on the assembly line and are

frequently rotated to new tasks to alleviate boredom and "tunnel vision."

The results, say the authors, have been dramatic. Between 1982 and 1990 Japanese automakers doubled the number of models they produced, from 47 to nearly 84. Just half the size of General Motors, Toyota turns out as many models. Lead-time for the production of new prototypes has been shaved to six months—half that of American companies. Japanese companies can manufacture parts and assemble cars faster (16.8 hours versus 25.1 hours in Detroit) and with fewer defects (60 per 100 vehicles versus 82.3). The Japanese work ethic cannot explain the difference: Japanese-run plants in the United States outperform American-run ones. It takes them only 21.2 hours to produce an automobile, and their defect rate is only 65 per 100. (A small comfort: European automakers perform even worse than Detroit does.)

Ironically, the authors note,

Ford was the first of the American automakers to adopt "lean production" techniques, making it practically as efficient as the average Japanese transplant in the United States. General Motors and Chrysler are

following suit. In a near-saturated world auto market, keeping production costs down is the key to survival.

The authors happily predict a "lean" future for U.S. industry. "Lean production" is al-

ready spreading to other industries and could be the standard everywhere in the United States by the turn of the century. The likely effect, they say: lower prices, better quality, and more jobs.

### "Unfinished Business: A Civil Rights Strategy for America's Third Century."

Pacific Research Institute For Public Policy, 177 Post St., San Francisco, Calif. 94108. 158 pp.  
\$12.95.

Author: *Clint Bolick*

"The civil rights movement, which served for so long as our nation's conscience, has lost sight of its mission and has drifted recklessly off course," contends Bolick, director of the Landmark Legal Foundation Center for Civil Rights. The original goal of the civil rights movement of the 1960s—equal rights under the law regardless of race—has been replaced by demands for special privileges on the basis of race.

But Bolick is also critical of conservatives. "Abstract invocations of a 'color-blind society' ring hollow," he warns, "unless accompanied by a demonstrated commitment to make good on the promise of civil rights."

How is that to be done? Bolick argues that two standing Supreme Court rulings that result in discrimination against the disadvantaged must be targeted for reversal.

In its 1873 *Slaughter-House* decision, the Supreme Court upheld a corrupt 1869 Louisiana statute granting to one company a monopoly on slaughterhouses in New Orleans and other parishes, and forced all others to shut down.

Although the *Slaughter-House* ruling was not racially motivated, by establishing a precedent for cities and states to retain wide regulatory control over businesses, it had the effect of discriminating against people at the bottom of the economic ladder, a disproportionate number of whom are black. In Washington, D.C., for example, a 1905 Jim Crow law outlawed street corner shoe-shine stands. Houston shut down independent taxi services in 1924. Many of the overtly discriminatory prohibitions have since been repealed, Bolick says. The disadvantaged today face subtler but equally discriminatory hurdles. In New York City, for example, city regulations have driven the price of a taxicab "medallion," or license, to \$100,000. In Missouri, prospective beauticians must pass a ridiculously difficult written licensing exam. It even includes an extensive section on the composition of bones. In California, licenses are required by the state government for more than 178 entry level occupations. All of these requirements, Bolick says, needlessly obstruct economic opportuni-

ties for blacks and others.

In *Plessy v. Ferguson* (1896), the Court established the notorious "separate but equal" doctrine, ruling that Adolph Plessy, who was one-eighth black, could not sit in a "whites only" train car. Although it is commonly believed that *Plessy* was overturned by *Brown v. Board of Education* (1954), Bolick points out that *Brown* still permits "reasonable" racial classifications. And he believes that the *Plessy* precedent lives, even if it is not explicitly cited, in arguments for affirmative action and quotas. The resulting "race consciousness" is always indirectly harmful to minorities and sometimes is very directly so—as in the case of "integration maintenance" in some public-housing projects, which allows apartment "set asides" for whites. Toppling *Plessy* through litigation, Bolick contends, is essential.

Similarly, overturning the *Slaughter-House* precedent would eliminate economic barriers that remain in the way of blacks and all economically disadvantaged people.

"Freedom, not favoritism," might be Bolick's motto.

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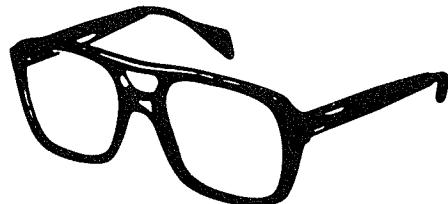
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## COMMENTARY

We welcome timely letters from readers, especially those who wish to amplify or correct information published in the Quarterly and/or react to the views expressed in our essays. The writer's telephone number and address should be included. For reasons of space, letters are usually edited for publication. Some letters are received in response to the editors' requests for comment.

### *America, the Gloomy*

Ironically, despite the successful outcome of the Cold War, the mood in the United States is far from triumphant. On the contrary, some polls show public opinion nearly evenly divided between "declinists" and "revivalists." Richard Rosecrance's "Must America Decline?" [WQ, Autumn '90] continues a debate that began in 1988 after the publication of Paul Kennedy's *The Rise and Fall of the Great Powers*. Kennedy has labeled Rosecrance's work, as well as my book, *Bound to Lead: The Changing Nature of American Power* (1990), "revivalist" and a challenge to the view that the United States will continue to decline. But despite my sympathy for Rosecrance's argument, I feel he gives away too much when he rests his case on the idea that "the challenge of international politics becomes economics and foreign trade." The post-Cold War world is not that simple.

Kennedy argues that the post Cold War drop in the importance of military power reduces "the significance of the one measure of national power in which the United States had a clear advantage over other countries." But not only does this ignore American economic, scientific, cultural, and ideological strengths, it also misses the past and present role of military power. As Saddam Hussein has demonstrated, the end of the Cold War reduces but does not eliminate the role of military force. Even a reduced American security guarantee remains of value to Europe and Japan as insurance against uncertainty. Ironically, if the allies value that insurance policy more than the United States does, it may do more for American bargaining power than much larger forces did at the height of the Cold War. One does not hear strong calls for removal of American forces from Europe and Asia, although this situation could change.

Rosecrance is right to reject declinist analogies to the stages of an individual human life. Collectivities are different. If concern about decline is proof of its presence, the United States was finished when it was started, for even the Founding Fathers worried about decline. The theme returned in the 1890s with the closing of the American frontier. More recently, the Soviet launch of Sputnik in the 1950s was seen as a sign of relative American decline, as was the oil crisis of 1973. A more plausible view is that American political moods swing more

rapidly than underlying reality would warrant.

It is also worth remembering Horace Walpole's 18th-century lament that Britain's loss of the American colonies would reduce it to "as insignificant a country as Denmark or Sardinia." That prediction of decline was followed by Britain's greatest century. External shocks and competition may contribute to American revival, but generational change may also help. Anyone who looked at American attitudes and leadership in the era of Harding, Coolidge, and Hoover might have concluded the country was in an irreversible decline, but they would have been wrong.

Joseph S. Nye, Jr.  
Director of the Center for International Affairs  
Harvard University

### *'Venerable' Criticism*

Your articles on Japan ["Everyday Life in Japan," WQ, Autumn '90] came as a welcome relief. I've been living in Japan for almost three years, and much of what appears in English in newspapers and magazines here and back home has dismayed me on several counts. One is the bald inaccuracy of what is being said, especially by people who come here for a short time, and by those who, here longer, have not bothered to study the language or the culture. Most writers on the subject are armchair quarterbacks who've never left their living rooms, much less taken to the playing field. The second count is the poor level of writing, which shows up in the traveler's tales that visitors scribble down—these visitors and scribblers including, incidentally, many members of the press. In the case of many lobbyists "for" and "against" Japan, these two counts merge, which is why what they have to say has almost no use, except to inflame vulgar passions and revive the fires of racial animosity. This issue on Japan should do much to correct the imbalance on all counts.

I have only one small criticism, and that has to do with the overkill on the idea of veneration of farmers. They are said to be "venerated," "highly venerated," "respected," and so on. Let's not overdo this. I've also stayed with Japanese farm families, and I've had to "defend" the American rice growers from Japanese complaints. When I ask farmers if America should keep out Japanese

cars that are made in Japan, they are aghast at the idea. Apparently, heavy industry is "venerated" in the Japanese outback as much as the farmer is in the big cities. Fortunately, by asking such a question, even "highly venerated" Japanese farmers come to accept, grudgingly, the need to reexamine the question of trade restrictions.

However, the overall tenor of all the articles far outweighs this one minor quibble of mine, and I'm circulating the magazine here at school and telling my friends back home to find a copy and read it.

Monty Vierra  
Hiroshima, Japan

### *The News from Inside*

I'm teaching a course this year comparing Japan and Italy—economic structures, economic cultures, politics, etc. I have been struck by how much better—more vividly detailed, more comprehensive, less ridden by academic pretentiousness—is the literature on Japan available to the Anglophone American public as compared with that on Italy.

Perhaps that needs qualifying. I rather think that in the literary/travelogue, "My 20 years as a Tuscan potter" genre, Italy might still come out ahead. Gifted children of the affluent American middle class are not, on the whole, much drawn to settling down in Japan, except occasionally—and usually in a not-long-lasting euphoria of solipsistic incomprehension in a Buddhist temple. The superiority I refer to is rather in the literature produced by academics, of which this group of articles is a fine example: full of fascinating glimpses into still unknown corners of Japanese life, and full of news about the present which makes those of us who formed our stereotypes of Japan back in the 1950s think that maybe we *should* retire, anti-ageist legislation notwithstanding.

I suppose the fact is that there are just a lot *more* people in American universities who have made Japan their study. No other country has benefited (if, indeed, to be studied by Americans is a benefit) so much from a particular combination of importance in the American strategic scheme of things and capacity to generate baffling incomprehension. Nor, indeed has any other country graduated so rapidly from being a poor country where the research dollar went a long way, to being an affluent country keen to shower research funds on foreign scholars. (I wonder if Italy will ever have anything like its own Pat Choate and *Agents of Influence* [1990] listing large Italian grants to American scholars, pointing out the pro-Italian leanings of those scholars but insisting, of course, that the coincidence is incidental since

they are honorable people, those scholars, all, all honorable people.)

David Plath, whose capacity to catch the ironies of human relationships is unrivaled, has given a wonderfully wry and accurate assessment of the quarrel-dressed-up-as-friendship which is the Pacific alliance. The others demonstrate the strength of American scholarship in another way; by writing from *inside* Japanese culture, offering, for those who have any capacity at all for empathy, an authentic feel for what life in Japan is like for the Japanese. Thank heavens there are still Americans who want to do that, instead of adding to the noise generated by the battle between "revisionists" and "apologists"—noise which, these days, is about all people in Washington ever get to hear about Japan.

Ronald Dore

Professor, Department of Political Science  
Massachusetts Institute of Technology

### *Another Look West*

During the last few years historians of the West have engaged in a far-ranging self-examination, of themselves and of the field ["The Winning of the West Reconsidered," *WQ*, Summer '90]. In part this effort anticipated the centennial of the supposed closing of the frontier in 1890; to some extent it was occasioned by new social science research methods; and it was due also to a gradual emancipation from Turnerian dogma which had viewed the history of the West largely in terms of the frontier. But perhaps the most important reason for our changing views of the American West is the mere passage of time. It is the passage of time that leads to new perspectives, to new insights and new interpretations, and, I would add, also to new illusions and self-delusions.

Professor Dippie's suggestive piece is part of this current debate about the meaning of the West in American life. Let us make no mistake about it: This debate is not solely an academic issue, of interest only to historians or other students of the West. Rather, it has direct relevance to the self-image of all Americans. And, beyond our shores it has a worldwide significance because it determines how Americans are perceived by millions of people around the world who have a mental image of the West. The region has been—and still is—a central component of the broader image of America.

Professor Dippie provides an admirable brief survey of this search for the real West. What is implicit in his essay, and perhaps can be made more explicit, is that there is no real West. Every generation reads its own preconceptions into its view of the West. So Turner and his generation read their

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own doubts about the new industrialism into their celebration of the frontier West; so Franklin D. Roosevelt defended his expansion of the federal government against the background of a supposedly vanished frontier; and so Dwight D. Eisenhower explained his Cold War diplomacy by alluding to the establishment of law and order in Dodge City, Kansas. And so those of the generation of the 1960s who have written about the West in the last 20 years have been preoccupied with the role of women, racism, and environmental problems of the West. Above all, theirs has been a very negative and deprecatory view of the role of the West in America's past.

Does such a perspective reflect more about the pessimism of Americans in the last two decades than about the West? Are historians of our own generation excessively present-minded? Professor Dippie does well to examine the preconceptions of those who have written about the West in the past. But should we be more rigorous in examining our

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(signed) Kathy Read, *Publisher*

own assumptions and preconceptions? After all, some of the more recent writers he describes may be doing no more than foisting their own fears and prejudices on the history of another era.

Gerald D. Nash  
Presidential Professor, Department of History  
The University of New Mexico

### Correction

A caption on p. 32 of the WQ Autumn '90 identified items for sale in a Tokyo fish market as squid. That is how they were described by the photographer, but several readers have written to point out that they bear a very strong resemblance to octopi. We stand corrected.

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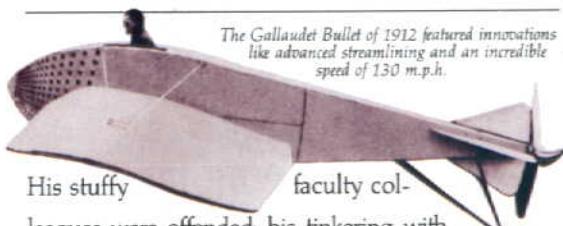


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