

the Freeman

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the Freeman

A MONTHLY JOURNAL OF IDEAS ON LIBERTY

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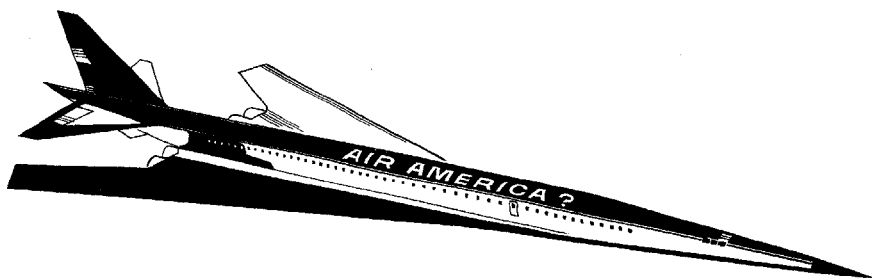
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No More Drinks

on the House LEONARD E. READ

LOCAL OPTION closed the saloon in my little village before I was old enough to steal a peek through the swinging doors. But I wasn't too young to be impressed with a feature common to saloons of that day: the free lunch. Rumor had it that the food was good, and all you could eat. Intriguing to a ravenous youngster!

Of course, the free lunch was purely a business getter. If the customer went home to eat, he might not return for another drink. The profit in drinks exceeded the cost of the food; and that was the economics of the situation.

I was reminded of the free lunch by a recent edict of the Civil Aeronautics Board: no more free drinks on commercial airlines! Another business getter outlawed by government, and a popular rul-

ing at that; a high proportion of airline passengers — and perhaps every last one of the nonpassengers — will exclaim, "Good riddance!" Nor will I argue for free drinks; anyone who can afford to ride first class is able to pay for his own spirits. The real issue, however, is not this minor item but rather the trend it portends. What concern is this of government? Carry such interventionism a few steps further, and I won't be allowed to buy you a cup of coffee!

The no-drink edict is symptomatic of a trend that frets me, and for good reason. I have been riding airplanes for 50 years — more than two million miles — and have grown up alongside the remarkable development of this industry. Today, it is in a state of perfection beyond my fondest dreams.

But, I recall paying a similar tribute to railway passenger service and the "crack trains" of a short while ago. Observing what has happened to the railways by reason of governmental and trade union interventionism and the consequent denial of competitive pricing, I wonder if the same forces are not at work in air transportation!¹

Do you see what I see? Why, for instance, do our privately-owned airlines find themselves competing for business by resorting to such fringe attractions as a free martini? Why has their appeal for passengers been reduced to such advertising sophistry? We hear of "Fan" jets and "Whisper" jets as if these were better than competitors' engines. One airline features "Yellowbirds" and another spends a fortune on a dozen color variations. We are offered meals aloft by "Club 21" and by "Voisin." Motion pictures! And stereophonic recordings ranging from "rock" to Beethoven! Airlines compete in how nattily the stewardesses dress and how "mini" their skirts! One airline

¹ It is careless talk to assert that the airlines ran the railways out of the passenger business. I can beat any prize fighter if his hands are tied behind his back. Had the railways been free to compete, no telling what miracles they might have wrought. They were given no chance!

flies "the friendly skies," implying that the heavens may be less gracious to the others. A stranger to flying might easily gain the impression that the airlines are competing with each other as night clubs in the sky. What accounts for this shadow competition?

Protection with a Vengeance

The answer is simple: government does not permit *realistic* competition; the CAB, not the airlines, governs the pricing of airline services. Unhampered pricing is taboo; without it, competition is essentially meaningless, leaving only trivia as marks of distinction. When freedom to price their own services does not exist, how else can they compete for business except by appeals to inconsequential embellishments? To rephrase one of their punch lines, "Is this any way to run an airline? You bet it *isn't!*"

Americans, by and large, have frowned on cartels, these being arrangements where members of an industry get together and fix prices. The intent of the popular but ill-advised Antitrust Laws was anticartel.² Only recently, some executives of leading electrical manufacturers were sent to prison

² As to how ill-advised, see "Do Antitrust Laws Preserve Competition?" by Sylvester Petro. THE FREEMAN, October 1957.

for price-fixing. In other words, they were condemned for *not* pricing competitively. Yet, the airline industry, like railroads, is a cartel, pure and simple: free entry is taboo; prices are fixed. Had the airline or railroad owners effected this rigged arrangement themselves, they would be prosecuted as criminals by the Antitrust Division of the Justice Department. But they are absolved of any guilt because, in these two instances, the cartels are of governmental construction.

Parenthetically, I make no claim that the airline owners are opposed to their cartel or that they are anxious for competitive pricing. For all I know, they may like the arrangement; it has a dual attraction: no price competition and no public or governmental disapproval. While most Americans will concede that competition is sound in principle — when applied to others — not many will actually seek it for themselves. Unless one enjoys a contest for fitness' sake, competition is avoided.

The Unseen Consequences

My concern, however, is not so much for the airline owner who finds his industry controlled by the CAB. I am concerned as a passenger, and my concern extends to those who may never fly at all.

What about those persons who

choose not to fly? The subsidies granted to all airlines since, say, 1925, add up to some staggering, unestimable figure.³ Who pays this bill? The taxpayers, as much by those who never fly as by those of us who regularly take to the air. Why should the nonflying widow Doakes, for instance, subsidize my trips? This is rank injustice, but unavoidable under a government-backed cartel.

As for those of us who prefer to fly, why should we not be offered the full competitive range of services and prices free-market airlines would provide as a means of attracting our business? Introduce free entry along with competitive pricing, and watch their ingenuity out-do even today's remarkable performance. And assure continuous improvement by removing the coercive forces that have crippled the railroads! Such outstanding performance by free market practices has been demonstrated time after time in all areas where they are not prohibited!

Why not? The reason is plain: once an activity has been under government control, no one can imagine how the problems could

³ Subsidies take many forms: government operated airways, weather stations, control towers, mail contracts, to mention a few. Then, there are the airports, the cost of which runs into the billions.

be met were it decontrolled. This is the reason why the President's Commission for postal service improvement does not recommend that mail delivery be turned over to the market, that is, to free entry and competitive pricing. And it explains why there is little likelihood that the airlines will be de-cartelized.

Unimaginable!

It is true beyond question that no one, however ingenious, can envision how free-market airlines would operate. No one has ever had such foresight — or ever will! But hindsight shows that when an activity is left to the market the miracles happen; examples abound by the tens of thousands. Just look at the record!

For instance, no one, at the turn of the century, foresaw how free entry and competitive pricing would work in the auto industry. What does hindsight reveal? A remarkable selection-of-the-fittest took place; some 1,600 companies tried their hand and fell by the wayside. Those who failed in the competition didn't like it; but I am looking at our problem from the standpoint of a consumer. How have we consumers fared? Every one of the past three-score years has witnessed a service to us superior to that of the previous year. Today, there are just a few

survivors; but from these few we can purchase an enormous variety of autos, any one of which would have confounded the imagination sixty years ago. And, so far as autos are concerned, we feel confident of improvement next year, and the year after. But how confident would we be were that competitive industrial complex merged into a government cartel?

U. S. based airlines are privately owned; most of the world's major airlines are government owned. Observe how much lower are the operating costs of the private lines.⁴ Private ownership, even in the absence of competitive pricing, generates a considerable ingenuity and accounts for the excellence of our airlines.

Except as Men Have Faith

However, we must bear in mind that there is no meaningful ownership except as there is owner control, and that as control by the CAB increases, private ownership of the airlines correspondingly disappears. The CAB's control is increasing!

This is why the edict, "No more free drinks," is ominous; it is symbolic of what's happening: competition, even in trivia, is destined to become less and less. Man-

⁴ For a comparison, see "Flying Socialism" by Sam H. Husbands, Jr. THE FREEMAN, February, 1965.

agement of the airlines is slated to pass from the title holders to a government agency, as has the management of the railroads.

Once we grant that the industry is not suited to free entry and competitive pricing, that it is a natural monopoly of the government cartel type, we can expect nothing different for the airlines than has already happened to the railroads. Granting this error, our airlines will, sooner or later, be staffed alike, the workers dressed and paid alike, the meals and movies and drinks served alike, and the planes decorated alike. We need only remember that competition, even in trivia, is not in the

lexicon of collectivism; and we might expect that our airlines, like the government owned *Air France* or *Air India*, will eventually bear some such name as *Air America*. Conformity and uniformity, not distinctiveness, is the collective way.

This is assuredly the destiny of our airlines unless, of course, we turn to the one and only alternative: free entry and competitive pricing—even a drink on the house or a free lunch if the competitor so chooses. And this can happen only as more of us than now know for certain that the results will be more remarkable than we can ever imagine. ♦

IDEAS ON LIBERTY

Spokesmen of Progress

THE RICH, the owners of the already operating plants, have no particular class interest in the maintenance of free competition. They are opposed to confiscation and expropriation of their fortunes, but their vested interests are rather in favor of measures preventing newcomers from challenging their position. Those fighting for free enterprise and free competition do not defend the interests of those rich today. They want a free hand left to unknown men who will be the entrepreneurs of tomorrow and whose ingenuity will make the life of coming generations more agreeable. They want the way left open to further economic improvements. They are the spokesmen of progress.

THE
UNTRUTH
OF THE
OBVIOUS

YALE BROZEN

THIS is the age of science as well as of riots—an age when we search for and discover the laws that explain and enable us to understand many phenomena. Professor C. Northcote Parkinson, for example, through many years of painstaking research, discovered the law that “expenses rise to meet income.”

Parkinson has become famous for his law. Since I, too, would like to become famous, I am going to propound Brozen’s law: *Most obviously true economic policy propositions are false!*

Let me illustrate with some obviously true policy propositions which are false.

The Fair Labor Standards Act was amended to raise minimum wage rates from \$1.25 an hour to \$1.40 on February 1, 1967, and to \$1.60 one year later. It was obvious that a wage rate of \$1.25 an hour would provide only \$2,600 per year for a full-time worker. It was even more obvious that this was (and is) less than \$3,000 a year, the official line which an annual income must cross if the recipient is not to be poverty stricken. Therefore, it was obvious that the minimum wage rate had to be raised to reduce the number of people in poverty because of low wages. It seemed equally obvious, then, that there ought to be a law raising the minimum wage above the poverty line.

Now that the minimum wage has reached \$1.60, the income of a full-time worker employed at the minimum is \$3,328. This, obviously, is enough to cross the poverty line (with due allowance for inflation) and eliminate all poverty resulting from low wage rates (in covered occupations).

The question that arises, however, is whether the number of people in poverty has been decreased by eliminating all poverty resulting from wage rates below \$1.60 an hour. Obviously, if no wage is paid of less than \$1.60 no one at work (in covered occupations) will be in poverty because of a low wage.

The Unknown Effects of Minimum Wage Rates

Despite all this obviousness, the increase in the *statutory* minimum wage rate has increased — not decreased — the amount of poverty in America. Although the various upward moves in the statutory minimum have increased the incomes of some people,¹ they have decreased the incomes of a great many others by causing them to lose their jobs. When the

¹ Temporarily. The evidence indicates that the wage rates of those whose wage is increased by the Fair Labor Standards Act would have reached the levels dictated by law within a few years without the law.

minimum was increased in 1956, for example, unemployment among teen-agers and women over 45 rose despite the fact that total unemployment was falling. Usually, when total unemployment falls, unemployment in these two groups falls twice as rapidly. However, this usual relationship was reversed by the rise in minimum wage from 75¢ to \$1.00 an hour in 1956.

The fact that increases in the statutory minimum wage cause some people to lose their jobs is hardly debatable. The evidence is more than ample.² Even the industries given special treatment who are allowed to pay less than the full minimum have laid off people

² James E. Blair, "Regarding the Minimum Wage," *THE FREEMAN*, July, 1965.

Y. Brozen, *Automation and Jobs* (Graduate School of Business, University of Chicago, Selected Papers, No. 18).

Marshall R. Colberg, "Minimum Wage Effects on Florida's Economic Development," *Journal of Law and Economics*, October, 1960.

D. E. Kaun, "Minimum Wages, Factor Substitution and the Marginal Producer," *Quarterly Journal of Economics*, August, 1965.

G. Macesich and C. T. Stewart, Jr., "Recent Department of Labor Studies of Minimum Wage Effects," *Southern Economic Journal*, April, 1960.

J. M. Peterson, "Research Needs in Minimum Wage Theory," *Southern Economic Journal*, July, 1962.

L. G. Reynolds, "Wages and Employment in the Labor-Surplus Economy," *American Economic Review*, March, 1965.

because of a rise in their wage costs.

The *Philadelphia Inquirer* (January 22, 1968) reported that the Goodwill Industries sheltered workshops, which are allowed to pay as little as 50 per cent of the statutory minimum, were laying off handicapped workers at the end of January because the agency could not afford the even larger subsidy required than they were already paying to keep these people at work with the rise in the statutory minimum to \$1.60 on February 1 and, as a consequence, a rise in the minimum for handicapped workers in sheltered workshops to 80¢.

A *New York Times* story on February 13, 1967 from Greenville, Mississippi, said that spot checks by civil rights workers indicated that 100,000 people were deprived of all farm income because agricultural workers were covered by the Fair Labor Standards Act for the first time and they had to be paid \$1.00 an hour. As a result, 100,000 farm jobs were wiped out.

A *Wall Street Journal* story on September 7, 1965, reported the lay-off of 1,800 women in North Carolina crab meat packing plants when the minimum went from \$1.15 to \$1.25. A *U.S. News and World Report* story, in the August 17, 1964 issue, described the ef-

fects of the \$1.25 minimum on the operation of a shop producing mountain-made novelties at Paintsville, Kentucky. The shop was closed, ending the jobs of 200 part-time employees when a new wage-hour office in Pikeville pressed for strict compliance with the minimum wage law. A *Wall Street Journal* sampling of retailers, reported August 31, 1961, found that package wrappers were being dismissed, work weeks were being shortened, and substandard employees were being laid off because retail stores were to be covered by the minimum wage law beginning September 3, 1961, as a result of new amendments to the Fair Labor Standards Act.

The Southern Pine Industry Committee presented evidence in Senate hearings that imposition of the \$1.00 an hour minimum in 1956 was a major influence in the closing of numerous sawmills in the South. Professor John Peterson, in his dissertation done in the economics department at the University of Chicago, demonstrated that employment adjusted for output and trend fell in sawmills, men's cotton garments, and other industries when the minimum was raised to \$0.75 in 1950.³

A study of the seamless hosiery

³ "Employment Effects of Minimum Wages, 1938-1950," *Journal of Political Economy*, October, 1957.

industry found a 13 per cent drop in employment in mills whose average wage was less than the minimum when the \$0.25 an hour minimum was imposed in 1938 and subsequently raised to \$0.325 in 1939. This did not include the decrease in employment in mills which went out of business.

Impact on Negro Teen-agers

The incidence of unemployment caused by increases in the statutory minimum wage is falling most heavily on one group. It is a group toward which a great deal of governmental effort is being directed for the purpose of improving their lot—Negro teen-agers.⁴ Before the Fair Labor Standards Act raised the minimum wage to \$1.00 in 1956, nonwhite and white male teen-age unemployment both were approximately the same, oscillating between 8 and 14 per cent of those seeking jobs, depending on the state of business. In 1956, when the \$1.00 minimum went into effect, nonwhite male teen-age unemployment surged to levels 50 per cent greater than white male teen-age unemployment. (See Table.) White male teen-age unemployment has stuck at high

levels since 1956, approximating or exceeding 14 per cent of those seeking employment in most years. That is a figure in excess of the maximum unemployment among white male teen-agers in any year before 1956. Negro male teen-age unemployment, however, has gone to even higher levels than white teen-age unemployment since 1956, exceeding 21 per cent of those seeking employment in every year in the last decade. Since the full application of the \$1.25 minimum

RATIO OF NONWHITE TO WHITE
TEEN-AGE MALE UNEMPLOYMENT
(AGES 16-19)

<i>Year</i>	<i>Nonwhite</i>	<i>White</i>	<i>Ratio</i>
1948	10.0%	9.8%	1.0
1949	16.5	13.8	1.2
1950	14.9	13.0	1.1
1951	9.1	8.0	1.1
1952	9.0	8.9	1.0
1953	8.2	8.0	1.0
1954	14.2	13.5	1.1
1955	13.7	11.2	1.2
1956	15.3	10.4	1.5
1957	18.4	11.5	1.6
1958	26.9	15.7	1.7
1959	25.2	14.0	1.8
1960	24.1	14.0	1.7
1961	26.8	15.7	1.7
1962	21.8	13.7	1.6
1963	27.2	15.9	1.7
1964	24.3	14.7	1.7
1965	23.2	12.9	1.8
1966	21.4	10.5	2.0
1967	24.0	10.8	2.2
1968 (Feb.)	26.6	11.6	2.3

⁴ Y. Brozen and M. Friedman, *The Minimum Wage: Who Pays?* (Washington, D. C.: Free Society Association, 1966).

SOURCE: *Manpower Report of the President, 1967*, pp. 203-04, 216.
Employment and Earnings and Monthly Report on the Labor Force, March, 1968.

in 1965, nonwhite male teen-age unemployment has soared to levels 100 per cent greater than white unemployment. Since the rise to \$1.40 in February, 1967, nonwhite male teen-age unemployment has in some months been 150 per cent greater than white unemployment. This has occurred despite a more rapid decline in the nonwhite participation rate than in the white rate — a decline which carried the nonwhite rate to a level which has been below the white rate since 1961.⁵

How to Raise Wages

The greatest help we can give the Negro today is to repeal the statutory minimum wage. Instead, we are raising it. By doing this, we are foreclosing opportunity for Negro teen-agers. Many are now unable to obtain the jobs where they could learn the skills which would enable them to earn far more than the statutory minimum.

We do want low wages raised. But passing a law is not the way

⁵ Bureau of Labor Statistics, *The Negroes in the United States: Their Economic and Social Situation* (Washington: Government Printing Office, 1966), BLS Bulletin No. 1511, p. 27. The current participation rate of nonwhite male teen-agers has fallen to 46 per cent as compared to a 54 per cent participation rate among white male teen-agers. *Employment and Earnings and Monthly Report on the Labor Force*, March, 1968, p. 42.

to do it, although it seems so very obvious that passing a law will raise the minimum wage rate. Unfortunately, what it does is to lower the wage to zero for a great many people. When the minimum wage went up on February 1, 1967, nonwhite teen-age unemployment jumped from 20.9 per cent in January to 26.2 per cent in February. The increase on February 1 this year jumped nonwhite teen-age unemployment from 19.1 in January to 26.2 per cent in February (all figures seasonally adjusted).

The lowest wage rates can be successfully raised by improving our technology, by increasing the amount of capital — the amount of tools, machines, and other equipment — and by allowing people entering the labor force to obtain jobs where they can learn the skills which will bring a much higher wage — an opportunity barred to many by the statutory minimum wage. The minimum wage cannot be raised by law without enormous deleterious effects ranging from unemployment for many to riots in the cities where the unemployment is concentrated.

Side Effects of the Law

Before passing on to other illustrations of obviously true propositions concerning economic

policy which are false, let me mention a few other side effects of the minimum wage statute. Among other things, it has resulted in the maintenance of segregated work forces in plants where segregation would otherwise have disappeared. Since an arbitrary increase in wage rates decreases the amount of employment, employers have found that they could fill the reduced number of jobs in any given plant with the available white workers. Without this forced economization of labor, they find it necessary to hire blacks as well as whites to fill the larger number of jobs.

Another effect has been to force rural and Southern residents to emigrate to Northern and Western cities since the minimum wage has had its greatest impact on disadvantaged areas not close to major Northern and Western metropolitan markets. The result of this is greater population density in Northern city slums, a greater problem of assimilation, and a breakdown of order in the over-packed slum areas.

A third effect is that wage rates in our lowest wage occupations such as domestic service have been depressed by the minimum wage laws.⁶ The people who

have lost their jobs in covered occupations have been forced to look for places in noncovered work. People who would have left this work for better jobs in the covered occupations have found no jobs available because of the decline resulting from the rise in the minimum wage. As a consequence, the supply of people for the noncovered jobs has been increased by the minimum wage and has depressed wage rates for these jobs.

Other Policies Producing Unintended Effects

There are a large number of other instances in which the government has intervened with legislation which seemed the obvious method for accomplishing some desired goal. However, the results, as in the case of the minimum wage, have been *opposite* those intended by the well-intentioned supporters of the legislation. Let me summarize these with somewhat less detailed analysis than I have given you in the case of the minimum wage.

A Federal effort is being made to improve deplorable housing conditions for migrant workers in the United States. Instead of improving their lot, it is making farm hands worse off than before.

A law that took effect July 1, 1967, is designed to enforce Federal migrant labor housing stand-

⁶ Y. Brozen, "Minimum Wages and Household Workers," *Journal of Law and Economics*, October, 1962.

ards. The result is that farm operators are speeding up their mechanization of crop harvesting rather than spend the money on improved housing. Such concerns as Heinz and Stokely-Van Camp are closing their workers' camps. As a consequence, migrant workers' jobs are disappearing and they are being forced out of rural slums into worse urban slums.⁷

The tariff, our tax on imports from other countries, is supposed to protect the levels of living of American workers from the competition of low-paid foreign workers. Instead, it has monopolized low-paying jobs for Americans. It has prevented Americans from obtaining the better-paid jobs in our export industries which would have been available except for the trade barriers we have imposed.⁸ Jobs in protected industries in the United States pay an average of \$2.00 to \$2.50 an hour, while jobs in our unprotected export industries pay \$3.00 to \$5.00 an hour.

The Federally sponsored and subsidized urban renewal program was supposed to benefit poverty-stricken slum dwellers. Instead, it

has reduced the supply of housing available to the poor. It has forced them to pay higher rentals than they paid before their homes were destroyed.⁹ Also, the urban renewal program has wiped out the livelihoods of hundreds of small business people whose places of business were destroyed.

TVA and REA Programs

The Tennessee Valley program was supposed to benefit a group of people living in a low-income section of the country. What it has done is to slow the migration of people out of low-productivity, low-paying jobs into high-productivity, high-paying jobs. It has subsidized people to stay put where their opportunities are poor. The net result is that per capita income in the Tennessee Valley area has risen less than it would have if there had been no Federal program for the Tennessee Valley.

The Rural Electrification Administration was supposed to help poverty-stricken rural residents. The subsidies provided for farm-

⁷ N. Fischer, "Bad to Worse: Crackdown on Migrant Worker Camps May Pack the Slums," *Wall Street Journal*, August 22, 1967.

⁸ Y. Brozen, "The New Competition — International Markets: How Should We Adapt?" *The Journal of Business*, October, 1960.

⁹ Chicago Housing Authority, *Rehousing Residents Displaced from Public Housing Clearance Sites in Chicago, 1957-58*.

Joel Segall, "The Propagation of Bulldozers," *Journal of Business*, October, 1965.

Martin Anderson, *The Federal Bulldozer* (Cambridge, M.I.T. Press, 1964).

ers in the program have had the opposite result. These subsidies have depressed rural wage rates and left low-income rural dwellers worse off than they would have been without these subsidies. Subsidized electricity and subsidized power equipment under the REA program are used to reduce farm labor requirements. The result is lower wage rates for farm workers than otherwise would have prevailed, a consequence of the reduced demand for their services.

Transportation regulation such as that carried on by the Interstate Commerce Commission, in the case of railroads, trucks, barge lines, and oil pipe lines, by the Civil Aeronautics Board in the case of airlines, by the Federal Maritime Commission in the case of ocean carriers, and by the Federal Power Commission in the case of gas pipe lines, was supposed to protect the consumer of transportation services from the exaction of high prices by monopolies and protect small businessmen from discriminatory rates. Instead, prices are higher and transportation rates are more discriminatory than they would be in the absence of governmental regulation.¹⁰ Most of these agencies set

price floors, not ceilings, which is hardly a method of encouraging lower transportation rates.

Usury laws are supposed to protect people from extortionate interest rates. However, the net result appears to be that it simply bars many people from obtaining legal loans because legal lenders will not lend where risks are so high that the legally allowed return is not compensatory. The illegal lending racket has sprung up as a result of usury laws. It is surely true that the borrowers from illegal lenders pay much higher interest rates than they would if there were no usury laws.

When we became concerned about safety on the highway and found that most people did not willingly buy seat belts, padded dash boards, and collapsible steering gear which would not stab the

petitive Ratemaking," *I.C.C. Practitioners Journal*, June, 1962.

Paul W. MacAvoy, *The Economic Effects of Regulation: The Trunk-Line Railroad Cartels and the Interstate Commerce Commission Before 1900* (Cambridge: The M.I.T. Press, 1965).

S. Peltzman, "CAB: Freedom from Competition," *New Individualist Review*, Spring, 1963.

"The Great U. S. Freight Cartel," *Fortune*, January, 1957.

S. P. Huntington, "The Marasmus of the Interstate Commerce Commission," *Yale Law Journal*, 1952.

John S. McGee, "Ocean Freight Rate Conference and the American Merchant Marine," *The University of Chicago Law Review*, Winter, 1960.

¹⁰ Stewart Joy, "Unregulated Road Haulage: The Australian Experience," *Oxford Economic Papers*, July, 1964.

George W. Hilton, "Barriers to Com-

driver in a collision, it seemed obvious that injuries could be reduced by passing a law forcing manufacturers to install these items as standard equipment. What is not so obvious, and is a relevant piece of data which we did not bother to determine, is what this does to the average replacement rate and the average life of automobiles. Since this equipment makes a car more expensive, auto users find it economical to drive their cars longer than they otherwise would. The consequent higher average age of cars may result in more failures of parts, more limited use of the latest advances in making automobiles safe, and more dangerous highway travel with greater frequency of injury and death.

Devices to End Poverty

When we became concerned about poverty, we attempted to meet the situation by such devices as various poverty programs, provision of job training facilities, generous relief programs, more state grants to educational establishments operated by the state, lengthened periods of compulsory school attendance, and an assortment of similar devices. These are the obvious ways. What is unobvious is that the state causes much of the poverty that concerns us, partly by the taxes it imposes to

support these programs, partly by its various interventions in the market.

Minimum wage laws create poverty by forcing people into unemployment. Agricultural price support programs make people poor by raising the price of food and by decreasing job opportunities through the production restrictions imposed to maintain high agricultural prices. Transportation regulation prevents industry from moving to disadvantaged regions where the poor live and providing jobs for them. It increases the cost to the poor of migrating to regions where better-paying jobs can be found and prevents them from curing their own poverty. Union-supporting legislation causes poverty by permitting and encouraging union power to grow to the point where it can be and is used to restrict the entrance of the poor into higher-paying jobs.¹¹ The regulation of the field price of natural gas by the FPC increases its price and the price paid by the poor for cooking and heating fuel,¹² thus deepening the poverty of the poor and forcing some over the borderline into poverty. We

¹¹ H. Gregg Lewis, "Relative Employment Effects of Unionism," *American Economic Review*, May, 1964.

¹² R. W. Gerwig, "Natural Gas Production: A Study of the Costs of Regulation," *The Journal of Law and Economics*, October, 1962.

could do more for the poor by the repeal of all this legislation than we can possibly do by the special enactments designed to help the poor.

Brozen's Law No. 2

This brings me to Brozen's second law: *Whenever we have an impulse to pass a law to alleviate some problem, the more appropriate action is to repeal a law.* Again, permit me to "prove" my law by example.

We are currently concerned about the riots in our cities. The reaction to this problem has been to consider additional legislation. Several proposed acts are before Congress at this moment ranging from making it a crime to cross state lines to foment riots to the institution of new government agencies to do such things as financing and subsidizing the purchase of private dwellings by the poor.

Let us consider one fact: the majority of those arrested during riots for arson, making Molotov cocktails, sniping, looting, and the like are Negro males between the ages of 16 and 20. I would suggest that part of the reason we find such people involved in these activities is that many of them are unemployed. More than 25 per cent of Negro male teen-agers who would like to have jobs and have

been serious enough about this to engage in some job-seeking activity are unemployed. Theodore C. Jackson, the Negro manager of the Fifth Avenue branch of the Bowery Savings Bank in New York, has observed that "if a guy's busy enough involving himself in personal betterment, he doesn't have time for rioting." Since a major reason many Negro teen-agers are frustrated in their attempts to better themselves is the minimum wage law, we can do more to end the rioting problem by repealing this law than by enacting additional laws.

I should add that a major element in the Newark riot was the fact that some 22,000 Negroes were about to be deprived of their homes by the Urban Renewal Program. Repeal of this statute would contribute more to ending the riot problem than the enactment of additional statutes.

Still another reason that Negroes are frustrated in their attempts to better themselves is the fact that unions keep Negroes out of many jobs and severely restrict their entrance into apprenticeship programs. Repeal of the Wagner Act and the Norris-La Guardia Act would do more to open up opportunities for Negroes than the Manpower Development Act has managed to do to date or is likely to accomplish in the future. Em-

ployers spend \$20 billion a year training people for jobs and they make jobs available for the people they train. The Office of Economic Opportunity spends \$2 billion a year training people for jobs and many of the jobs for which they train people do not exist. The ship's steward training program is a prime example of this. Experienced ship's stewards are finding it difficult to obtain jobs in the dwindling American merchant marine, yet the OEO is training more people for these nonexistent positions. Opening up employer training programs to Negroes by reducing the power of unions to restrict entrance to these programs can accomplish more than additional appropriations for the OEO. The repeal of the Wagner Act would do more to accomplish this than all the state and Federal fair employment practices acts will ever accomplish.¹³

Disorganized Family Life

Still another factor in producing riot-prone Negroes is the disorganization present in Negro family life. A great many Negro youths come from broken homes — and we know the psychological problems this creates and the tend-

encies toward juvenile delinquency. Many of these broken homes are a result of our Aid to Families with Dependent Children laws. If a mother with dependent children will get rid of her husband, we will pay her handsomely for doing so in twenty-eight states.¹⁴ This may be an important factor in accounting for the rise from 30 per cent of the families in some Negro ghettos having no male breadwinners to 44 per cent in the past two decades.¹⁵ Perhaps we should repeal this law, or at least some parts of it.

Let me add another instance where repealing laws would alleviate problems on which additional legislation is being proposed. Agricultural interests are proposing the restriction of imports of Danish cheese and Australian boneless beef. They are also proposing price-support programs for dairy products and additional purchase programs for other products. An enlargement of the Soil

¹⁴ For one example and the consequences, see D. Farney, "Cash Premium to Break up the Family," *Wall Street Journal*, November 30, 1967, p. 16.

¹⁵ "In the 1960's, women have headed about 23 per cent of all nonwhite families, compared to about 9 per cent of the white families." The number of nonwhite families with a female head rose by 47 per cent from 1950 to 1960 while nonwhite families with a husband or other male head rose by 20 per cent and 11 per cent respectively. Bureau of Labor Statistics, *op. cit.*, pp. 36, 182.

¹³ Harold Demsetz, "Minorities in the Market Place," *North Carolina Law Review*, February, 1965.

Bank Program and other programs for taking land out of cultivation in order to reduce the magnitude of farm-produced surpluses is also being proposed. Instead of enacting programs to take more land out of cultivation, why not repeal the reclamation program and avoid putting more land into cultivation if all this does is make it necessary to take more land out of cultivation?

Previous Applications of Brozen's Second Law

I should say that we have occasionally recognized that the way to solve a problem is to repeal a law rather than enact another. In the late 1940's, we found that little research was being done to develop applications for synthetic rubber and little was being done to reduce the cost of synthetic rubber. It was proposed that Congress should enact a law enlarging the government's synthetic rubber research. Another Congressman proposed, instead, that the law monopolizing the ownership of synthetic rubber facilities by the government be repealed.

The government ownership law was repealed and the Federal government sold its synthetic rubber plants in 1953. Private research on rubber promptly leaped to over \$100,000,000 a year. After that occurred, the price of synthetic

began declining, and its use began to broaden enormously.¹⁶

The same sort of action occurred in the case of atomic energy. Complaints had grown to a vociferous level by 1954 that the billions being spent by the Atomic Energy Commission were not producing the hoped-for results in making nuclear energy an economic industry. We had been promised that the power of the atom would be making deserts bloom by 1950, and there were no deserts in bloom. In 1954, we repealed the law monopolizing atomic energy research for the government. Within a decade, three different companies each developed economic means for generating electricity with atomic fuels, although at the pace at which developments had been coming before 1954 it did not appear that this would occur for at least three decades.

Perhaps the most famous instance of a repeal of laws as a method of solving a problem is the repeal of the corn laws in Great Britain in the 1840's. Food prices were high and poverty widespread in Great Britain in the early nineteenth century. With the repeal of British corn laws (i.e., their

¹⁶ R. Solo, "Research and Development in the Synthetic Rubber Industry," *Quarterly Journal of Economics*, February, 1954.

tariffs), one of the most remarkable rises in affluence that has ever occurred in world history took place in the following decades.

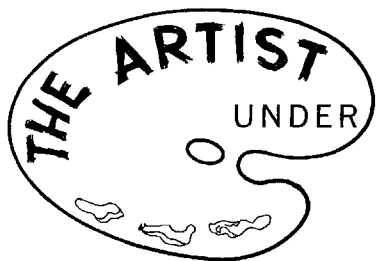
Perhaps we ought to pick a few laws to start work on and form a league for their repeal. In England, Richard Cobden and John Bright formed an anti-corn law league and managed the repeal of the laws within a few years. We might start to work, if you wish to start at the local level, on the repeal of city ordinances limiting the number of taxicabs. I find it a problem to obtain a taxi in most cities to which I go except Washington, the only major city which does not limit the number of cabs by ordinance.

At the national level, the most important single law in need of repeal is the Fair Labor Standards Act. I gave its minimum wage provisions as much attention as I did because it is high on my list

for priority action. A league to repeal the Fair Labor Standards Act could begin its work by educating people to the iniquitous effects of minimum wage rates. These help to maintain segregation in plants. They cause severe unemployment among Negro teenagers. They block the education of those most in need of education. They force the movement of people from where they would like to live to where they do not like to live. They cause overcrowding of cities and the development of slums. They are a major cause of civil commotion. They breed the rioters who have been burning our cities.

These results should be enough to impeach any law. If we want seriously to work on our problems of slums, segregation, unemployment, and riots, here is the place to begin. Don't pass another law. Repeal this law. ♦

• For a further discussion of the ways in which the good intentions of political planners tend to backfire, FREEMAN readers may wish to review Dr. Brozen's article in the September 1967 issue: "Rule by Markets vs. Rule by Men."



THE ARTIST UNDER SOCIALISM

DEAN LIPTON

IN 1891, the famous Anglo-Irish writer, Oscar Wilde, wrote an essay titled "The Soul of Man under Socialism." In it, he predicted that under socialism the arts would thrive as never before, and the artist would at long last find his true home. Nor can even the most rugged individualist find fault with Wilde's reasoning that great art is always the work of an individual, accurately summing up what art is in these words: "Art is the most intense mode of individualism that the world has known." But he then went on to propound a fallacy, insisting that socialism would release man's energies and talents as no other system ever would.

Anyone who has lived through the rise of world socialism must

Mr. Lipton of San Francisco has been an Army historian, newspaperman, art and literary critic whose articles have appeared in numerous magazines.

see himself as little Alice in a wonderland of fantasy whenever he reads any of the nineteenth century utopian socialists like Oscar Wilde. How so many brilliant men could have guessed so wrong will forever remain a perplexing historical mystery.

The case of Boris Pasternak is typical of what happens to an artist under socialism, and is quite different from Wilde's day dreams. Pasternak, in the judgment of one of the world's outstanding literary critics, Edmund Wilson, deserves to be classed with such giants of Russian literature as Tolstoy, Dostoevski, and Turgenev. Several years ago he won the Nobel Prize for Literature for *Doctor Zhivago*, a novel critical of Soviet society. The communist leadership ordered him not to accept the award, denounced him in its government-controlled press, and with sys-

tematic and calculated ruthlessness hounded this great man to his grave.

A few years later, two young Russian writers were sentenced to a Siberian concentration camp. Unable to secure publication for their work in the Soviet Union, they had submitted it to foreign publishers. Under socialism this was a crime — although it would have been acceptable practice in any capitalist country.

It is worth noting that these acts were committed by the "liberalized" Soviet state, and not by the old Stalinist tyranny. Not that Stalin's treatment of artists was more gentle. During his regime, for instance, the great Russian-born Jewish painter, Marc Chagall, was denied the right to exhibit his work in Russian museums. The reason is obvious to anyone familiar with Chagall's paintings. They were usually based on religious themes or Jewish folklore, but most certainly did not conform to socialist realism, the prevalent critical mode in the Soviet Union. Chagall was more fortunate than most, for he himself was not living in Russia during Stalin's time.

Recently, China has shown the world just how savage the treatment of artists and their work could be when a socialist state really put its entire will into it.

China's leaders attacked artists as a class of undesirables in need of "cultural rehabilitation." Young hoodlums were permitted to humiliate, degrade, and even torture some of the finest artists in the nation. Then they were turned loose on the ancient treasures of China, the works of art it had taken many gifted men centuries to produce. Priceless tapestries were torn from their walls and trampled in the mud, wonderful paintings were ripped to shreds, and exquisitely-wrought sculptural pieces were smashed into rubble. Nor does it take many guesses to figure out what the cultured and civilized Oscar Wilde would have thought of this senseless savagery.

Situation Reversed

Compare the lot of the writer or artist under socialism with one who worked and lived in the United States when capitalism was at its height. Jack London was not only a brilliant novelist but a socialist who wrote fiery essays advocating revolutionary socialism. Yet, he was never forced to seek foreign publication for his work. The largest capitalist publishing firms in the nation gave his writings more than an adequate hearing. His career spanned the presidential administrations of three of the most

ardent believers in capitalism in American history — William McKinley, Theodore Roosevelt, and William Howard Taft — and at no time did any of them consider using the power of his office against a man whose every political, economic, and social argument must have been repugnant to him.

As a further comparison, we might consider Pasternak's treatment by the socialist authorities of his country against the treatment accorded to the four American Nobel Prize Winners for Literature: Sinclair Lewis, Pearl Buck, Ernest Hemingway, and John Steinbeck. They were all at one time or another vigorous and vocal critics of American society. But none of them was forced to renounce the award won by his own talents. The free press of the nation did not engage in a campaign of slander against any of them. Far from being degraded or humiliated, they were applauded and lionized.

How Socialism Stifles Art

To everyone living in a socialist country, socialism is two things. First, it is a political and legal system; secondly, an economic system. Obviously, no system can do anything for the artist. This is as true of capitalism as it is of socialism. The best thing any society can do is to let him alone to

create his work, to think out his ideas, to develop his imaginative concepts. And this is exactly the one thing that socialism will not do, for it is congenitally incapable of letting anybody alone.

Beyond this, socialism restricts the artist in a third way. It forces him to accept critical standards which have little or nothing to do with art. In its extreme forms, as we have seen, it does this with all of the power of its governmental apparatus. In gradualistic types of socialism and welfarism, it is done with more subtle economic, social, and academic pressures — but subtle as they are, they are very real to the artist.

The way critical standards are arrived at by the nonartistic socialist-thinker can perhaps best be seen by examining the ideas of the late Mike Gold, long-time literary arbiter of the American Communist Party. The determining factor in worthwhile art, Gold once announced, was its social significance. By this definition, a writer of second-rate, socially-significant novels like Harriet Beecher Stowe would be considered superior to a great allegorical stylist like Herman Melville. In fact, Gold said as much. It was, of course, his right to believe anything he liked about art or literature. As long as they remained just one man's opinion, his views

injured no one. Unfortunately, in extreme socialist societies, men like Gold dictate artistic policy, and the arts are inevitably downgraded to the position of propaganda handmaidens for the government.

Swamped with Trash

The decline of the arts in the United States has paralleled the rise of welfarism, and this doubtless is one of the reasons why the beliefs of a brilliant novelist like John Dos Passos have swung from the radical left to the conservative right. He lived to see what any degree of socialism could do to the cultural level of the nation; Oscar Wilde did not.

There are, for instance, more books being published in the nation than at any other time in our history, and yet their general literary quality has never been so low. To understand how this could happen, it is necessary to realize that the publishing industry, more than almost any other industry, is a risk business. And the degree of risk a publisher is willing to take depends almost entirely on his costs.

The break-even point (the publisher's cost of producing a book plus the author's advance against royalties, promotion and advertising costs, and the like) used to be a sale of 4,000 copies of a hard-

cover book. However, the inflationary impact (caused by taxation necessary to finance a welfare state) and restrictive labor union practices has doubled the publisher's costs until the break-even point is seldom less than 8,000 copies. In practice, the publisher knows that a serious work of literature will ordinarily sell fewer than 5,000 copies, far below his break-even point.

So he does not publish the manuscript of a serious novel which he knows has considerable merit. Instead, he publishes what is known in the publishing trade as a promotable item. Recent examples would include *The Green Berets* (an adequate adventure story news-pegged to the Viet Nam War) and *Valley of the Dolls* (a badly-written, prurient look into the private lives of Broadway and Hollywood types). While there is no literary law which says that a promotable item cannot also be a serious work of literature, I know of no instance in the entire history of American literature where such has been the case. *The Green Berets* could hardly measure up to a war story like *The Red Badge of Courage*, nor would any knowledgeable critic class the *Valley of the Dolls* with *The Scarlet Letter* or *Sister Carrie*.

What has, of course, happened is that the freedom and oppor-

tunity of the writer has been restricted in favor of the beneficiaries of welfarism and organized labor. But he does not suffer alone. The cultural climate of the whole country is poorer. Nor is the inflationary impact limited to literature. Its unfortunate consequences extend to the other arts as well. Until the last couple of decades, it was the custom of art galleries to nurture painters and sculptors of talent until they could cultivate a demand for their work. Few galleries would be so foolhardy as to attempt doing so these days on any kind of a meaningful scale. Because of the high cost of doing business, galleries increasingly find that they must select their artists not on the merit of their work, but on whether they follow popular trends. Traditionally, American opera and symphony companies have been financed through voluntary subscriptions. Today, they are caught between rising costs on the one hand, and the fact that excessive taxation has dried up their revenue sources on the other.

Academic Pressures under Socialized Education

Even more destruction is done to the arts in a socialized state by academic pressures than by economic ones. Economic circumstances may in time be changed

or altered. But bureaucracies once established become almost impossible to root out. And basic to any socialist or welfare system is the bureaucratization of education. Neither art nor writing can be taught. What can, of course, be taught are the technical skills used in the arts. A competent teacher would concentrate on these, and let the prospective artist or writer develop his own imaginative concepts, style, approach, the hundreds of intangibles which go into the making of fine art or literature. But when education is bureaucratized, as it is today, the teacher feels that he must justify his ever-higher salary and status by teaching not the skills, but art itself.

In the past, "schools" of art and literature evolved because some writers and artists had common literary or artistic goals. This, however, is no longer the case. Today, such "schools" are instigated by the colleges and universities which teach art and writing. This has led to what a critic for the *New York Times* has aptly termed "an age of prolix mediocrity."

Although Wilde proved to be a poor social prophet, he could be a perceptive critic. Addressing the art students at the Royal Academy, he warned them: "Those who advise you to make your art repre-

representative of the nineteenth century are advising you to produce an art which your children, when you have them, will think old-fashioned." The same thing, of course, could be said about the art being taught in welfare state educational institutions. It defies the first requisite of fine art. It won't last, and it dies a few years later when the bureaucratized educators decide to instigate a new trend.

A variety of social forces which are part and parcel of the welfare state are antithetical to the true

artist. His greatest need is absolute privacy, and every noble-sounding concept so beloved by the modern liberal and radical is aimed at tearing away its last shred. Such ideas as "universal brotherhood" and "fraternity" can only destroy the artist who is above all else an individual. It is true of him — as it is of everyone else — that to survive he must have public consumption of his work. But he can never permit public participation in it; and that, in the last analysis, is just what any socialist system will demand. ♦

IDEAS ON LIBERTY

Joint Monopoly

THIS has been the usual evolution of collective bargaining in England and Western Europe and in the United States. Everywhere the same results follow. The employer-union relations become substantially collusive arrangements. Concessions are more willingly granted because everybody makes them simultaneously and because labor concessions can forthwith be translated into price increases which also everybody simultaneously makes. The public interest, then, is subordinated to this new joint interest of capital and labor, or employers and union, and the influence of competition is further impaired.

In practice, under such arrangements, employers' associations join with unions in fixing costs and prices and lose much of the interest competing businesses have in keeping their costs and prices down.

HIGHER EDUCATION:

THE SOLUTION OR PART OF THE PROBLEM?

CALVIN D. LINTON

MY TITLE may strike you as odd, whimsical, even wrong-headed. Surely education is a "good thing." It is by its very nature beneficial, not harmful; promethean, not mephistophelean; our saviour, not our destroyer. The more of it the better.

But every one of these popular beliefs is doubtful. It all depends on what kind of education we are talking about, and what kind of people receive the education.

Let me say at once, therefore, that I am speaking of that kind of education which is secular, largely technological, and chiefly aimed at teaching people how to do

things. This is, I believe, the public image. Every member of a liberal arts college has at one time or another confronted bewildered or irate parents who demand to know what, after an expensive liberal arts education, their newly furnished offspring are trained to do — what kind of a job can they get? It is difficult to convince them that the purpose of a liberal education is to develop mental powers, to sensitize one's response to beauty and goodness, to expand and lengthen one's outlook, to teach civilized emotions, and the rest. (It is particularly difficult because, in all conscience, these jobs have often not been done by the liberal arts college. But that is another story.)

The menace of modern education is quite easy to define: Never have so many people, groups, and

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nations been able, because of education, to do so many things — and we are all afraid that they will now start doing them! To narrow it a bit: The menace is that of incalculable power (the product of knowledge) in the hands of bad or foolish men. The agonizing question now is not whether we can possibly learn how to do this or that, but which of the things we have the tools to do we should, by an act of will, choose to do. The question, in short, is one of conduct, not of knowledge. With this, education, to its own peril, has little to do.

And yet it is the most anciently recognized of problems. Adam faced it, and chose wrong. His problem, like ours, was not knowing *how* but knowing *what*. And the corrective was early stated: "Thou shalt do that which is right and good in the sight of the LORD: that it may be well with thee . . ." (Deut. 6:18). With the spirit of this commandment, modern education has even less to do. Education's answer to man's problems is more education — as if Hitler would have been made a better man if he had taken a degree or two from some good university.

I submit that modern education presents increasingly the fearful aspects of Frankenstein's monster because of the prevalence of five fallacies or myths.

1. *The Myth of Automatic Human Progress*

The general tendency of ancient thought was that man had fallen from high estate, whether from some Golden Age or from the bliss of Eden. Not until the eighteenth century and the rise of that strangely irrational epoch called the Age of Reason were doctrines of inevitable human progress widely disseminated. Partly, this was the result of a sort of provincial complacency, and partly ignorance of history. How easily in eighteenth century writing flow the condescending remarks about the barbarism of the ancient world, the primitive grotesqueness of gothic cathedrals, the ignorance and ineptitude of Shakespeare!

But it remained for the nineteenth century and the rise of theories of evolution for the views to become the dogma that all environments tend inevitably toward perfection. Why this is so was never clearly stated. There simply is faith that the universe is so constituted. "Chance" will see to it. But chance is simply a non-term, identifying the *absence* of reason, purpose, intention, and will; it is odd that reason should put its faith in that which is, by definition, nonreason.

Reasonably or not, however, the cult of inevitable progress has, in education, placed improper em-

phasis on novelty, change for its own sake, the gimmick. True, in the world of technology the view that the latest is the best is usually sound—we properly prefer the up-to-date typewriter, automobile, washing machine. But technology advances automatically, so long as we do not forget the practical lessons of past experimenters. Every engineer begins at the point where the last one left off. Advancement is due not to any improvement in the human brain, but to the mere accumulation of experience. The ancient brains that measured the diameter of the earth, that worked out the basic principles of force, leverage, hydraulics, and construction, were almost undoubtedly greater brains than our age possesses. But the modern technologist stands at the topmost height of achievement of all previous craftsmen. He may himself be a dwarf, but he can see farther than they, for he sits on their shoulders.

Not so in the area of human conduct. Here it is not technology but wisdom that governs. No man becomes virtuous because of the virtue of another. He may be inspired by the wisdom and virtue of others, but he must make that wisdom his own possession. He cannot start out as wise as they simply because they have recorded their wisdom. Every human being,

as a moral creature, begins from scratch. Not the *novel* but the *true* controls here.

Julian Huxley once observed that evolution seemingly has not worked in recorded history. Even within the view of evolutionary progress, therefore, there is no ground for believing that the wisdom residing in the most ancient minds was not as great as that held by the latest recipient of a Ph.D. Indeed, in all honesty, most of us would agree that there probably is not alive this day any human being whose wisdom can match that of a Moses, a Job, a Paul, a Marcus Aurelius, an Aristotle, a John—make the list as long as you wish.

And it is precisely this storehouse of ancient wisdom that the Cult of the New denies to the student. How they flock to the latest course presenting results of “an unstructured learning experience bearing upon upward mobility desires in terms of motivational elements in adjustment to a work situation”—but how few choose a course in the ethical teachings of Jesus.

And yet, as we have seen, it is precisely in the matter of choosing wisely what we should do, not in mastering more tools of power, that our future security—if any—consists. Bertrand Russell has written: “If human life is to con-

tinue in spite of science, mankind will have to learn a discipline of the passions which, in the past, has not been necessary. . . ." In other words, the upward curve of virtue must parallel that of knowledge.

Professor Ginsberg of the University of London in his book, *The Idea of Progress*, correctly states that progress cannot be defined in terms independent of ethics. One can scarcely call it progress if a murderous maniac is progressively handed a stick, a club, a sword, a pistol, a cannon, and finally an H-bomb.

Education must deal with that which has *never* changed: the human heart, its passions and ideals. *There* are the wellsprings of human well-being or human catastrophe. In an address to the Royal Society, Laurence Oliphant, Australia's top atomic scientist, declared: "I can find no evidence whatever that the morality of mankind has improved over the 5,000 years or so of recorded history."

2. The Myth of the Natural Goodness of Man

This is a delicate subject. One sometimes feels that this dogma is simply a corrective to the reverse obnoxious doctrines of extreme puritanism (the sort seen in medieval asceticism and seven-

teenth-century extremism) that every impulse of man is totally and inherently evil. (In passing, some even conceive this to be the Presbyterian doctrine of total depravity. Actually, of course, the view declares that the *total* man was touched by sin, that no part of his being remained unaffected. It does not attribute total evil to every impulse.)

But the cult of sensibility, as the eighteenth century termed it, is not a corrective; it is an extreme, untenable, and unreasonable dogma that shows up in modern education all the way from first grade to graduate school.

Simply, it may be called the philosophy of "doing what comes naturally." At the intellectual level, for example, it is held that there is some magic value in the uninhibited and uninformed opinion if freely expressed. And so discussion groups are held in the grade schools and the high schools on such subjects as "What do *you* think about the atom bomb?" or "teen-age morality" or "banning *Lady Chatterley's Lover*" or "implementing freedom among underprivileged nations" or what not. The poor little dears have scarcely a fact to use as ballast. But no matter. The cult of sensibility believes that continuing, free, uninhibited discussion will ultimately release the inherent goodness

of natural instincts and impulses. The fad for "brainstorming" has passed, but not the philosophy behind it.

Now, of course, we must encourage discussion. The young need to be encouraged to think and to speak — the former, anyway. But the deadly assumption underlying this sort of thing is that goodness is not a difficult matter of study, discipline, learning, mastery of tough masses of fact, but just a kind of game. It's fun to do what comes naturally. (On reading about the uninhibited conduct of certain grade school classes, with free discussion, finger painting, group games, or whatever the youngsters want to do, an older man said: "That's not a new feature of education. They had that when I was a boy. They called it 'recess.'")

Ultimately, this view of ethics believes that there is no objective standard of morality or ethics. If there were, then what one wanted to do would be either right or wrong according to whether it reflected or violated the absolute standard. Rather, it is the view of the cult that society *determines* morality. The vote of the majority determines the ethical value. To refer to Bertrand Russell again, one remembers his assertion that there is no rational basis for determining ethics. Man, as the ran-

dom product of an eternal flux of atoms, *feels* certain things — chiefly, that he exists; or rather, he experiences an experience he arbitrarily names "existence." Thus, what are "ethical standards" to one may be unacceptable to another. There is no objective basis for deciding between them. One can only hope, therefore, that he lives in a society in which the majority of the people *happen* to like the same ethical standards one does oneself.

The idea that man is basically good and infinitely capable of self-improvement has ramifications in every area of modern life. It is ardently preached by Freudian psychologists, to whom restraint of any natural desire is bad; by dreamy-eyed social and political theorists who believe that "freedom" is the sovereign remedy for the ills of every primitive tribe and nation; by aesthetic theorists who teach that art is an unplanned eruption occurring when the "artist's biography makes contact with the medium of the art"; and by educationists who teach that what Johnny wants to do is what he must be permitted to do. No concept is more widespread, more taken for granted by millions who have never troubled really to think about it.

It is important to realize that members of the cult of natural

goodness believe primarily in the goodness of the *nonrational* faculties — instinct, emotion, impulse, subrational urges. They are not so strong on the natural goodness of the intellect. (The high priest of the cult is D. H. Lawrence.)

There is, consequently, a prevalence of anti-intellectualism in educational circles that manifests itself in a marvelous jargon largely incomprehensible to the rational intelligence. Jacques Barzun gives a fine analysis of this malady in *The House of Intellect*.

3. The Myth of Egalitarianism

This is an even more delicate subject. To seem to question the equality of men is to raise questions about one's attitude toward home and mother and the American way of life. Actually, of course, the situation is not hopelessly complicated. It is simply a matter of identifying those areas in which all men are equal and those in which they are not.

To the Christian, every soul is equal *before God*. All have sinned and come short of the glory of God; all need grace; none is good before God. None can claim social status, investments, political office, or ecclesiastical affiliation to separate him from his absolute equality with all other human souls.

To the believer in the Western tradition of rule by law, every

man is also equal *before the law*. The protection of the law, the responsibility for obeying the law, and the duty of understanding the law are equal in distribution and force, without regard to any circumstances save legal age.

But to declare that all men are equally gifted, equal in force of character, equal in abilities and talents, equally deserving of a share of the world's goods, equally deserving of esteem, respect, and admiration, equally deserving of rewards, equal in cultural heritage and contribution — this is irrational nonsense.

No concept has had a deadlier effect upon modern education than this. It has hindered the identification and encouragement of the exceptionally gifted; it has lowered educational standards to a point where no one, no matter how dull, can fail to hurdle them; it has confused the right of every man *to seek* an education with the fallacious belief that every man has a right *to receive* a degree. It has stifled initiative by refusing to grant exceptional reward to exceptional effort. It has encouraged mediocrity by withholding the penalty of mediocrity.

An illustration: A university with which I am very familiar undertook a program to encourage better English in the high schools of the city. The basic idea was

competition—the best writers, the most skilled in grammar, the clearest thinkers would be singled out through public contests for reward.

The professional secondary school counselors were horrified. This clearly amounted to “discrimination”—it discriminated between the able and the unable student! In the modern doctrine this is the deadly sin. In sum, the university was permitted to put into effect only a watered-down plan that carefully provided rewards for everyone. Needless to say the program was of only modest effectiveness. Needless to say, too, that high school graduates come to us scarcely sure whether writing is the white or the black part of a page.

I was recently told by a professional-educator colleague that the terrible alternative to belief in complete equality in all dimensions is the inculcation of an inferiority complex. From that, he told me, come resentment, insecurity, antagonism, maladjustment, psychoses of various kinds, rebellion—in short, a wrecked society.

This, too, is nonsense. The thing works both ways. Almost everyone has some talent or ability that could be developed beyond the average level. If he properly receives acknowledgment for this superiority, he will be willing to grant

superiority in other fields to other people. Is this not inherent in life itself? Do we feel resentful or guilty because we have not the mental equipment of a Pascal or an Einstein? Physically inferior because we cannot bat home runs like Mickey Mantle? Artistically inferior because we cannot play the piano like Rubinstein or Richter? On the contrary, one of the keenest pleasures of life is to be in the presence of a superior person—and to be very still.

That sort of pride which cannot, without infinite anguish, acknowledge the superiority of any other living being is quite literally Satanic. From it flowed all our woes.

4. The Cult of Scientism

Again, careful qualification is needed. No one can, in the first place, be other than grateful for the marvelous strides science has made in increasing human comfort, controlling disease, providing relief from soul-killing labor. Nor, in the second place, can anyone doubt the validity and effectiveness of the scientific method—in its proper place. What I refer to is the religion of scientism, complete with dogma, faith, ethical system, and ritual.

“Science” is a wonderful word. It means “knowledge.” Thus the old term for what we today call

"science" was "natural philosophy." The study of nature—physical; perceived by the senses; capable of instrumentation. Indeed, modern science may be called the application of instruments to matter for the purpose of gaining understanding of material forces and thus of gaining control over them for our own purposes.

The cultic aspect arises when (1) science is viewed not as *one* way man has of knowing things (and a sharply limited one) but as the way that embraces everything man can, at least respectably, come to know; and (2) when the teachings of its priests are accepted without question by a faithful congregation.

These cultic aspects are perhaps most perceptible in the development of "mysteries" of the faith, open only to the initiated, not to be comprehended by nonscientists. Writes the great Norbert Wiener: "The present age of specialization has gone an unbelievable distance. Not only are we developing physicists who know no chemistry, physiologists who know no biology, but we are beginning to get the physicist who does not know physics." As a consequence, the mysteries known only to the specialists are accepted without question by those without the necessary knowledge to judge for themselves.

Anthony Standen, distinguished British chemist who is editor of a huge encyclopedia of chemistry, writes: "What with scientists who are so deep in science that they cannot see it, and nonscientists who are too overawed to express an opinion, hardly anyone is able to recognize science for what it is, the great Sacred Cow of our time" (*Science Is a Sacred Cow*, Dutton, 1950).

"Is the universe," he continues, "to be thought of in terms of electrons and protons? Or . . . in terms of Good and Evil? Merely to ask the question is to realize at least one very important limitation of [science]."

The biologists, he says, try to define "life," with ludicrous results. "They define stimulus and response in terms of one another. No biologist can define a species. And as for a genus — all attempts come to this: 'A genus is a grouping of species that some recognized taxonomic specialist has called a genus. . . .'"

The scientist, says Standen, has substituted *is* for *ought*. "That is why," he concludes, "we must never allow ourselves to be ruled by scientists. They must be our servants, not our masters."

The cult has many imitators, all of them injurious to true education. The ritual words of the worship services have been adopted by

areas of knowledge where no physical instrumentation is possible: psychology, sociology, aesthetics, morality. When the modern psychologist asks, "What motivational elements predominated in this behavioral manifestation?" he is still simply asking, "Why did he do it?" And the real answer lies far beyond the reach of the cleverest electronic computer or microscope.

In general, the attitude fostered in modern education toward science is unthinking worship. As a consequence, as Martin Gardner states in his recent book, *Fads and Fallacies in the Name of Science*, "The national level of credulity is almost unbelievably high."

The menace of this scientific gullibility obviously goes far beyond the classroom. It is the malady of our age, and one of which we may perish. But my immediate point is simply that an environment of anti-intellectual materialism has seriously hampered the development of students' awareness of the moral and spiritual stature of man, by which alone he stands erect.

Most paradoxical is the cult's dogma that there is no room for faith in any true search for truth. The notion is palpably false. Let me quote Warren Weaver, vice-president for the natural and medical sciences of the Rockefeller

Foundation: "I believe that faith plays an essential role in science just as it clearly does in religion." He goes on to list six basic faiths of the scientist, including the faith that nature is orderly, that the order of nature is discoverable to man, that logic is to be trusted as a mental tool, that quantitative probability statements reflect something true about nature, and so on ("A Scientist Ponders Faith," *Saturday Review*, January 3, 1959). In sum, he says: "Where the scientist has faith that nature is orderly, the religionist has faith that God is good. Where the scientist believes that the order of nature is discoverable to man, the religionist believes that the moral nature of the universe is discoverable to man."

Dr. Weaver rejects the well-known aphorism of Sir Richard Gregory:

My grandfather preached the Gospel
of Christ,
My father preached the Gospel of
Socialism,
I preach the Gospel of Science.

But many others accept it with fervor. "God has ceased to be a useful hypothesis," writes Julian Huxley. The problem of the nineteenth century, says another, was the death of God; that of the twentieth, the death of man.

Any humanist who speaks in

these terms must be extremely careful, lest he fall into mere carping, deeply tinged by envy of the prominence and prosperity of science. Nothing could be more foolish — or more ungrateful. The lament over the low estate of the humanities in the public mind would be more touching if those responsible for the preservation and dissemination of humanistic studies had something of positive value to say, if they had a Path, a Way of Truth to declare.

5. The Cult of Biologism

I admit that this is a poor term, and perhaps the topic itself were better considered a subheading of the previous one. Essentially, this cult is an outgrowth of materialism, the faith that man is only biology, that he not only *has* glands but *is* glands.

As a consequence, whole segments of educational theory consider man precisely as a physicist considers an atom — one purely objective item among others of its kind, clothed with identity only as it is part of a group, the properties and motions of which are to be determined statistically, in terms of average behavior. (Years ago, Irving Langmuir, speaking of the "burden of irrationality" in science, pointed out that the laws, say, of the expansion of gases tell us how a mass of molecules behave

under certain conditions of heat and pressure, but that no one can predict how a single one of the molecules will behave.)

To treat man merely as a capacity for response to stimuli, as totally the product of the forces that impinge upon him, without will or conscience, is to divest him of personality, individuality, and dignity. But the whole science of human engineering is based, more or less, on this concept. The only variation is the difference of opinion among the practitioners as to whether there remains in man some slight indeterminate center of being, inviolate to stimulus or statistical confinement, or whether he is totally susceptible to manipulation.

Among the many ramifications of this cult let me mention only two. First, the dogma that all human actions are social in their implications, to be judged purely by their effect on society. And, second, the dogma that emotions, feelings, are not essentially moral in their nature, nor the product of individual, unique, and sovereign personality, but are merely the conditioned reflexes of quivering biology.

The first, the social dogma, conceives of the individual as the physician thinks of the cells of the body — part of an organic whole, subject totally to the wel-

fare of the organic unit (the state, in the social and political parallel), and to be excised through surgery if a cell rebels.

It is within this belief that a nationally prominent psychologist has defined education as "the engraving of desirable behavior patterns." Through conditioning, teaching machines, Pavlovian devices of various kinds, the individual is created in the desired image. Undesirable behavior patterns are to be eradicated by a form of brainwashing and a new engraving superimposed. Dismissed as utterly outmoded is the view of each human being as a living soul, created in the image of God, with primary responsibilities as an individual to the God of his creation.

And who is to determine what kind of behavior pattern is "desirable"? That's the hitch. The persons who most ardently would like to impose their own behavior patterns on me are the very ones whose patterns I would least like to have engraved.

At worst, this view of human existence is both irrational and evil. It is irrational because it must believe that those who impose the patterns of desirable behavior must be as totally the product of external influence, as completely a consciousness-produced-by-environment, as those

who are to be manipulated. It is evil because it denies human dignity and reduces the individual to a cipher.

The second menacing product of the cult of biologism is the belief that emotions and feelings are as purely biological as the purely physiological activities of man. In other words this view denies that the quality of a person's feelings is a measure of his moral stature, of his culture, of his civilization. It denies that the teaching of right feelings is a vital part of true education.

The "natural" emotions of a child are pretty fearful, until they have been civilized, associated with moral values, enriched with culture. Most notably, the child—and the savage—is instinctively delighted by cruelty. A child will pull the wings off a fly. A recent account of life among certain savage South American Indians describes the pleasure of the community at the antics of chickens plucked alive, with perhaps a leg or wing pulled off for good measure.

This may be the "natural" feeling of sin, and it may be an instinctive expression of the savage as biology. But it is the work of civilization, of culture, and above all of religion, to eradicate it. "Natural" man must learn the right emotions — what to laugh at,

what to smile at, what to frown at.

Show me what makes a man laugh, what makes him weep, and I know the man. It is ultimately a matter of morality, not biology. Education divorced from moral values cannot teach right feeling.

The deepest and most significant emotion of all, the one this world most desperately needs to be taught, is compassion—the emotion most readily associated with the love of God for sinful man. “The tender mercies of the heathen are cruel,” says the Bible. Commandments that we deal gently, forgivingly, tenderly with each other are “unnatural” in biology. They are natural only to the regenerated spirit.

Now, this is a broad indictment. I do not pretend that I have said anything new, or that these problems are peculiar to education. They are maladies of our age. They break into dozens of major subheadings, scores of topics, hundreds of subject headings, thousands of instances.

True Education

But the correction is magnificently simple: True education, as Milton said three centuries ago, is to relearn to know God aright. Education divorced from God is

capable of infinite and endless complexities and confusions. He alone is the motionless Center that gives meaning to all motion. What *he is*, not what man is, determines what should be and shall be.

Let me end with a quotation from that rough-mannered philosopher, Carlyle (*Sartor Resartus*, Chapter IX):

“Cease, my much respected Herr von Voltaire,” thus apostrophizes the Professor: “shut thy sweet voice; for the task appointed thee seems finished. Sufficiently hast thou demonstrated this proposition, considerable or otherwise: That the Mythus of the Christian Religion looks not in the eighteenth century as it did in the eighth. Alas, were thy six-and-thirty quartos, and the six-and-thirty thousand other quartos and folios, all flying sheets or reams, printed before and since on the same subject, all needed to convince us of so little! But what next? Wilt thou help us to embody the divine Spirit of that Religion in a new Mythus, in a new vehicle and vesture, that our Souls, otherwise too like perishing, may live? What! thou hast no faculty in that kind? Only a torch for burning, no hammer for building? Take our thanks, then, and — thyself away.”

Somewhat modified, these words might be addressed to the kind of dangerous education I have been describing. ◆

CLARENCE B. CARSON



The Rise and Fall of England

4. THE INTELLECTUAL THRUST TO LIBERTY

THE COUNTERBALANCING of the power of government provided the political foundation for liberty in England in the eighteenth century. But this development did not stand alone, nor would it have been sufficient to provide liberty for long if it had. It was, of necessity, one suspects, accompanied by the development of ideas which supported the balance of powers and a general thrust toward the establishment of liberty. Indeed, a whole new intellectual outlook underlay the thrust toward liberty in the seventeenth and eighteenth centuries. This outlook buttressed

the balance of powers and gave impetus to the formulation of the structure as a principle necessary to liberty (classically expressed as the separation of powers). This intellectual outlook and the related ideas were essential, too, because however powers may be dispersed and counterbalanced in theory, they can still be used for interventionist and oppressive ends if there is not a widespread confidence in the desirability and beneficence of liberty.

There is a popular myth in our era to the effect that men have ever longed for and sought after liberty when they were oppressed, which they usually were. This myth has been given currency by numerous historical novels, stories,

Dr. Carson, Professor of American History at Grove City College, Pennsylvania, will be remembered for his earlier FREEMAN series, *The Fateful Turn*, *The American Tradition*, and *The Flight from Reality*.

plays, movies, and the like. The myth contains, at best, a half truth. It may be true that each individual person has usually longed for more operating room for himself and has sought to remove the restrictions that restrain him. But this urge and drive can be, and frequently has been, something quite different from a devotion to greater liberty for everyone. Quite often, men have been satisfied with special privileges for themselves, at whatever cost in oppression to others, though they may mask their quest for privilege under the guise of the love of liberty.

The Fear of Freedom

The matter goes deeper than mere selfishness, too. Frequently, men have not only failed to make the effort to extend liberty throughout society but have also had a positive fear of and aversion to such a condition. Some of the best minds of the ages have been devoted to erecting elaborate justifications for limiting liberty and maintaining oppression. Nor need these justifications have been insincere, though some of them may have been. In truth, the prospect of liberty can arouse extensive fears, for it raises the specter of chaos, disorder, things out of control, the fabric of society rent, and conflict let loose.

What would happen to religion, men have asked, if the people were not required to attend church and were not taxed to support it? Would the most persuasive support of morality be lost? Would not the binding ties of community become unknit? What would become of the "lower orders" of men? If compulsion were removed, would they not fall prey to the consequences of their natural bent to indulgence and laziness? Would not the people be confused and misguided if they had available for consideration every heterodoxy which a free press might publish? How could authority be maintained if men might characterize it by whatever vagrant thoughts entered their minds? What would happen economically if men were free? Would men in general not fall prey to the consequences of the bent of men to sell as high as they could and buy as cheaply as possible? Who knows what chaos would result, in wages, in rents, in prices, in trade, if they were not controlled and directed?

When these fears of the consequences of liberty have been added to the danger that those in power would lose their special privileges and become the object of retribution by the formerly oppressed, it is easy to see why liberty usually has not been sought with great devotion.

Champions of Liberty in the 17th and 18th Centuries

So it was that at the beginning of the seventeenth century a champion of liberty would have been hard to find in England. No doubt, many would have liked the powers of the monarch reduced, but they would only have turned these same powers over to Parliament, most likely. Yet, before the end of the century not only were there open champions of liberty but many had come to believe that liberty was both possible and desirable. This was largely the result of the development and propagation of ideas favorable to liberty. The great age of such liberal thought got under way impressively around the middle of the seventeenth century and continued more or less unabated until the end of the eighteenth century, and beyond. It begins with such men as John Lilburne, John Milton, James Harrington, Algernon Sidney, and continues through John Locke, Robert Molesworth, John Trenchard, Thomas Gordon, down through Adam Smith, Thomas Paine, and Edmund Burke, among others.

Back of this outpouring of thought about liberty, back of its spread to the point where it had become the common possession of Englishmen with any learning, was an intellectual framework within which the ideas were ac-

ceptable and liberty came to be thought of as a jewel almost beyond price. The general intellectual outlook can be described as the natural law philosophy. Its sway in Europe is usually referred to as the Age of Reason and Age of the Enlightenment. The basic ideas associated with it are natural law, natural order, right reason (or, just reason), social contract, and natural rights.

Foundations of Natural Law

The natural law philosophy was not new to the seventeenth century. Its formulation in philosophy can be traced back to classical antiquity where its most prominent applications were made in Rome. Cicero was perhaps the most articulate early spokesman for natural law. He defined it in this way:

True law is right reason conformable to nature, universal, unchangeable, eternal. . . . This law cannot be contradicted by any other law, and is not liable either to derogation or abrogation. Neither the senate nor the people can give us any dispensation for not obeying this universal law of justice. . . . It is not one thing at Rome, and another at Athens; one thing today, and another tomorrow; but in all times and nations this universal law must for ever reign, eternal and imperishable. . . . God himself is its author, its promulgator, its enforcer, and he who does not

obey it flies from himself, and does violence to the very nature of man.¹

The tradition of natural law thought was kept alive in the time of the Roman Empire particularly by the Stoics, and it passed also into Christian thought where it was much revered in the High Middle Ages. Europeans recovered and refurbished it during the Renaissance and successive revivals of classical thought in the seventeenth and eighteenth centuries.

It would be true to say, I think, that the natural law philosophy survived and was present in some form from the time of the Roman Republic to the middle of the seventeenth century. But it usually occupied an inferior place to theology, or to other philosophical tenets. It came into its own in the seventeenth century with the impact of scientific developments, developments associated with such names as Copernicus, Galileo, Kepler, Francis Bacon, Descartes, Leibniz, Boyle, and Newton. Men must ever have observed signs of regularity and order in the universe, of the alternation of day and night in a predictable pattern, of the coming in and going out of the tides, of the rotation of sea-

sons, of the rising and going down of sap in trees, of the cycle through which the moon goes, and so on.

Scientific Measurement

Some of these facts have long been put to practical uses. What the scientists did was to explain the phenomena of regularity in the universe in terms of precise mathematical formulae. They demonstrated mathematically that our universe is heliocentric, that the heavenly bodies move in elliptical patterns, that freely falling bodies accelerate at a uniform rate, that heavenly bodies are held in their orbits by their tendency to fall counterbalanced by their attraction for one another (the law of gravity), and so on. In short, they held not only that the regularities existed, that bodies were governed by laws, but that these laws were so precise that they were capable of mathematical expression. Most astounding, these laws can be discovered and known by the mind of man. As Descartes put it,

God has established the laws of nature just as a king establishes the laws of his kingdom. And there is none of them which we can not understand if we apply our minds to consider it, for they are innate in our minds, just as a king would stamp his laws in the hearts of his subjects if he had the power to do

¹ Wilson O. Clough, ed., *Intellectual Origins of American National Thought* (New York: Corinth Books, 1961, 2nd ed.), pp. 58-59.

so. . . . They are eternal and immutable because God is always the same.²

The natural law philosophy was mightily revived and buttressed by these astounding new demonstrations. Not only did it gain in authority but also men began early to search for a similar precision in social phenomena. Preserved Smith has said, "The idea of a natural law, a natural ethics, and a natural religion, found in germ much earlier, now became dominant."³ As to what was made of it in the eighteenth century, he says that there was a "resolute and successful effort to transfer the scientific spirit to other intellectual fields and to propagate it among ever larger strata of the population . . . ," and "to bring under the reign of natural law the social disciplines, philosophy, religion, law, education, and even literature and art. . . ."⁴

A Secure Footing for a Faith in Freedom

The importance of this natural law doctrine was manifold. In the first place, it provided secure footing for the belief in and thrust

² Quoted in Preserved Smith, *A History of Modern Culture*, I (Gloucester, Mass.: Peter Smith, 1957), 191.

³ Preserved Smith, *The Enlightenment* (New York: Collier Books, 1962, originally published as vol. II, *A History of Modern Culture*), p. 36.

⁴ *Ibid.*, p. 118.

toward liberty. If there is an order in the universe established and maintained by God, man does not have to bring order by the exertion of his will. Chaos and disorder will not be the result of liberty. On the contrary, if men are allowed to follow the laws of their nature, if they are permitted to pursue their own ends, if government pursues its defensive function, if things are allowed to follow their natural course, a beneficent order will prevail. If men may make choice of their own religious faith, religion will be stronger rather than weaker because of the fervor and attachment they will bring to its practice. If all ideas are permitted expression, the best ideas will win in the contest. If men may pursue freely their own economic ends, prosperity will result. Of course, these ideas did not spring full-blown overnight, nor did everyone rush to embrace them when they were presented. But this was the tendency of thought under the impact of a prevailing natural law philosophy. It did provide a framework for confidence that a much greater liberty would result in order and peace rather than chaos and war.

An Authority

Secondly, the natural law philosophy provided an authority to ap-

peal to, one that could be ranged against the established authority. The established authority always has going for it the great weight of its own momentum and past acceptance. It is a perilous undertaking almost always to challenge it. In seventeenth century England, to question the monarch was to court imprisonment. To resist him was to risk death, and that done in most imaginative fashion. But beyond the risk of life and limb involved in challenging the established authority, one needs always a confidence in one's own rightness. This is not easy to achieve by sane men; the established authority has the weight of centuries behind it and the testimony and support of many famous seers. Natural law — frequently combined with an appeal to the authority of the Bible in the seventeenth century — provided an authority whose rightness was superior to custom, tradition, usage, and anything else in history when these ran counter to it. Natural law is antecedent to all man-made law, law established by God himself; he who takes it for a shield has a basis and defense superior to any other. Moreover, reason, the common possession of mankind, could be used in the discovery of it. This could be and was used to justify popular government and to add weight to the au-

thority of the House of Commons in England.

Limited Government — and Progress

Thirdly, the analogy to the way order was maintained in the universe was used to buttress the idea of devices for restraining government. The heavenly bodies are kept in their orbits by a kind of balance of powers exerted from and upon them. So, too, should there be powers and counterbalanced powers in government to restrain and prevent the arbitrary exercise of power.

And fourthly, the natural law philosophy provided the ground for conceiving a different system than the one that prevailed. Most men are apt to accept any going system and suppose that the way things are done under it are the way they should be done. The new outlook provided a method of analysis and an altered vision from which to consider the reordering or rearrangement of the system that prevailed. The method of approach was to look at the nature, or essence, of things, to consider how they would operate naturally without some arbitrary intervention, and to discover the natural laws that would come into play. In this way, they could arrive at the way things ought to be — that is, in accord with their natures — in contrast to the way they were.

The Role of the Levellers

Some examples will now illustrate how English thinkers applied the natural law mode of thinking over the years in the thrust toward liberty. The first major effort was during the period of the civil war or Puritan Revolution in the middle of the seventeenth century. Among the more thoroughgoing of the reformers were those known as the Levellers, led by John Lilburne. The Levellers believed that government should be authorized and restrained by a written agreement. They proposed to vest government power in a legislature, but they favored many prohibitions upon its actions, these prohibitions indicating mainly how they thought liberty should be secured. One writer describes the prohibitions on the legislature in this way:

It may not compel or restrain any person in matters of religion, nor impress men for military service, "every man's Conscience being to be satisfied in the justness of that cause wherein he hazards his own life, or may destroy others." . . . It may not exempt any person from the operation of the laws on the pretext of tenure, grant, charter, patent, degree, birth, residence, or parliamentary privilege. . . . It may not continue laws abridging the freedom of foreign trade, and may not raise money by excise taxes or except by

an equal rate levied upon real and personal estate. . . . It may not continue tithes. . . . It may not take away the liberty of each parish to elect its own ministers. . . .⁵

That the Levellers based their arguments upon natural law is apparent from their writings. Lilburne justified the actions of the army under Cromwell by appealing to "the prime Laws of Nature," and "the principles of Saifety, flowing from Nature, Reason, and Justice, agreed on by common consent."⁶ John Overton, another Leveller, declared that "all men are equally born to like propriety, liberty and freedome, and as we are delivered of God by the hand of nature into this world, every one with a naturall, innate freedome . . . even so are we to live, every one equally alike to enjoy his Birthright and priviledge; even all whereof God by nature hath made him free."⁷

Those more in the mainstream of the Puritan Revolution also frequently based their arguments upon natural law. John Milton, in explaining the natural right of resistance to tyranny and to depose a tyrannical king, declared "that all men naturally were born

⁵ Perez Zagorin, *A History of Political Thought in the English Revolution* (Rutledge and Kegan Paul, 1954), p. 37.

⁶ Quoted in *ibid.*, p. 15.

⁷ *Ibid.*, p. 22.

free. . .," that this "authority and power of self-defence and preservation being originally and naturally in every one of them, and unitedly in them all. . .," and that those appointed to govern them are "but to be their deputies and commissioners, to execute by virtue of their intrusted power, that justice which else every man by the bond of nature and of covenant must have executed for himself, and for one another."⁸

Areopagitica

Milton is most famous in political thought, however, for his defense of freedom of the press. Underlying the following argument is the conception of an order within men that attracts them to the true: "And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let Truth and Falsehood grapple; who ever knew Truth put to the worse, in a free and open encounter."⁹ Similar natural law foundations underlay the work of such diverse figures as James Harrington and Thomas

Hobbes. Many — Nedham, Ludlow, Sidney, Neville, and Marvell — took up the cudgels for liberty.¹⁰

The classic statement of the natural rights doctrine based on the natural law philosophy was made, however, by John Locke in connection with the Glorious Revolution of 1688-1689. In his *Two Treatises on Civil Government*, Locke so felicitously stated the position that it has ever and again been attributed to him, though that would be to overstate the case. Locke's familiar thesis goes this way. In a state of nature — that is, in that condition in which men find themselves naturally if we strip away the socially erected institutions — men have a "perfect freedom to order their actions, and dispose of their possessions and persons as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man."¹¹ That is, in a state of nature men have the right to life, liberty, and property, rights derived from and sanctioned by natural law.

However, as Locke sees it, in such a condition the individual would not necessarily be in a position to defend these rights against

⁸ Leo Weinstein, *The Age of Reason* (New York: George Braziller, 1965), pp. 138-39.

⁹ John Milton, *Areopagitica*, Richard C. Jebb, commentary (Cambridge, England: Cambridge University Press, 1918), p. 58.

¹⁰ See Caroline Robbins, *The Eighteenth-Century Commonwealthmen* (Cambridge, Mass.: Harvard University Press, 1959), pp. 22-23.

¹¹ Clough, *op. cit.*, p. 149.

aggressors. This being so, he enters into community with others for mutual protection and defense, yielding up so much of his powers to government as are necessary to defend him in the enjoyment of his natural rights. The "freedom of men under government is to have a standing rule to live by, common to every one of that society, and made by the legislative power erected in it; a liberty to follow my own will in all things where that rule prescribes not; and not to be subject to the inconstant, uncertain, unknown, arbitrary will of another man: as freedom of nature is to be under no other restraint but the law of nature."¹²

The Whig Movement

The thrust to liberty in the eighteenth century in England was made primarily by those who thought of themselves as Whigs. This category included politicians and thinkers as well. There are many who might be called up in this connection, but for the first half of the eighteenth century it will suffice here to refer to the work of two of them: John Trenchard and Thomas Gordon. These two, by way of their writings, carried on a broad ranged argument for the maintenance and extension of liberty. They advo-

cated and supported freedom of speech and of press, security of property, religious toleration, and a broad range of rights for men. The foundation of their positions was in natural law, right reason, and natural rights.

Regarding the origin of liberty, Trenchard said:

All men are born free; Liberty is a Gift which they receive from God himself; nor can they alienate the same by Consent, though possibly they may forfeit it by Crimes.¹³

Gordon defined liberty as "the Power which every Man has over his own Actions, and his Right to enjoy the Fruit of his Labour, Art, and Industry, as far as by it he hurts not the Society, or any Members of it, by taking from any Member, or by hindering him from enjoying what he himself enjoys."¹⁴ Regarding free speech and property, Gordon said, "Without Freedom of Thought, there can be no such thing as Wisdom; and no such Thing as publick Liberty, without Freedom of Speech. . . . This sacred Privilege is so essential to free Government, that the Security of Property; and the Freedom of Speech, always go together. . . ."¹⁵

¹³ David L. Jacobson, ed., *The English Libertarians* (Indianapolis: Bobbs-Merrill, 1965), p. 108.

¹⁴ *Ibid.*, p. xxxvi.

¹⁵ *Ibid.*, p. 38.

¹² *Ibid.*, p. 153.

Of liberty in general, Gordon thought it an unqualified blessing. "Can we ever over-rate it, or be too jealous of a Treasure which includes in it almost all Human Felicities? Or can we encourage too much those that contend for it, and those that promote it? It is the Parent of Virtue, Pleasure, Plenty, and Security; and 'tis innocent as well as lovely. In all Contentions between Liberty and Power, the latter has almost constantly been the Aggressor. Liberty, if ever it produce any Evils, does also cure them. . . ."¹⁶

By way of such writings as these, by way of speeches, statements, and philosophical examinations, the tide was turned from the fear of the consequences of liberty to open admiration of the blessings. Though men had from the outset contended for the security of property, they were slow to see the full implications of such a position. At a time (for most of the eighteenth century) when Englishmen boasted of their liberty, when religious toleration had become commonplace, when men could speak freely with little fear of punishment, when many of the shackles had been struck from enterprise, mercantilistic policies still held sway. Though the natural law philosophy had long reached a dominance, it was

apparently not easy for men to see that there is a natural harmony of interests in the economic realm, that men of many nations competing for gain do not make enemies of nations but rather work to the benefit of all.

Foundation of Classical Economics

There was a tendency for thought in the eighteenth century to move toward the theoretical justification of economic liberty. It can be seen in the writings of Hutcheson and Hume, in the French Physiocrats, Quesnay and Turgot, and among such Italian thinkers as Bandini and Beccaria.¹⁷ But it was Adam Smith who constructed an economics from these and other materials that would become the foundation of classical economics. He did this in his massive work, *The Wealth of Nations*, first published in 1776.

Smith was not only a master of economic theory but also filled his work with historical examples which displayed his erudition in that area. Much of the burden of Smith's work was devoted to exposing the fallacies of mercantilism. At the same time that he did this, however, he set forth the premises of a science of economy based upon the natural law philosophy. He held that the greatest

¹⁷ See Smith, *The Enlightenment*, pp. 194-201.

¹⁶ *Ibid.*, p. 70.

liberty in matters economic is consonant with and productive of the widest prosperity, that when each man seeks his private gain he, at the same time, contributes to the general well-being, that in foreign trade all participants benefit, and that consumers everywhere (that is, all of us) benefit from exchange. His argument that there is a natural harmony between private acquisitiveness and public gain is worth reproducing here to show how he used the natural laws to support economic liberty:

But the annual revenue of every society is always precisely equal to the exchangeable value of the whole annual produce of its industry, or rather is precisely the same thing with that exchangeable value. As every individual, therefore, endeavours as much as he can both to employ his capital in the support of domestic industry, and so to direct that industry that its produce may be of the greatest value; every individual necessarily labours to render the annual revenue of the society as great as he can. He generally, indeed, neither intends to promote the public interest, nor knows how much he is promoting it. By preferring the support of domestic to that of foreign industry, he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases,

led by an invisible hand to promote an end which was no part of his intention. . . .¹⁸

The intellectual thrust toward liberty continued apace into the nineteenth century, but enough has been said here to show that the stage was set in outlook for freeing men from their earlier oppression, that men were coming generally to prize liberty rather than to fear it. From this came the impetus to change laws and remove obstacles to individual exertions.

A Balance of Powers

Before leaving this topic, however, there is a counter point to be made. Rationalists were behind the thrust to liberty; they based their arguments upon natural law. But in England there were not only Whigs but Tories as well, not only rationalists but traditionalists also, not only exponents of universal truths but men conscious of the value of custom, tradition, and old institutions. These played their part, however backhandedly it may appear, in the establishment of liberty in England.

The rationalist ideas became the common possession of thinkers in western Europe by or before

¹⁸ Adam Smith, *The Wealth of Nations*, Edwin Cannan, ed., II (New Rochelle: Arlington House, n. d.), p. 29-30.

the end of the eighteenth century. Yet, they did not result in stable governments and extended liberty in many lands when applied by enlightened despots or under the impulse of the French Revolution. They did not do so, we judge, because they broke too radically with the past, and did not take into account the peculiar predilections and institutions of peoples.

Britain followed a different course, for the most part. The balance of powers there was a curious blending of ancient institutions —

hereditary monarchy, hereditary Lords, elected Commons, common law courts — to safeguard liberty. When the rational assault bid fair to undermine these, defenders of the ancient and tried rose to its defense. Edmund Burke is rightly the most famed of these. For so persuasively declaring that custom, tradition, reverence, awe, and even prejudice are essential to an ordered liberty, he should be reckoned a spokesman for liberty also, and in a goodly company, not one of the least. ♦

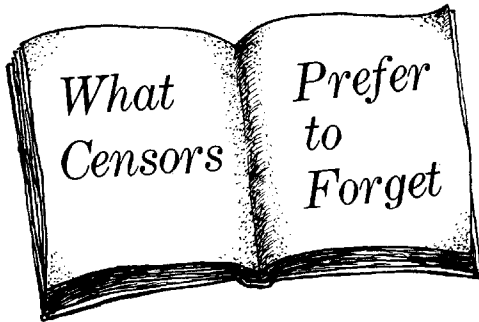
*The next article in this series will deal with
"Liberty and Property Secured."*

IDEAS ON LIBERTY

Freedom of Speech

WITHOUT freedom of thought, there can be no such thing as Wisdom; and no such thing as Liberty without freedom of speech; which is the right of every man, as far as by it he does not hurt or control the right of another; and this is the only check it ought to suffer, and the only bounds it ought to know.

This sacred privilege is so essential to free governments, that the security of property and the freedom of speech always go together; and in those wretched countries where a man cannot call his tongue his own, he can scarce call anything else his own. Whoever would overthrow the liberty of a nation must begin by subduing the freeness of speech.



NEIL M. CLARK

THE chap-who-knows-what's-best, whether parent, teacher, preacher, politician, or professional do-gooder, looks over a boy's (or girl's) shoulder, and says, "Why waste your time reading trash? Here! Try something good" — something *he* considers good. A Federal bureaucrat soberly tells a House subcommittee that any thought of controlling the subject matter of Federally-aided textbooks is far indeed from his mind; yet he adds that certainly there are ways of encouraging the use of "good" books or discouraging "bad" ones in Federally-aided institutions. Money can be granted judiciously or withheld, can't it?

Mr. Clark is well known for his free-lance writing in *The American Magazine*, *The Saturday Evening Post*, *Nation's Business*, and many other magazines.

All censors, including some parents, seem to like to forget an important fact about reading: namely, that no one knows for sure what's a good book for anyone at a particular time — or a bad book, either. Serendipity is an unpredictable factor in reading. A chance-found book, even one commonly considered worthless, can have something in it of little significance for ninety-nine readers, yet for a hundredth it may be a magic key that opens doors and changes his life. There is in it, for him, a treasure such as the princes of Serendip were always running into without conscious purpose.

Many will remember how the young sub-editor of an obscure gazette in Pakistan, looking for

something light to read after work one night, picked up a novel he hoped would enable him to pass a few hours. It was Sir Walter Besant's *All in a Garden Fair*. That author and his book are forgotten now, and never set the world on fire. This book was a simple narrative about a girl and three boys. One of the boys hoped to become a writer.

The young editor had not read far when he was hit a solar-plexus blow. The hero, he was suddenly telling himself, was no better fitted for a writing career than he himself was. Further, by some process which he did not analyze, the book conveyed to him the thought that there was no reason why he had to stay on in his humble job. In London, bookmen, publishers, and endless exciting literary activities were waiting. Why not go and try that city's doorsteps?

The young man read and reread Besant's novel, and his thought hardened into intention. With the help of the book he fashioned a dream for his future and began saving money to put it into effect. This he did. Soon he was far better known than Besant. His name was Rudyard Kipling. In writing the story of his life, Kipling gives Besant's chance-found book high credit for shaping his career.

A particular book's impact on

any given reader can never be accurately forecast: too much depends on his circumstances when he reads it. Treasures neither sought nor expected can leap out of printed pages in the strangest ways.

A Youth and a Rabbit

A youth who had no taste for reading because he had never read anything except what he was told to, crawled under a church to capture his pet rabbit when it escaped from its pen. That youth, Joseph Henry, is not forgotten in the history of American science. He pioneered in electromagnetic research and was a leader in many fields. He initiated our weather-report system, was the first secretary of the Smithsonian Institution, and his name continues to designate the unit of electrical induction. As a boy in tiny Galway, New York, he quit school to go to work in the village store at the age of ten. He gave no early signs of special qualities, and was himself unaware of possessing talents that could lead to a distinguished career.

But he loved his rabbit. And when he saw it disappear through a hole in the foundation of the village church, he disappeared after it. In the dark there, adventure came.

A glint of light caught his at-

tention. Wondering what caused it, he bellied his way to it and found daylight sifting through loose boards. He shoved them aside and squeezed through the opening, emerging in a little room which housed the village library. He took a book from the case. It happened to be Henry Brooke's *A Fool of Quality*, a slushy novel once famed for "passionate and tearful sensibility." The boy read a few sentences and was snared by the magic of printed words. For the first time in his life he experienced the joy of reading a book he didn't have to. It made him a booklover. He crawled back there time after time, eventually leaving few of those books unread.

This new passion led to his great reading adventure. Having to stay indoors one day because of a slight accident, Henry looked around for a book. The only one he hadn't read proved to be something printed in London "for the use of students and young persons." The author, George Gregory, was a vicar, a doctor of philosophy and the arts, and one-time chaplain to the Lord Bishop of Landaff; and his book was entitled *Lectures on Experimental Philosophy, Astronomy, and Chemistry*. The owner of the book was Henry's mother's Scottish boarder. When the boy opened it, he found his curiosity deeply stirred. Soon he

was more deeply lost in its contents than he had been in Brooke's soggy novel. Gregory's book asked questions, suggested mysteries, opened vistas which to that boy's mind needed looking into. Here, this boy told himself, was something he could devote himself to passionately. The boarder saw his interest in the book and gave it to him.

"A Remarkable Influence"

What was a rabbit's role in Henry's career? Or, a book read because of a rabbit? James Clark Welling, the scientist's early biographer, repeated the rabbit story but discounted its importance. "The strong intellectual forces which are organic in a great career," he wrote, "do not depend on the casual vicissitudes which ripple the surface of human life." To think so, he declared, is to "convert human history. . . into the fortuitous rattle and chance combinations of the kaleidoscope." He said Henry was too great a man to have lived without making his mark on the age.

Within limits, Welling was no doubt right. But without the rabbit, would his mark have been the same? Would he ever have bothered to open Gregory's sober-looking volume? At the age of forty, Henry himself penned a paragraph of gratitude on the fly-

leaf of Gregory's book. "Although by no means profound," he wrote, he confessed that the book had exerted "a remarkable influence" on his life. It opened a new world of thought and enjoyment to him, he said, "and caused me to resolve at the time of reading it that I would devote my life to the acquisition of knowledge."

"Enter at Your Own Risk"

The late Charles F. Kettering knew (few better) the numbing effect of conformity and rut thinking even on scientists working on the frontiers of knowledge in a research laboratory. He also knew how a vagrant idea unsought can lead to unexpected breakthroughs. In 1953 he gave Antioch College \$750,000 to build the new Olive Kettering Library. While building plans were under discussion, he remarked, probably more than half seriously, that it might be wise to carve these words in stone over the portal: *Enter here at your own risk*. The risk he envisioned was that the browser, without seeking it, might find a book that would alter his whole direction of travel.

It happens. The late Lew Sarett, a poet of whose verse Carl Sandburg once wrote, "the loam and the lingo, the sand and the syllables of North America are here," had a troubled childhood in Chi-

cago. He was beset by fears growing out of immigrant parentage a perennially frightened mother and schoolboy bullies. The great drama of his life was his fight against fear. He once told me that from a boyhood in constant flight from terrors, he emerged into a new kind of life as a result of reading the Dick Merriwell stories. These have never ranked as great literature, and some would call them trash. The crude heroes put Lew to shame because unlike himself, they did not run from danger but met it stoutly at whatever risk.

How naive! Yet this particular reader sternly resolved to act no less fearlessly than they. In his next years, Lew tested himself physically against rivers in flood hoodlums he knew were lurking to half kill him, grizzly bears met eye to eye when he was a Forest Ranger and unarmed, and against the subtler psychological menace of disapproval on public platforms. Inspired by the ridiculous Merriwells, his war on fear and the victories he won were foundations on which his poetry was built and his career as a deeply respected university teacher.

"The Blue Book"

A remarkable private library was once housed on an upper floor of a downtown factory and ware-

house building in Chicago. In its special field of Elizabethan science, it was perhaps the finest of its kind. There were a number of Shakesperean folios as well as science. Every book was beautifully bound, lovingly cared for; and the owner, poorly schooled but richly educated, was familiar with the contents of every book. Among them was one to which some people would not have given shelf-space. It was printed in the Icelandic tongue.

Chester Hjörtur Thordarson was born in Iceland and was brought to this country when little more than a baby. His father died soon after arrival, leaving the rest of them to find their way perilously in a strange land. Chester's first schooling, and for many years all he had, consisted of two summer sessions in a one-room country school in Dane county, Wisconsin. He learned his letters there, little else. The family moved to the pine barrens of Wisconsin, and later to a North Dakota ranch which was thirty miles from a railroad. In neither place were there schools for the boy to attend. However, in the Icelandic tradition, the Thordarsons carried with them a few books; and one, called "the blue book" by the family because of its blue-cloth binding, was entitled *Edlisfraedi*, an elementary physics book.

Chester spent many stormy winter days in the house, and reading was his recreation. *Edlisfraedi* became for him far more than a time-passer. He read it so often and carefully that he knew it almost word for word. It had what he called a good section on electricity, and an exciting definition of a scientific experiment. The book made his career clear to him, an unlikely one for a boy so situated: electrical research and development. At seventeen, having attended no other school in the meantime, he went to Chicago to attend school, and was assigned to the fourth grade with the little fellows. He was small-built himself and didn't object, for in the next two years he was able to march through the eighth grade. He had to quit school then and start earning his living.

He never returned to any formal school; but he never stopped extending his education. He became an electrical engineer and manufacturer of electrical equipment, especially laboratory equipment for universities. For Purdue University he built the world's first million-volt 25-cycle transformer. He patented more than a hundred electrical devices. He always said that the shape his career assumed was due to the magic of "the blue book," which hardly a censor alive would have considered fit to be

put into the hands of such a boy. He had *Edlisfraedi* rebound in blue calf by one of London's best bookbinders, and considered it the chief jewel in his library.

From Most Unlikely Sources

Acknowledged classics are fine, but they aren't everybody's fare. Unexpected treasures can be found in humble or unlikely books if they serve a reader's need at the time. Would Luther Burbank's plant-creating career have developed as it did had not someone given him, when he was twenty-one, a copy of Charles Darwin's *Animals and Plants under Domestication*? He often said the basis of his work was nature's method of plant improvement as Darwin described it. Can anyone now say how much Benjamin Franklin's scientific experiments and social views owed to Daniel Defoe's *An Essay upon Projects*, a book unknown to most readers of *Robinson Crusoe*? Franklin said it was one of two books read at an early age which profoundly influenced him.

Even a poor book, met fortuitously at a moment ripe for impregnation, can breed a rich career; and who is to say it's a "poor" book that does that? I once sat in the Pittsburgh office of the man who had just been elected president of the H. C. Frick Coke Company, a United States

Steel subsidiary. The man told me the story of a career, his own that could scarcely be matched to day. He worked underground as a miner till he was twenty-seven and at the time of his marriage had only the rudiments of an education. But he already had a powerful dream which he credited to a book sent to him as a Christmas present when he was twelve. Until he got it, he had never read a book.

He had to wade through this one at a snail's pace in order to make sure of each word. It was a campaign biography of James A. Garfield, then just elected President of the United States. To the boy it was a revelation that any one born in a log cabin, as Garfield was, educated in schools no better than those the lad himself had briefly attended, and earning his living at one time as a mule driver on a canal towpath, could rise so high. A little later he himself was driving mules in the mines. That ephemeral campaign document made him think that even he could make something of himself.

"There is no doubt," he told me "that President Garfield had a greater influence on me than any other man, even though I met him only in a book."

Hoping to guide readers or "improve" them, do-gooders and bea

dledom would impose their notions of what's bad or good in books. Even proponents of closed shelves in libraries, though without vicious intent, to some extent share the guilt of restricting adventures in serendipity in reading. It is true that open shelves invite theft, mutilation, or misplacement. Dorothy Cooper, librarian at the University of Washington, is one who has moaned at the mess freshmen, researching for themes, can make

of orderly shelves. But she has observed also that after introducing an open-shelf policy, books that had not circulated for ten years were found and read. "Open shelves," she has written, "are good for our patrons, good for us, and good for public relations."

The reader who has free choice, opens a book without special intent, turns pages idly, is caught by something read — and one more life is never again the same. ♦

IDEAS ON LIBERTY

Uses of History

WE ARE NOT ONLY passengers or sojourners in this world, but we are absolute strangers at the first step we make in it. Our guides are often ignorant, often unfaithful. By this map of the country which history spreads before us, we may learn, if we please, to guide ourselves. In our journey through it, we are beset on every side. We are besieged, sometimes even in our strongest holds. Terror and temptation, conducted by the passions of other men, assault us; and our passions, that correspond with these, betray us. History is a collection of the journals of those who have travelled through the same country, and been exposed to the same accidents; and their good and their ill success are equally instructive. In this pursuit of knowledge an immense field is opened to us: general history, sacred and profane; and histories of particular countries, particular events, particular orders, particular men; memorials, anecdotes, travels.

A Critical Point

HILLEL BLACK is one of those ebullient muckrakers who hits fifty targets and misses fifty others. His investigation of the textbooks used in our elementary grades and in our high schools, *The American Schoolbook* (William Morrow, \$4.50), tends to concentrate on secondary matters. Most of these are very well worth considering. But he doesn't tackle the fundamental question of why the schools turn out so many functional illiterates who slide through grade after grade without really learning how to read, write, or pursue a logical sequence to a correct conclusion.

What particularly concerns Mr. Black is the fact that our textbook publishers tend to be pusillanimous when it comes to combating the social and moral prejudices of the State Boards of Education. He tells some fascinating stories about the veto which Florida, for instance, exercises on frank discussion of animal reproduction in basic texts on science ("Look, Ma,

No Sperm Cells"). Georgia gets a going-over because several of its school districts won't accept "intercultural" books which include illustrations of whites and Negroes swimming in the same pools or occupying the same large grandfather's chair. Mr. Black complains that fifth grade social studies texts have been kept from picturing such things as cows about to calve ("It is against company policy to show pregnancy in animals"). He also complains about silly southern educators who reject anthologies which contain Shakespeare's *Othello* (a play about "miscegenation"). He doesn't approve of northern communities which outlaw *The Merchant of Venice* for fear that it might offend the Jewish population. And he delivers a neat reprimand to the individual who thought *Hamlet* might be dangerous fare for school children because it depicted a loose-living mother.

When it comes to the history —

pardon me, the social studies — textbooks, Mr. Black finds blandness everywhere. Four textbooks, he says, describe Soviet intervention in Hungary but fail to mention U.S. intervention in Guatemala. Other texts omit the Battle of Stalingrad when talking about World War II. An eighth grade textbook used in the Detroit school system once contained a passage about a good-hearted slave-owning family in Tennessee, the Austins, who were nice to their field hands, which hardly seemed “objective” history to the sons and daughters of Negro automobile workers. Texas is duly chastised for making it difficult to mention the theory of evolution. And so it goes.

Learning to Read

With a lot of Mr. Black’s strictures most reasonable men and women would agree. But Mr. Black does not get to the bottom of what is the matter with our schools. The main trouble with primary education is that it doesn’t concentrate on giving all our boys and girls the intellectual tools which would enable them to read anything, whether it is bland or not. After all, if a boy can read, it hardly matters whether he discovers in grade school that the Russians won at Stalingrad; he will surely come upon that fact at some point in his life if he has any curiosity

about history whatsoever. And as for the failure of biology texts to talk about sperm cells, that is a joke. The grapevine spreads such knowledge at an early age whether the Boards of Education are aware of it or not. So why cry over an omission that really conceals nothing? The important thing is to teach the student to unlock the literature of science for himself when he is of an age to go to the library and look things up.

Ears and Eyes

Mr. Black doesn’t seem to be interested in the great controversy that has been raging over phonics versus the “look-say” method of teaching first, second, and third graders to “attack” words. No doubt he would consider this a matter for cranks and crackpots to quarrel over. I would have felt the same way if I hadn’t had one child who couldn’t learn to read by “whole word recognition” the way his brothers and sisters seemed to do. It became plain to me from experience with my own young that some people are ear-minded and some are eye-minded. A reading system that ignores the predominantly ear-minded students is bound to produce a certain percentage of dropouts.

There was a period when Henry Luce, the publisher, couldn’t find good young writers. This was in

the forties and early fifties. Well, the "look-say" method of teaching kids to read was at its most virulent in the thirties and early forties. When the "phonics" partisans began to win some victories, and the more extreme advocates of "whole world recognition" had finally to admit that language has sound and is composed of consonants, vowels, and blends, it became possible for magazine editors to recruit good young writers once more. Mr. Black has been an editor of *The Saturday Evening Post*, and it is amazing that he doesn't see the relevance of training in syllabic sound to the writing of good rhythmic prose. Quite absurdly, the word "phonics" doesn't appear in his index.

If I hadn't seen Negro children with IQs of eighty-five reading with fluency after a few months of phonics drill in the first grade of the old Amidon School in Washington, D.C., and in one of the worst slum schools in Bedford-Stuyvesant in Brooklyn, I wouldn't consider Mr. Black's oversight to be of any great significance. But I have seen what I have seen, and I know that Mr. Black misses the most important point of all.

A "Liberal" Bias

When it comes to upper grade points about the mastering of language and literature, Mr. Black

is much better. He hates such classic Shakespeare adaptations — and abominations — as "Friends, Romans, countrymen, listen to me." He can't stand the juicelessness of committee-written texts. The Dick and Jane type of reader leaves him cold. He is all for incorporating wider racial and cultural horizons in the schoolbooks, but if it's just a matter of introducing Dick and Jane in blackface, it isn't enough.

The best part of Mr. Black's book is devoted to recent changes and improvements in the teaching of mathematics and the sciences. But the sciences — aside from biological theory — aren't controversial. Mr. Black could hardly go into the question of economics texts, for economics is not ordinarily a grade school or a high school subject. But maybe it ought to be — and it would be interesting to know what the effect of Mr. Black's obviously liberal bias would be on his judgment of books on economic theory.

The liberal bias does spoil some of Mr. Black's passages on the teaching of social science in the schools. He lumps Chiang Kai-shek, a good leader who has enabled Taiwan to solve the land question, with Trujillo, calling them both "reactionaries." If Chiang is a "reactionary," then the word is utterly meaningless.

Mr. Black's attack on historian David Muzzey for saying that "the red hand of communism was likewise at work in Cuba where dictator Castro" went in for confiscating American property is hoity-toity nitpicking. For Castro is a communist, as Mr. Black very well knows. ◆

▶ AMERICA'S POLITICAL DILEMMA by Gottfried Dietze (Baltimore: The Johns Hopkins Press, 1968), 298 pp., \$7.95.

Reviewed by Edmund A. Opitz

THIS BOOK is an analysis of the theory of Popular Sovereignty as this idea has worked itself out in the American experience since 1789. It takes a somber view of these events, arguing that the development has been away from the libertarian ideals of the framers of the Constitution toward a domestic policy which transgresses individual liberties and a foreign policy which pursues a will-o'-the-wisp at a cost which is enormous—however measured. This is a scholar's book, closely reasoned and well documented; but its thesis will displease many in the academic community because it refuses obeisance to the shibboleth of "democracy." The serious student of public affairs, however,

will find this book helpful as he surveys the present mess and wonders how we got this way.

Professor Dietze aligns himself with that scholarly opinion which maintains that the American Revolution was not a revolution in the strict sense. "It did not overturn a legitimate order," he writes, "but restored the rule of law and its protection of the individual against the machinations of human lawmakers whose acts, while often legal, were not legitimate." There would not be a monarchy in the United States; sanction for the exercise of rule would be the consent of the people—but with constitutional safeguards. "The democratic principle of popular participation in government," he writes, "was to guarantee the liberal principle of the protection of the individual from the government. Popular government was considered a means for the protection of the individual under a Constitution embodying a rule of law which had been cherished for centuries. The American Revolution was in the mainstream of the constitutionalist development of the common law."

In this nicely balanced equation, liberalism acted as a counterbalance to democracy; liberalism assured a protected private domain for persons, while democracy put political office within reach of

all and gave the masses a place at the polling booth. But circumstances conspired to make democracy attempt the work of liberalism, and already in the 1830's Tocqueville warned of the emergence of "democratic despotism." The warning was not heeded.

Some background might be helpful: Many men lust after power, hence the divine right of kings idea which came in with the Renaissance. James I of England liked the divine right idea, for it placed him above the law. James was not accountable to any man, for his authority was bestowed directly on James by God himself. These notions did not go unchallenged, even in James' day, and the famous confrontation with Coke is well remembered.

But today, any power seeker or would-be dictator who claimed his right to rule was authorized by God would be thought mad; today's dictators claim to derive their authority from The People. This century is the age of Totalitarian Democracy, to borrow J. L. Talmon's phrase. Democratic theory has worked out its answer to the perennial question: Who shall Rule? And, boiled down, democracy's answer is: The People. Sovereignty is thought to reside in The People; and once this answer comes to be accepted without qualification, some people do things

to other people in the name of The People which no people would have done or suffered under any monarch.

These dreadful consequences occur whenever the idea of Popular Sovereignty crowds the most important of all political questions off the boards. This fundamental question has to do with the nature, scope, and functions of government. As the question was phrased by Whig and Classical Liberal theorists it ran: What shall be the extent of rule? Those who pondered this question elaborated the body of doctrine known as liberalism—in the old sense. To be a liberal, then, meant to subscribe to such ideas as limited government, constitutionalism, the rule of law—in order that each individual might have sufficient latitude to pursue his personal goals without arbitrary interference from either government or other individuals. Along with its emphasis on individual liberty, liberalism emphasized a man's right to his earnings and his savings, that is to say, his right to his property.

Once a people embraces the philosophy of classical liberalism, they have accepted an answer to the question: What shall be the extent of rule? They then face the question of choosing personnel to hold public office (Who shall rule?)

and, given the temper of the eighteenth and nineteenth centuries, the answer was bound to be that offered by democratic theory: Let the masses participate in the political process. Thus, liberal democracy, or the Federal republic, whose features are laid down in the Constitution and defended in *The Federalist*. We had it all, once upon a time, in these States. What happened to it, and where did it come a cropper? Turn back now to Professor Dietze's admirable book.

The theory of Popular Sovereignty had no place in it for civil war; habituated to thinking in terms of large abstractions, it could not imagine how The People could revolt against itself! But the American Civil War, a multi-dimensional tragedy, was thrust upon us; and Professor Dietze reopens the academic debate that rages around Lincoln's handling of power. Lincoln did act outside the Constitution, and it might be argued that the means were justified by the ends, so perilous were the exigencies of the occasion. But the occasion passed, whereas the precedents remained, resulting in a growing national unitary state and a greatly strengthened executive. In the postwar period there was governmental intervention in the areas of price control, wages and hours legislation, rate regulation, and restrictions on the free-

dom of contract. "By the end of the nineteenth century," Dietze writes, "there was a general awareness that free property and free enterprise were in for serious challenges."

America's glacial drift away from its original institutions and ideals was obscured up until World War I because of the growing admiration abroad for America's expanding wealth and power. But as liberalism declined, the strengthened lever of the central government came to be regarded as there to be used by this faction or that for their partisan and personal ends, first on the domestic scene, then anywhere. In the original constitutional plan, domestic and foreign policy were the two faces of one coin. The government was not to try to regulate the peaceful actions of citizens; and in relation to other nations, America was committed to a policy of neutrality and noninterference with the internal affairs of other peoples. "*The Federalist*," writes Professor Dietze, "proposes a foreign policy in the long-range national interest, a policy which corresponds to an internal policy favoring free government and the long-range public interest." From the days of the French Revolution on, popular passions in America reverberated occasionally to democratic movements abroad, but they did not

sway the makers of foreign policy who were guided by "constitutional reason." The shift from neutralism to internationalism occurred around the turn of the century, but it was the moralisms of Woodrow Wilson which finally opened the floodgates. Hardheaded considerations of national interest make for peace, but they do not convey the same emotional impact as statements about "national integrity," "human rights," and a "world safe for democracy." We abandoned rationality as the guiding principle of our foreign policy, as domestically we had accepted its correlative, majoritarian democracy. Those who manage and further domestic affairs in the interests of the Great Society will also manage foreign affairs; and because these men vibrate in sympathy with their like numbers in other nations where these trends are more advanced, our foreign policy has lost its head—so to speak—and makes less and less sense as the years go by. Professor Dietze says it better:

Since the democratization of foreign policy makers in a large measure was brought about by a movement which favored social legislation over *laissez faire*, "liberalism" over liberalism, absolute majority rule over free government, there was also a good chance that the substance of foreign policy would change. This

could mean that just as foreign policy previously favored liberalism, now it could favor foreign systems and movements that were akin to the programs of the Progressives, the New Freedom, the New Deal and the New Frontier. Since these programs emphasized social rather than property rights, "civil" rather than civil rights, national power rather than federalism, a concentration of power in the political branches of government rather than the separation of powers, foreign policy could well come to favor similar trends abroad. It could even become captivated by foreign movements that went further to the left, such as socialism and Communism.

No one can survey the record of the past generation and argue that the United States has pursued a foreign policy geared to hardheaded reasons of national interest. Rather, with will numbed, we have witlessly stumbled into one bloody situation after another, losing prestige abroad and spreading dissension at home.

What are the prospects? Can we go beyond the present dilemma? History is made by men and men are moved by ideas. When a significant number of people, like Professor Dietze, come to identify the wrong ideas which have generated the present muddle, and discard them for sound ideas, they'll make a different history. ♦