Ethics Selections

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[Also online at http://www.stephenhicks.org/courses-2/]

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The Tale of the Slave

By Robert Nozick

Consider the following sequence of cases, which we shall call the Tale of the Slave, and imagine it is about you.

1. There is a slave completely at the mercy of his brutal master’s whims. He often is cruelly beaten, called out in the middle of the night, and so on.

2. The master is kindlier and beats the slave only for stated infractions of his rules (not fulfilling the work quota, and so on). He gives the slave some free time.

3. The master has a group of slaves, and he decides how things are to be allocated among them on nice grounds, taking into account their needs, merit, and so on.

4. The master allows his slaves four days on their own and requires them to work only three days a week on his land. The rest of the time is their own.

5. The master allows his slaves to go off and work in the city (or anywhere they wish) for wages. He requires only that they send back to him three-sevenths of their wages. He also retains the power to recall them to the plantation if some emergency threatens his land; and to raise or lower the three-sevenths amount required to be turned over to him. He further retains the right to restrict the slaves from participating in certain dangerous activities that threaten his financial return, for example, mountain climbing, cigarette smoking.

6. The master allows all of his 10,000 slaves, except you, to vote, and the joint decision is made by all of them. There is open discussion, and so forth, among them, and they have the power to determine to what uses to put whatever percentage of your (and their) earnings they decide to take; what activities legitimately may be forbidden to you, and so on.

Let us pause in this sequence of cases to take stock. If the master contracts this transfer of power so that he cannot withdraw it, you have a change of master. You now have 10,000 masters instead of just one; rather you have one 10,000-headed master. Perhaps the 10,000 even will be kindlier than the benevolent master in case 2. Still, they are your master. However, still more can be done. A kindly single master (as in case 2) might allow his slave(s) to speak up and try to persuade him to make a certain decision. The 10,000-headed master can do this also.
7. Though still not having the vote, you are at liberty (and are given the right) to enter into the discussions of the 10,000, to try to persuade them to adopt various policies and to treat you and themselves in a certain way. They then go off to vote to decide upon policies covering the vast range of their powers.

8. In appreciation of your useful contributions to discussion, the 10,000 allow you to vote if they are deadlocked; they commit themselves to this procedure. After the discussion you mark your vote on a slip of paper, and they go off and vote. In the eventuality that they divide evenly on some issue, 5,000 for and 5,000 against, they look at your ballot and count it in. This has never yet happened; they have never yet had occasion to open your ballot. (A single master also might commit himself to letting his slave decide any issue concerning him about which he, the master, was absolutely indifferent.)

9. They throw your vote in with theirs. If they are exactly tied your vote carries the issue. Otherwise it makes no difference to the electoral outcome.

The question is: which transition from case 1 to case 9 made it no longer the tale of a slave?

* * *

Source: Anarchy, State, & Utopia (Basic Books, 1974)

Quotations on Stoicism

Epictetus

On philosophy: “If you have an earnest desire toward philosophy, prepare yourself from the very first to have the multitude laugh and sneer.” (Enchiridion, XXII)

On what can be controlled: “There are things which are within our power, and there are things which are beyond our power. Within our power are opinion, aim, desire, aversion, and, in one word, whatever affairs are our own. Beyond our power are body, property, reputation, office, and, in one word, whatever are not properly our own affairs.” (I)

On controlling one’s mind: “Men are disturbed not by things, but by the views which they take of things.” (V) Also: “As in walking you take care not to tread upon a nail, or turn your foot, so likewise take care not to hurt the ruling faculty of your mind.” (XXXVIII)

Including one’s thoughts on mortality: “If you wish your children and your wife and your friends to live forever, you are foolish, for you wish things to be in your power which are not so, and what belongs to others to be your own. So likewise, if you wish your servant to be without fault, you are foolish, for you wish vice not to be vice but something else.” (XIV)
On worrying about the opinions of others: “If a person had delivered up your body to some passer-by, you would certainly be angry. And do you feel no shame in delivering up your own mind to any reviler, to be disconcerted and confounded?” (XXVIII)

Quoting Cleanthes on our acceptance or not of destiny:
“Conduct me, Zeus, and thou, O Destiny, Wherever your decrees have fixed my lot. I follow cheerfully; and, did I not, Wicked and wretched, I must follow still.”

Marcus Aurelius

On being human: “A little flesh, a little breath, and a Reason to rule all—that is myself.”
(Meditations, 2,2)

“In the life of man, his time is but a moment, his being an incessant flux, his senses a dim rushlight, his body a prey of worms, his soul an unquiet eddy, his fortune dark, and his fame doubtful.” (2,17)

“A poor soul burdened with a corpse,’ Epictetus calls you.” (4,41)

“How small a fraction of all the measureless infinity of time is allotted to each one of us; an instant, and it vanishes into eternity. How puny, too, is your portion of the world’s substance; how puny too, is your portion of all the world’s substance; how insignificant your share of all the world’s soul; on how minute a speck of the whole earth do you creep. As you ponder these things, make up your mind that nothing is of any import save to do what your own nature directs, and to bear what the world’s Nature sends you.” (12,32)

On self-mastery: “No one can stop you living according to the laws of your own personal nature, and nothing can happen to you against the laws of the World-Nature.”
(6,58)

And on predestination: “Whatever may happen to you was prepared for you in advance from the beginning of time.” (10,5)

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Sources: Enchiridion and Meditations.

Money Can Buy Happiness
By Tara Smith

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Money is underrated.

That claim may seem ridiculous, in an era of conspicuous consumption. One hardly need belong to the superrich to drive an imposing SUV, dine out frequently at ever better restaurants, shovel grunt work to a housekeeper, pamper oneself with pick-me-
ups (facials, massages) once reserved for the upper echelons, or have one’s daily routine facilitated by technological conveniences undreamed of a few decades ago. Shopping—and charging—have become national addictions.

At the same time that the appetite for material goods seems insatiable, people are commonly plagued by clouds of guilt. Some part of them views material desires as a vice. Students identifying themselves as business majors characteristically inject a self-deprecating remark to pre-empt others’ anticipated criticism of their interest in money.

The familiar analysis is that people today are too materialistic, that thirst for “stuff” has crowded out more worthy pursuits. Our obsession with material goods has created imbalances; workaholics complain of inadequate time to enjoy their riches. The very term “consumer society” is usually a derisive rather than a neutral description of modern life.

Money—at least at the theoretical level—is persistently attacked from left and right alike. Witness recent protests at World Trade Organization meetings and complaints against pharmaceutical companies, lamenting the power of the rich. Or listen to rightwing social commentators (such as William Bennett, Gertrude Himmelfarb, Hilton Cramer) who warn that “having it too easy” corrupts our virtue, makes us soft, and spoils our children. Across the political spectrum, all agree that the materially successful bear a responsibility to give back to their communities, implying that prosperity means that one has “taken” too much.

Religion has long warned against the lure of material goods. Christian Scripture is explicit in several places. “It is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of heaven.” To merit eternal life, Jesus instructs us to sell all our possessions and give the money to the poor. Timothy writes that the desire for riches plunges men into “ruin and destruction. For the love of money is a root of all sorts of evil.”

Church fathers since have remained, at best, suspicious of money, often condemning usury and “luxurious living,” warning against money as a distraction from God and a temptation to sin. In recent years, economists have added to this spiritual assault the weight of social science data, concluding from studies of people’s income and life-satisfaction levels that the truism “money can’t buy happiness” really is true.

I beg to differ. In an important sense, money can buy happiness.

Money can be misspent, to be sure. The relationship between money and happiness is not one of simple, seamless cause and effect. Conventional wisdom woefully minimizes the value of money, however. And in doing so, it sabotages people’s capacity to be happy.

For this reason, my aim in this paper is to clarify the relationship between money and happiness. To do that, I shall first sketch the basic nature of money and the basic nature of happiness. I will then explain the manner in which money contributes to happiness, adding some clarifications before concluding.

1. MONEY
Money is a token of exchange that facilitates trade. The use of money marks a monumental improvement over barter because of money’s flexibility. This is elementary economics, but it will be useful to refresh ourselves, so as to isolate money’s value.

Since a monetary currency can be traded for all manner of goods and services, its employment liberates an individual from trading exclusively with those who not only offer the things that he would like, but who are simultaneously seeking the very products that he has to offer. (Under a barter system, for instance, the baker must need a haircut in order to have incentive to sell bread to the barber). The convertibility of money into an array of goods and services astronomically expands the value of an individual’s products. By extending the range of other people with whom a person can advantageously trade, money multiplies his options; it multiplies the purposes to which his wealth can be put. As Georg Simmel observed, “the value of a given quantity of money exceeds the value of the particular object for which it is exchanged, because it makes possible the choice of any other object in an unlimited area... the choice that it offers is a bonus which increases its value.” In short, thanks to the adoption of a common currency, a person’s own productive output acquires a greatly enhanced power to bring him satisfaction.

Money in a person’s wallet signifies his ability to acquire goods that he wants (from others who are willing to trade them). The most basic reason that people seek money, correspondingly, is their wish to be able to satisfy their desires.

Where does money come from? What is the source of a person’s wealth? At the most fundamental level, money arises from the production of goods and services, from the creation of something valuable. More strictly: from the creation of something that other people deem sufficiently valuable to trade for. If a person produces something that is not in demand by others, he will not be able to acquire money for it. His product may still be of value to him; it might serve some definite, constructive purpose in his life and in this way constitute a part of his wealth. Yet if others do not desire it, he will not be able to exchange it for money. A person’s output will be of greater monetary value the greater the number of people who desire it and the more keenly that other people desire it.

Obviously, a given individual might acquire money by means of theft or gift. Yet at root, even this money stems from someone’s creation of goods. Coins and bills stand for the actual objects (including services, specific processes, programs, techniques, formulas, compositions and the like) that people have brought into being.

(Note that we use the terms “money” and “wealth” sometimes to refer to holdings of a currency (e.g., dollars) and sometimes to refer to the actual products (e.g., house, car, jewelry, capital equipment) that a currency can be traded for. I shall use “wealth” in this broader sense, and “financial” or “monetary” wealth to designate wealth in the form of currency.)

2. HAPPINESS
Happiness is the psychological condition that results from the achievement of one’s values. Values are ends that a person acts to gain and/or keep. They are those things that a person cares about having or doing—"cares" in the robust sense that he is willing to act to secure them. Values can be material or spiritual. Food, clothes, eyeglasses, a car or a CD player would be material values. “Spiritual” values are those that pertain to a person’s consciousness (and thus entail nothing mystical or supernatural). Spiritual values encompass such things as knowledge, beauty, a stimulating book, a challenging chess match, rewarding work, mental health, self-esteem, character traits (e.g., honesty, optimism, initiative), a friend or a husband. While spiritual values may take material form (a friend has a body; a book has pages), their value depends primarily on their relation to the needs of a person’s consciousness.

Happiness is essentially the satisfaction that arises when a value has been realized. A person might be happy to purchase a week’s groceries, save time on his commute home, or get his new computer set up and ready to run. Typically, the more precious the value or the more difficult to attain, the greater the correlative satisfaction. Thus we expect a person to be significantly happier when he has completed a college degree, won a coveted promotion, or married the love of his life. But whatever the value and whatever the intensity of gratification, the principle is the same: achieving values is what makes us happy.

It is useful to distinguish particular incidents of happiness from a more pervasive condition. While happiness results from the achievement of specific goals, when a person seeks happiness itself, he is after a more global kind of satisfaction with his life—with his daily activities, as he is engaged in them, as well as with what they all add up to, when he steps back to survey the totality. This more encompassing happiness requires knowledge that his time and energy are being spent in worthwhile ways and that he is efficacious in acting for the things that he cares about.

Correspondingly, happiness as the overarching goal for one’s life refers not merely to an assortment of occasions of feeling satisfied. Rather, global happiness denotes a person’s ongoing awareness that he has realized values and will continue to realize values, that value-achievement is a regular feature of his days. This is not to deny that the happy person may struggle, fail, or feel frustration. It is not to suggest that happiness demands a 100% success rate or that the happy person will, in every moment, experience the heady heights of ecstasy. It is to say, however, that happiness refers to more than feeling good about things five or six times a week. This broader, deeper life-happiness consists not simply in isolated episodes of success (even a good number of episodes), but in a more grounded sense of efficacy and success that permeates a person’s entire sense of living. The happy person comes to see his life as value-achievement; the experience of satisfaction becomes characteristic.

This sort of success requires rational values and rational action in pursuit of them. To attain happiness, a person must clearly identify ends that are mutually compatible and that genuinely advance his well-being, and he must act thoughtfully and logically to realize these ends. While serendipity may occasionally turn up sought-for goods, neither
happenstance nor randomly “doing something” can sustain value-achievement, long-term.

It is also important not to equate happiness with the pleasure that results from the satisfaction of any desire. The objects of a person’s desires are not uniformly good for him (as most of us know from experience). The strong desire for a certain narcotic does not mean that having it would be, all things considered, beneficial. The same applies to all desires.

Consequently, I shall use “values” to refer to ends whose attainment would in fact enhance a person’s life. Obviously, the determination of what is good for a person can be an intricate enterprise, as it must take into account all the peculiarities of an individual’s context—his unique abilities, needs, resources, knowledge, etc. For our purposes, I simply wish to stress that understanding happiness as a function of value achievement does not entail hedonism. Elsewhere, I have argued at length that it is the quest for life that gives rise to the very phenomenon of values. Only against the background of that overarching objective can we legitimately distinguish some things as good for a person (valuable) and others as bad. Life, correspondingly, provides the objective yardstick by which we can identify bona fide values (ends that do constructively contribute to a person’s well-being).

One further feature of happiness is significant for our larger concern. Happiness must be self-generated. Both a person’s ends and his means of attaining his ends must be selected by his independent judgment and pursued through his own actions.

Aristotle was right to observe that certain external goods are necessary for eudaimonia. A person cannot flourish in the absence of minimal material goods. Yet the heart of happiness resides in how a person leads his life rather than in what he possesses.

Correspondingly, happiness is not the sort of thing that can be transferred from one person to another. It cannot be borrowed, stolen, shared or forcefed. Well-wishers can lend all sorts of material and moral support, and these can help a person in substantial ways. Money, time off, or an understanding listener can strengthen a person’s ability to accomplish a difficult goal. In the end, however, one person, however loving and generous, cannot make another person happy. He cannot achieve on behalf of another, and he consequently cannot supply the type of satisfaction that happiness consists in. The way to achieve values is through a person’s own exertion of will. Thus the ability to exercise one’s will—autonomy—is a prerequisite of happiness.

(A sense of efficacy seems to be part of what fuels happiness. When a person does achieve a value, it is not exclusively attainment of the particular end that makes him feel good. It is also the knowledge that he was able to attain it. That is, his specific achievement sends a wider message to his subconscious: “I am the kind of person who is able to achieve my ends; I am competent to succeed in the world.” This sense of efficacy can only arise from the person’s having selected his ends and means for himself, however.)

3. HOW MONEY “BUYS” HAPPINESS
So where does money shine in? How does money contribute to happiness?

In two principal ways. Both directly and indirectly, money facilitates a person’s achievement of values.

A. Material Beings Have Material Needs

Human beings are not brains in vats. We are physical as well as spiritual beings, bodies as well as consciousnesses. As such, we have material needs. Money is instrumental in meeting these needs. It provides the ability to trade for the requisite goods.

This does not underestimate the spiritual dimension of life. For many people, it is precisely certain spiritual values that make life worth living. Nonetheless, what keeps us going, at the most biologically fundamental level, is the fulfillment of physical needs. Certain material basics are indispensable. It is ludicrous to minimize this fact or to proceed as if it somehow shouldn’t be the case. Even the missionary or the ascetic requires a place to rest his body, food to nourish him, medicine to heal his illnesses.

The tenet that money can’t buy happiness often manifests a broader hostility toward human beings’ physical nature. To a considerable extent, disdain for money reflects Platonic snobbery against the sensory “realm of particulars.” It is the legacy of a mind-body dichotomy that pits the mind as morally superior and our material nature as base.

In fact, however, the spiritual is empty apart from the material. A person cannot experience or enjoy anything as a disembodied being. He must satisfy his material needs. Money is his means of doing that. It is his claim to the goods and services required for the maintenance of his life. It is wealth—whether in the form of the currency that a person possesses or in the goods that he produces and can convert into currency—that enables a person to acquire the things without which he could not survive.

The misuse of material goods is, regrettably, widespread. People often exaggerate the power of wealth. They expect more of material goods than they can deliver, investing emotionally in wealth per se rather than in the ends that make wealth meaningful. These misconceptions foster the assumption that the problem rests in money itself. Yet the misuse is just that—an error on our part. Material goods are vital to happiness.

My contention is not that money or material goods are inherently valuable. They are not valuable regardless of the reasons for which they are sought, the means by which they are sought, or the uses to which they are put. Nothing is good independently of an individual’s context. Material objects become good only when they offer a positive contribution to a person’s survival and flourishing. Material stuff remains morally neutral until it carries some palpable impact on a person’s well-being.

Money can, however, be a passkey to all manner of values—mundane or modest, rare or extravagant, offering immediate gratification or longer-lasting fulfillment. Money can buy hamburger or caviar, wool or sable, busfare or a cruise, a wheelchair or a new nose, electric service or a hyper-fast wireless Web access. Money can help a person to obtain any of the ever-expanding range of goods and services that others have created and
offer for sale. Its potential in this regard is limited only by individuals’ productive ingenuity.

B. Money Is Time

We all understand the saying that “time is money.” While people dawdle, the opportunity to earn money—to make something valuable of their time—is lost. What is equally true, although far less appreciated, is that the reverse is true: money is time. And this observation provides still greater illumination of money’s contribution to happiness.

This point is well made by a character in Ayn Rand’s novel *Atlas Shrugged*. Ellis Wyatt explains to a visitor the benefits of his oil drilling operation’s advanced production methods:

“What’s wealth but the means of expanding one’s life? There’s two ways one can do it: either by producing more or by producing it faster. And that’s what I’m doing: manufacturing time... I’m producing everything I need, I’m working to improve my methods, and every hour I save is an hour added to my life. It used to take me five hours to fill that tank. It now takes three. The two I saved are mine—as pricelessly mine as if I moved my grave two further hours away for every five I’ve got. It’s two hours released from one task, to be invested in another—two more hours in which to work, to grow, to move forward. That’s the saving account I’m hoarding ...”

The core idea is elegantly simple. Why do we labor to make money in the first place? To sustain ourselves. Each of us requires a certain amount of stuff to live. Even minimal subsistence demands fuel. We are thus obliged to produce the things that we need in order to survive.

The easier it is to produce those things, the less effort and energy required, the better. For that frees time to devote to more enjoyable activities. The more that a person has produced (which is what his wealth signifies), the less he needs to produce in the future. And the greater his ability to make his productive work work that he finds rewarding.

Without money, a person must concentrate on those tasks that he must perform in order to make it through another day; bare necessities preoccupy him. With money, a person can contemplate what he would like to do and indulge more of his preferences. Money allows a person to customize his days more to his taste (e.g., by grabbing breakfast at McDonald’s rather than making coffee at home, by buying a car rather than relying on buses, by working as a gardener rather than a programmer).

In short, money empowers autonomy. Greater independence from the demands of necessity means greater discretion over one’s activities, enabling a person to exert more control over the shape of his days. Autonomy, we saw earlier, is the scaffolding for happiness.

Consider a slight variation on Wyatt’s scenario. Suppose that Ron needs to work eight hours a day to make enough money to keep him and his family going (housed, fed, clothed, entertained, etc.) at level x. Now suppose that, due to greater demand or more efficient production on his part, he needs to work only six hours a day to sustain that standard of living.
What happens to those extra two hours? It’s up to Ron, of course, how he uses them. But that’s the point. And that is the value of wealth. Those hours now become available for Ron to spend however he likes. He does not need to work during that time in order to maintain his existing standard of living, although he can seek a higher standard of living and work in those hours to attain that aim. But he can also use the time for different types of rewards: he can go to the park, go to the movies, be with his wife, play with his kids, play the piano, write, read, run, paint. He can prepare himself to pursue a different line of work that he finds more enjoyable (obtaining the appropriate education or training, sending out resumes). He can do whatever he finds most conducive to his overall happiness.

Some of the time that Ron previously had to “pay” for life (laboring to secure a certain standard of living) is now liberated. In that way, just as Wyatt described, more money means more time. And more time to devote to one’s well-being—or to elevating one’s well-being in substantive ways—directly allows more happiness.

The economist Robert Frank, hardly an unqualified enthusiast of money, essentially acknowledges as much when he writes:

“... becoming more productive is a good thing, if only because it gives us more options. It enables us to earn more and buy more if we choose to, but it also enables us to earn the same amount by working fewer hours, or to spend more on environmental cleanup. Other things being equal, the more productive a society is, the greater is each citizen’s ability to pursue his vision of the good life.”

Money’s power to expand a person’s options is the heart of its contribution to happiness. A given individual might value spending his life as a novelist, but be unable to sustain an acceptable standard of living through writing. More money—and the time it buys him—makes that pursuit a greater possibility. An academic might value greater concentration on research and less on teaching; more money makes that a greater possibility. A person might value being engaged with his children while they are young, or peace of mind about his retirement; more money makes these greater possibilities.

One of the things these examples make plain is that money is important not only to fulfill physical desires or to acquire material goods. It is also critical for the achievement of many spiritual values. Earlier, I stressed human beings’ material needs so as to affirm the legitimacy of the material values that money helps a person to obtain. Moralists commonly give these short shrift. Yet money’s value does not rest exclusively in its service to material goods. Money facilitates the achievement of all values, spiritual as well as material.

It is also important to recognize that the value of labor does not consist entirely in labor’s ultimate products. My emphasis on the goods that money makes available to a person (spiritual as well as material) should not lead us to suppose that work is a painful, regrettable duty and the payoff is reserved until after the work is finished. Some of the spiritual values that money facilitates should help us to appreciate this. Production is valuable not only for the sake of eventual consumption; work itself can be one of the things that a person finds most deeply rewarding.
Much value can be reaped in the process of creating wealth, in the activities of making goods and services: conceiving of a new product or convenience or qualitative enhancement that consumers will welcome; devising a more efficient manufacturing method or delivery system; designing and engineering buildings and bridges; treating illnesses; conducting chemical research; teaching history; directing a play; giving a recital; raising capital; writing a book. Productive work itself can be profoundly gratifying. Witness many wealthy people who continue working long after they’ve attained sufficient wealth to accommodate their needs quite luxuriously. Or consider the 77-year-old professor who keeps postponing retirement, despite the fact that he could retire quite comfortably. It is the fulfillment from the activity, not just the snappy things that money buys, that keeps Warren Buffett, Michael Dell and countless others hard at work, doing what they love. People do not work simply so that they can enjoy happiness later.

Understanding, then, that both the production of money and the consumption of money can enhance a person’s happiness, my basic point remains. Money buys the material goods that are prerequisite for life and happiness and money buys the time to pursue whatever spiritual ends a person finds most essential to his happiness. Money enhances a person’s ability to achieve his values. The achievement of values is the path to happiness.

4. CLARIFICATIONS

Please observe my exact claim: money can buy happiness. I have not contended that it does—always, necessarily, in every case. Happiness is not readymade, available on the rack as long as one offers the advertised price. Money can equally buy rubbish, addictions, shallow people, misery. I am not proposing money as a psychological panacea: “Anyone struggling with depression: forget therapy, forget Prozac, just get money.” More goes into happiness than material possessions.

As noted earlier, money is not intrinsically good. Correspondingly, it is not unconditionally good. The wealth that an individual acquires is a tool. To enhance his happiness, he must use the tool wisely.

Rand, elsewhere, offered a helpful distinction between money makers and money appropriators. The money appropriator, she explained, does not create anything of value, but obtains his money by manipulating other people. Such a person might become rich without literally making any money, without adding to the world’s stock of valuable goods and services. The money maker, by contrast, creates genuine value; he brings into being new and worthwhile products. The important point for us is that it is only the wealth of the money maker that can truly contribute to a person’s happiness. It can do so precisely because the money maker “does not care for money as such.” For him, money is a means to an end: a means of “expanding the range of his activity,” strengthening his ability to chart the course of his life.\(^\text{17}\)

The larger lesson is that while money can buy happiness, money does not guarantee happiness, since a person might misspend his money or his time. Money does not furnish a person with a worthwhile direction in which to steer his activities, nor with the virtues necessary to steer effectively. Money can buy happiness, however, when a
person’s goals are rational and when his means of pursuing them are rational. (Money cannot insulate a person from misfortune, of course, but it can make many misfortunes less likely and many others, more easily withstood.)

Can poor people be happy? Yes. And rich people can be unhappy. We all know this from personal observation. Neither fact jeopardizes my thesis, however.

Economists’ reports that a rise in income does not always precipitate a rise in life-satisfaction only testify to the fact that money is not a sufficient condition for happiness.¹⁸ That wealthy people can suffer from “affluenza” underscores the fact that money is not an adequate philosophy of life. As Aristotle observed, wealth is not the highest good, since it is sought for the sake of something else. Accordingly, we should not expect it to function in people’s lives as if it were the highest good.

A bit more unsettling, at least initially, is the fact that poor people can be happy. For this suggests that money is not even necessary for happiness. More precisely, however, it indicates that large quantities of money are not necessary. And that is true.

My claim has not been that happiness demands that everyone own the same amount of money or that cash occupy an identical position in everyone’s hierarchy of values. I have not urged people to pursue the greatest number of dollars possible. Because money is a means, such a view would distort money’s role, converting it into an end. Individuals often choose, quite rationally, to forego a higher income so as to enjoy other things they prize more.

Nonetheless, the poorer a person is, the more precarious his life and happiness. Lower depths of poverty mean greater vulnerability, greater likelihood of being pulled away from preferred pursuits to tame threats to minimal well-being. A poor person might have to take a second job to pay for a needed medical procedure, for example. The less wealth one has to draw on, the larger an ongoing concern fulfilling life’s basic requirements (such as paying the rent) must be—which leaves less time and tranquility for more agreeable activities. A modicum of money is necessary for happiness simply because, like it or not, human beings have physical needs. If we do not satisfy those needs, we perish. The reality is: even poor people can only be so poor; beneath a certain threshold, we will not survive.

One might object that my thesis has been diluted since we started. If all I want to say is that money can buy happiness, with heavy emphasis on the qualifications, isn’t that a pretty unremarkable claim?

I think not. For I am contesting what passes for a truism. I needn’t embrace the false thesis that money assures happiness in order to be saying something significant. Money, intelligently pursued and intelligently spent, can buy happiness in the ways I have shown. Money buys goods and money buys time. Money buys the autonomy to mold one’s life in the image of one’s ideal. Money nourishes happiness by helping a person to achieve the values that happiness is made of. Like many things, money can be put to poor uses. Yet money can also be put to wonderful uses, including the greatest: experiencing joy in living. That fact has got to be forthrightly acknowledged if people
are to embrace money unapologetically, as they must if they are to attain sufficient control over their lives to realize their ends and fulfill their dreams.

CONCLUSION

The truth in the cliché that “money can’t buy happiness” is that happiness isn’t easy. Money does not offer a shortcut around this fact. It is important to appreciate the danger of the drumbeat that “money can’t buy happiness,” however.

On one level, it is simply—but disastrously—bad advice, counterproductive to individuals’ actually attaining happiness. If money can contribute to happiness, as I have argued—if it is necessary for certain of happiness’s minimal ingredients and preconditions—then to insist that it cannot is to close off the route to happiness. It blocks the path that could, if properly followed, allow individuals to achieve their values. To counsel people away from money cripples their ability to be happy.

On a deeper level, to discourage the pursuit of money, knowing what money makes possible—the fulfillment of individuals’ desires for a better life—would be to discourage the very quest for happiness. That is worse than bad advice.

Some might worry about encouraging more money-chasing in an already overly-materialistic society. “Aren’t our children spoiled enough?” Yet my aim is hardly money “chasing,” mindless acquisition for its own sake. While there’s plenty to lament in contemporary society’s prevalent priorities, money is not the fundamental problem. In our eagerness to teach that money is not the most important thing in life, we have swung too far in the opposite direction, denigrating money as if it were worthless. While money and material goods are not inherently good, it is equally mistaken to dismiss them as inherently bad.

Considering the role of money in happiness forces us to confront the nature of happiness itself, a huge subject to which we could hardly do justice in a brief essay. In its essence, however, happiness is a function of success. It results from achieving values. We have seen that money facilitates value-achievement in crucial respects. Making money (in the literal sense of creating wealth) is the very process of achieving values. Spending money is a means of acquiring other goods and services that are one’s values or that will enhance one’s ability to realize one’s values. Whether by directly trading for goods or by buying time to devote to those ends that a person finds most worthwhile, money fortifies a person’s ability to get what he wants and to do what he wants. As such, it is to be celebrated, cheered—and pursued.

This paper is intended to liberate us from the tyranny of kneejerk condemnations of money—from the reticence that people often feel about pursuing wealth and from the guilt that frequently accompanies their doing so. Why extend such a blessing on money? Because money most definitely can contribute to happiness. And because happiness is the most important thing in life.

* * *


* * *
On Prayer
By Mother Teresa

I don’t think there is anyone who needs God’s help I and grace as much as I do. Sometimes I am so helpless and weak. I think that is why God uses me. Because I cannot depend on my own strength, I rely on Him twenty-four hours a day. If the day had even more hours, then I would need His help and grace during those hours as well. All of us must cling to God through prayer.

My secret is very simple: I pray. Through prayer I become one in love with Christ. I realize that praying to Him is loving Him.

In reality, there is only one true prayer, only one substantial prayer: Christ Himself. There is only one voice that rises above the face of the earth: the voice of Christ. Perfect prayer does not consist in many words, but in the fervor of the desire which raises the heart to Jesus.

Love to pray. Feel the need to pray often during the day. Prayer enlarges the heart until it is capable of containing God’s gift of Himself. Ask and seek and your heart will grow big enough to receive Him and keep Him as your own.

We want so much to pray properly and then we fail. We get discouraged and give up. If you want to pray better, you must pray more. God allows the failure but He does not want the discouragement. He wants us to be more childlike, more humble, more grateful in prayer, to remember we all belong to the mystical body of Christ, which is praying always.

We need to help each other in our prayers. Let us free our minds. Let’s not pray long, drawn-out prayers, but let’s pray short ones full of love. Let us pray on behalf of those who do not pray. Let us remember, if we want to be able to love, we must be able to pray!

Prayer that comes from the mind and heart is called mental prayer. We must never forget that we are bound toward perfection and should aim ceaselessly at it. The practice of daily mental prayer is necessary to reach that goal. Because it is the breath of life to our soul, holiness is impossible without it.

It is only by mental prayer and spiritual reading that we can cultivate the gift of prayer. Mental prayer is greatly fostered by simplicity—that is, forgetfulness of self by transcendence of the body and of our senses, and by frequent aspirations that feed our prayer. “In mental prayer,” says Saint John Vianney, “shut your eyes, shut your mouth, and open your heart.” In vocal prayer we speak to God; in mental prayer He speaks to us. It is then that God pours Himself into us.

Our prayers should be burning words coming forth from the furnace of hearts filled with love. In your prayers, speak to God with great reverence and confidence. Do not drag behind or run ahead; do not shout or keep silent, but devoutly, with great
sweetness, with natural simplicity, without any affectation, offer your praise to God with the whole of your heart and soul.

Just once, let the love of God take entire and absolute possession of your heart; let it become to your heart like a second nature; let your heart suffer nothing contrary to enter; let it apply itself continually to increase this love of God by seeking to please Him in all things and refusing Him nothing; let it accept as from His hand everything that happens to it; let it have a firm determination never to commit any fault deliberately and knowingly or, if it should fall, to be humbled and to rise up again at once—and such a heart will pray continually.

People are hungry for the Word of God that will give peace, that will give unity, that will give joy. But you cannot give what you don’t have. That’s why it is necessary to deepen your life of prayer.

Be sincere in your prayers. Sincerity is humility, and you acquire humility only by accepting humiliations. All that has been said about humility is not enough to teach you humility. All that you have read about humility is not enough to teach you humility. You learn humility only by accepting humiliations. And you will meet humiliation all through your life. The greatest humiliation is to know that you are nothing. This you come to know when you face God in prayer.

Often a deep and fervent look at Christ is the best prayer: I look at Him and He looks at me. When you come face to face with God, you cannot but know that you are nothing, that you have nothing.

***

It is difficult to pray if you don’t know how to pray, but we must help ourselves to pray. The first means to use is silence. We cannot put ourselves directly in the presence of God if we do not practice internal and external silence.

The interior silence is very difficult, but we must make the effort. In silence we will find energy and true unity. The energy of God will be ours to do all things well, and so will the unity of our thoughts With His thoughts, the unity of our prayers with His prayers, the unity of our actions with His actions, of our life with His life. Unity is the fruit of prayer, of humility, of love.

In the silence of the heart God speaks. If you face God in prayer and silence, God will speak to you. Then you will know that you are nothing. It is only when realize your nothingness, your emptiness, that God can fill you with Himself. Souls of prayer are souls of great silence.

Silence gives us a new outlook on everything. We need silence to be able to touch souls. The essential thing is not what we say but what God says to us and through us. In that silence, He will listen to us; there He will speak to our Soul, and there we will hear His voice.

Listen in silence, because if your heart is full of other things you cannot hear the voice of God. But when you have listened to the voice of God in the stillness of your heart,
then your heart is filled with God. This will need much sacrifice, but if we really mean to pray and want to pray we must be ready to do it now. These are only the first steps toward prayer but if we never make the first step with a determination, we will not reach the last one: the presence of God.

This is what we have to learn right from the beginning; to listen to the voice of God in our heart, and then in the silence of the heart God speaks. Then from the fullness of our hearts, our mouth will have to speak. That is the connection. In the silence of the heart, God speaks and you have to listen. Then in the fullness of your heart, because it is full of God, full of love, full of compassion, full of faith, your mouth will speak.

Remember, before you speak, it is necessary to listen, and only then, from the fullness of your heart you speak and God listens.

The contemplatives and ascetics of all ages and religions have sought God in the silence and solitude of the desert, forest, and mountain. Jesus Himself spent forty days in the desert and the mountains, communing for long hours with the Father in the silence of the night.

We too are called to withdraw at certain intervals into deeper silence and aloneness with God, together as a community as well as personally. To be alone with Him, not with our books, thoughts, and memories but completely stripped of everything, to dwell lovingly in His presence—silent, expectant, and motionless.

We cannot find God in noise or agitation. Nature: trees, flowers, and grass grow in silence. The stars, the moon, and the sun move in silence.

What is essential is not what we say but what God tells us and what He tells others through us. In silence He listens to us; in silence He speaks to our souls. In silence we are granted the privilege of listening to His voice.

   Silence of our eyes.
   Silence of our ears.
   Silence of our mouths.
   Silence of our minds.
   ... in the silence of the heart
   God will speak.

Silence of the heart is necessary so you can hear God everywhere—in the closing of the door, in the person who needs you, in the birds that sing, in the flowers, in the animals.

If we are careful of silence it will be easy to pray. There is so much talk, so much repetition, so much carrying on of tales in words and in writing. Our prayer life suffers so much because our hearts are not silent.

I shall keep the silence of my heart with greater care, so that in the silence of my heart I hear His words of comfort and from the fullness of my heart I comfort Jesus in the distressing disguise of the poor.
Real prayer is union with God, a union as vital as that of the vine to the branch, which illustration Jesus gives us in the Gospel of John. We need prayer. We need that union to produce good fruit. The fruit is what we produce with our hands, whether it be food, clothing, money, or something else. All of this is the fruit of our oneness with God. We need a life of prayer, of poverty, and of sacrifice to do it with love.

Sacrifice and prayer complement each other. There is no prayer without sacrifice, and there is no sacrifice without prayer. Jesus’ life was spent in intimate union with His Father as He passed through this world. We need to do the same. Let’s walk by His side. We need to give Christ a chance to make use of us, to be His word and His work, to share His food and His clothing in the world today.

If we do not radiate the light of Christ around us, the sense of the darkness that prevails in the world will increase.

We are called to love the world. And God loved the world so much that He gave Jesus. Today He loves the world so much that He gives you and me to be His love, His compassion, and His presence, through a life of prayer, of sacrifice, of surrender to God. The response that God asks of you is to be a contemplative.

If we take Jesus at His word, all of us are contemplatives in the heart of the world, for if we have faith, we are continually in His presence. By contemplation the soul draws directly from the heart of God the graces, which the active life must distribute. Our lives must be connected with the living Christ in us. If we do not live in the presence of God we cannot go on.

What is contemplation? To live the life of Jesus. This is what I understand. To love Jesus, to live His life in us, to live our life in His life. That’s contemplation. We must have a clean heart to be able to see—no jealousy, anger, contention, and especially no uncharitableness. To me, contemplation is not to be locked in a dark place, but to allow Jesus to live his passion, His love, His humility in us, praying with us, being with us, and sanctifying through us.

Our contemplation is our life. It is not a matter of doing but being. It is the possession of our spirit by the Holy Spirit breathing into us the plenitude of God and sending us forth to the whole creation as His personal message of love.

We shall not waste our time in looking for extraordinary experiences in our life of contemplation but live by pure faith, ever watchful and ready for His coming by doing our day-to-day duties with extraordinary love and devotion.

Our life of contemplation simply put is to realize God’s constant presence and His tender love for us in the least little things of life. To be constantly available to Him, loving Him with our whole heart, whole mind, whole soul, and whole strength, no matter in what form He may come to us. Does your mind and your heart go to Jesus as soon as you get up in the morning? This is prayer, that you turn your mind and heart to God.
Prayer is the very life of oneness, of being one with Christ. Therefore, prayer is as necessary as the air, as the blood in our body, as anything, to keep us alive to the grace of God. To pray generously is not enough; we must pray devoutly, with fervor and piety. We must pray perseveringly and with great love. If we don’t pray, our presence will have no power, our words will have no power.

We need prayers in order to better carry out the work of God, and so that in every moment we may know how to be completely available to Him.

We should make every effort to walk in the presence of God, to see God in all the persons we meet, to live our prayer throughout the day.

Knowledge of the self puts us on our knees, and it is very necessary for love. For knowledge of God produces love, and knowledge of the self produces humility. Knowledge of the self is a very important thing in our lives. As Saint Augustine says, “Fill yourselves first, and then only will you be able to give to others.”

Knowledge of the self is also a safeguard against pride, especially when you are tempted in life. The greatest mistake is to think you are too strong to fall into temptation. Put your finger in the fire and it will burn. So we have to go through the fire. The temptations are allowed by God. The only thing we have to do is to refuse to give in.

* * *

Prayer, to be fruitful, must come from the heart and must be able to touch the heart of God. See how Jesus taught His disciples to pray. I believe each time we say “Our Father,” God looks at His hands where He has carved us. (“I have carved you on the palm of my hand.” Isaiah 49:16.) He looks at His hands, and He sees us there. How wonderful the tenderness and love of God!

If we pray the “Our Father,” and live it, we will be holy. Everything is there: God, myself, my neighbor. If I forgive, then I can be holy and can pray. All this comes from a humble heart, and if we have this we know how to love God, to love self, and to love our neighbor. This is not complicated, and yet we complicate our lives so much, by so many additions. Just one thing counts—to be humble, to pray. The more you pray, the better you will pray.

A child has no difficulty expressing his little mind in simple words that say so much. Jesus said to Nicodemus: “Become as a little child.” If we pray the gospel, we will allow Christ to grow in us. So pray lovingly like children, with an earnest desire to love much and to make loved the one that is not loved.

All our words will be useless unless they come from within. Words that do not give the light of Christ increase the darkness. Today, more than ever, we need to pray for the light to know the will of God, for the love to accept the will of God, for the way to do the will of God.

* * *

Source: Mother Teresa, No Greater Love (New World Library, 1997).
Three Character Types—Carly, Tonya, and Jane

1. **Carly**: As a student, Carly worked hard and received good grades. Upon graduation she took a job, but at the same time saved money and worked on her business plan. When she was ready, she took the entrepreneurial plunge and started her own business, which she developed successfully, and then, a few years later, sold for $10 million. She is now living the good life of travel, building her dream home, raising her family, and managing her portfolio of investments.

2. **Tonya**: Tonya also worked hard in college and, upon graduation, took a job in a financial institution. She discovered a flaw in its funds-routing procedures, which enabled her anonymously to divert $10 million to an offshore bank, from which it was quickly re-routed through several Caribbean and Swiss banks, ending up in an account known only to Tonya. One year later, Tonya resigned her position at the financial institution and is now living in discreet luxury somewhere in Europe.

3. **Jane**: While in college, Jane studied liberal arts and graduated with a good degree. Unfortunately, the summer after her graduation Jane’s parents died suddenly. Fortunately, they left her $10 million in their wills, of which Jane immediately donated $9.9 million to charities devoted to the homeless, victims of floods, and to the planting of trees in the Brazilian rainforest. Jane invested the remaining $100,000 in a certificate of deposit earning 8% annually, the proceeds enabling her to live frugally and without too much discomfort.

Let us now ask the ethics question: Which of the three women is the most moral? Whom should we uphold as the ideal? Should we teach our children and students to admire and strive to be like Carly, Tonya, or Jane? All three require strength: It is not easy to build a successful business. It is not easy to figure out a con and get away with it. And it is not easy to give away all of one’s money.

Tonya is representative of a predatory ethic: she harms others and uses the proceeds to benefit herself. She is representative of the zero-sum, gain-at-the-expense-of-others practices widely condemned in the ethics literature.

Jane is representative of an altruistic ethic: she is selfless, and she places what she has at the disposal of others in society, keeping only the minimum for herself. She is representative of the “social justice” practices widely praised in the ethics literature.

Carly is the prototypical entrepreneur and is representative of a self-realization, egoistic ethic. She creates value, trades with others, and lives her dream life. Yet she is rarely discussed in the ethics literature. She is the invisible woman.

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Ethical Principles
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| **Heroes** |   |   |
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| **Sports** |   |   |
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| **Sex**    |   |   |
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**Universalism versus Relativism**

1. *Treatment of the dead:* Darius, a king of ancient Persia, was intrigued by the variety of cultures had encountered in his travels. He had found, for example, that the Callatians (an Indian tribe) customarily ate the bodies of their dead fathers. When he told Greeks about this funerary practice, they were shocked and appalled. When Darius told Callatians that Greeks cremated the dead, they were no less horrified.

2. *Deformed children:* A Sudanese tribe throw deformed children into the river because of their belief that such infants belong to the hippopotamus, the god of the river.

3. *Wife-sharing, infanticide, and the elderly:* Until the beginning of [the twentieth] century, Eskimo customs were very different from our own. The men often had more than one wife, and they would share their wives with guests, lending them for the night
as a sign of hospitality. Within the community a dominant male might demand—and get—regular sexual access to other men’s wives. The women, however, were free to break these arrangements simply by leaving their husbands and taking up with new partners. Eskimos also seemed to have less regard for human life. Infanticide, for example, was common. An early explorer reported that he met one woman who had borne twenty children but had killed ten of them at birth. Female babies, he found, were especially liable to be destroyed, and this was permitted simply at the parents’ discretion, with no social disapproval attached to it. Old people also, when they became too feeble to contribute to the family, were left out in the snow to die. (Source for the above three: James Rachels, “Morality Is Not Relative.” In Louis Pojman (ed.), Philosophy: The Quest for Truth (Wadsworth, 2002.)

4. **Human sacrifices for the Crops** (Central and South America): The Indians of Guayaquil, in Ecuador, used to sacrifice human blood and the hearts of men when they sowed their fields. The people of Cañar (now Cuenca in Ecuador) used to sacrifice a hundred children annually at harvest. The kings of Quito, the Incas of Peru, and for a long time the Spaniards were unable to suppress the bloody rite. At a Mexican harvest-festival, when the first fruits of the season were offered to the sun, a criminal was placed between two immense stones, balanced opposite each other, and was crushed by them as they fell together. His remains were buried, and a feast and dance followed. This sacrifice was known as “the meeting of the stones.” We have seen that the ancient Mexicans also sacrificed human beings at all the various stages in the growth of the maize, the age of the victims corresponding to the age of the corn; for they sacrificed new-born babes at sowing, older children when the grain had sprouted, and so on till it was fully ripe, when they sacrificed old men. No doubt the correspondence between the ages of the victims and the state of the corn was supposed to enhance the efficacy of the sacrifice. (Source: Sir James Frazer, The Golden Bough: A Study in Magic and Religion.)

5. **Human sacrifices for the Crops** (North America): The Pawnees annually sacrificed a human victim in spring when they sowed their fields. The sacrifice was believed to have been enjoined on them by the Morning Star, or by a certain bird which the Morning Star had sent to them as its messenger. The bird was stuffed and preserved as a powerful talisman. They though that an omission of this sacrifice would be followed by the total failure of the crops of maize, beans, and pumpkins. The victim was a captive of either sex. He was clad in the gayest and most costly attire, was fattened on the choicest food, and carefully kept in ignorance of his doom. When he was fat enough, they bound him to a cross in the presence of the multitude, danced a solemn dance, then cleft his head with a tomahawk and shot him with arrows. According to one trader, the squaws then cut pieces of flesh from the victim’s body, with which they greased their hoes; but this was denied by another trader who had been present at the ceremony. Immediately after the sacrifice the people proceeded to plant their fields. A particular account has been preserved of the sacrifice of a Sioux girl by the Pawnees in April 1837 or 1838. The girl was fourteen or fifteen years old and had been kept for six months and well treated. Two days before the
sacrifice she was led from wigwam to wigwam, accompanied by the whole council of chiefs and warriors. At each lodge she received a small billet of wood and a little paint, which she handed to the warrior next to her. In this way she called at every wigwam, receiving at each the same present of wood and paint. On the twenty-second of April she was taken out to be sacrificed, attended by the warriors, each of whom carried two pieces of wood which he had received from her hands. Her body having been painted half red and half black, she was attached to a sort of gibbet and roasted for some time over a slow fire, then shot to death with arrows. The chief sacrificer next tore out her heart and devoured it. While her flesh was still warm it was cut in small pieces from the bones, put in little baskets, and taken to a neighboring corn-field. There the head chief took a piece of the flesh from a basket and squeezed a drop of blood at the head of each row of corn.” (Source: Sir James Frazer, *The Golden Bough: A Study in Magic and Religion*.)

6. *Suttee:* The British prohibited the Hindu practice of *suttee* (a widow’s sacrificing herself on her husband’s funeral pyre) in India. “In a more culturally confident age, the British in India were faced with the practice of “suttee”—the tradition of burning widows on the funeral pyres of their husbands. Gen. Sir Charles Napier was impeccably multicultural: ‘You say that it is your custom to burn widows. Very well. We also have a custom: When men burn a woman alive, we tie a rope around their necks, and we hang them. Build your funeral pyre; beside it, my carpenters will build a gallows. You may follow your custom. And then we will follow ours.’” (Source.)

7. *Motherhood:* In the highlands of Papua New Guinea, a woman traditionally gives birth to her first child in the jungle. She then bashes its head against a rock, brings sows to the spot, the first of which to eat the corpse becomes the co-mother of the woman, who then suckles at her own breast a piglet from the sow’s litter. Doing this demonstrates her worth as a mother.

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*Which Athletes Have the Best—and Worst—Moral-Reasoning Skills?*

The Chronicle of Higher Education

In measurements of college athletes’ moral reasoning, players of team sports—and in particular, team contact sports—fare significantly worse than those who play individual sports, according to Sharon K. Stoll, a sports ethicist from the University of Idaho.

She believes that is partly because team-sport athletes often do not make as many decisions during games. In basketball and football, for example, coaches call many of the plays from the sidelines.
Contrast that to, say, golf and tennis, where players are given greater responsibility. In golf, players must mark penalties on their scorecards for certain errors, and in tennis, athletes call their own lines.

When athletes are given more individual responsibility, Ms. Stoll says, they tend to have higher moral-reasoning ability and make better ethical decisions.

Athletes who play sports in which players are allowed to make contact have the lowest moral-reasoning skills, Ms. Stoll says. “When you’re allowed to hit someone within the rules, you start to view your opponent as an object and not human,” she says.

Contact sports also allow athletes more opportunities to break the rules, she says. For example, football players can hold an opponent's breastplate, or lacrosse players can jab a competitor with a stick.

Not surprisingly therefore, athletes who play lacrosse, ice hockey, and football score, on average, the lowest of all college athletes. Golfers and tennis players fare best.

* * *


Human Nature—Good, Bad, or Tabula Rasa?

Genesis: Adam and Eve

15 The Lord God took the man and put him in the Garden of Eden to work it and take care of it. 16 And the Lord God commanded the man, “You are free to eat from any tree in the garden; 17 but you must not eat from the tree of the knowledge of good and evil, for when you eat from it you will certainly die.”

18 The Lord God said, “It is not good for the man to be alone. I will make a helper suitable for him.” …

21 So the Lord God caused the man to fall into a deep sleep; and while he was sleeping, he took one of the man’s ribs [plural] and then closed up the place with flesh. 22 Then the Lord God made a woman from the rib [singular] he had taken out of the man, and he brought her to the man. …

3 Now the serpent was more crafty than any of the wild animals the Lord God had made. He said to the woman, “Did God really say, ‘You must not eat from any tree in the garden?’”

2 The woman said to the serpent, “We may eat fruit from the trees in the garden, 3 but God did say, ‘You must not eat fruit from the tree that is in the middle of the garden, and you must not touch it, or you will die.’”

4 “You will not certainly die,” the serpent said to the woman. 5 “For God knows that when you eat from it your eyes will be opened, and you will be like God, knowing good and evil.”

6 When the woman saw that the fruit of the tree was good for food and pleasing to the eye, and also desirable for gaining wisdom, she took some and ate it. She also gave some to her husband, who was with her, and he ate it.
Genesis: Cain and Abel

4 Adam made love to his wife Eve, and she became pregnant and gave birth to Cain. She said, “With the help of the Lord I have brought forth a man.” Later she gave birth to his brother Abel.

Now Abel kept flocks, and Cain worked the soil. In the course of time Cain brought some of the fruits of the soil as an offering to the Lord. And Abel also brought an offering—fat portions from some of the firstborn of his flock. The Lord looked with favor on Abel and his offering, but on Cain and his offering he did not look with favor. So Cain was very angry, and his face was downcast.

6 Then the Lord said to Cain, “Why are you angry? Why is your face downcast? If you do what is right, will you not be accepted? But if you do not do what is right, sin is crouching at your door; it desires to have you, but you must rule over it.”

8 Now Cain said to his brother Abel, “Let’s go out to the field.” While they were in the field, Cain attacked his brother Abel and killed him.

9 Then the Lord said to Cain, “Where is your brother Abel?” “I don’t know,” he replied. “Am I my brother’s keeper?”

St. Paul: “I am physical, sold into slavery to sin. I do not understand what I am doing, for I do not do what I want to do; I do the things that I hate ... What a wretched man I am! Who can save me from this doomed body?”

Pope Innocent III (1160-1216) and disgust at human body: “impure begetting, disgusting means of nutrition in his mother’s womb, baseness of matter out of which man evolves, hideous stink, secretion of saliva, urine, and filth.”

Martin Luther in 1520: “Man has a twofold nature, a spiritual one and a bodily one. According to the spiritual nature, which men refer to as the soul, he is called a spiritual, inner, or new man. According to the bodily nature, which men refer to as flesh, he is called a carnal, outward, or old man, of whom the Apostle writes in 2 Cor. 4 [:16], ‘Though our outer nature is wasting away, our inner nature is being renewed every day.’ Because of this diversity of nature the Scriptures assert contradictory things concerning the same man, since these two men in the same man contradict each other, ‘for the desires of the flesh are against the spirit, and the desires of the Spirit are against the flesh,’ according to Gal. 5 [:17].”

Plato, The Myth of Gyges: “According to the tradition, Gyges was a shepherd in the service of the king of Lydia; there was a great storm, and an earthquake made an opening in the earth at the place where he was feeding his flock. Amazed at the sight, he descended into the opening, where, among other marvels, he beheld a hollow brazen horse, having doors, at which he stooping and looking in saw a dead body of stature, as appeared to him, more than human, and having nothing on but a gold ring; this he took from the finger of the dead and re-descended. Now the shepherds met together, according to custom, that they might send their monthly report about the flocks to the king; into their assembly he came having the ring on his finger, and as he was sitting among them he chanced to turn the collet of the ring inside his hand,
when instantly he became invisible to the rest of the company and they began to speak of him as if he were no longer present. He was astonished at this, and again touching the ring he turned the collet outwards and reappeared; he made several trials of the ring, and always with the same result—when he turned the collet inwards he became invisible, when outwards he reappeared.

Whereupon he contrived to be chosen one of the messengers who were sent to the court; where as soon as he arrived he seduced the queen, and with her help conspired against the king and slew him, and took the kingdom. Suppose now that there were two such magic rings, and the just put on one of them and the unjust the other; no man can be imagined to be of such an iron nature that he would stand fast in justice. No man would keep his hands off what was not his own when he could safely take what he liked out of the market, or go into houses and lie with any one at his pleasure, or kill or release from prison whom he would, and in all respects be like a God among men.”

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The Duty to Give to the World’s Poor

By Peter Singer

Some Facts

Consider these facts: by the most cautious estimates, 400 million people lack the calories, protein, vitamins and minerals needed for a normally healthy life. Millions are constantly hungry; others suffer from deficiency diseases and from infections they would be able to resist on a better diet. Children are worst affected. According to one estimate, 15 million children under five die every year from the combined effects of malnutrition and infection. In some areas, half the children born can be expected to die before their fifth birthday.

Nor is lack of food the only hardship of the poor. To give a broader picture, Robert McNamara, President of the World Bank, has suggested the term “absolute poverty.” The poverty we are familiar with in industrialized nations is relative poverty—meaning that some citizens are poor, relative to the wealth enjoyed by their neighbours. People living in relative poverty in Australia might be quite comfortably off by comparison with old-age pensioners in Britain, and British old-age pensioners are not poor in comparison with the poverty that exists in Mali or Ethiopia. Absolute poverty, on the other hand, is poverty by any standard. In McNamara’s words:

“Poverty at the absolute level ... is life at the very margin of existence.

“The absolute poor are severely deprived human beings struggling to survive in a set of squalid and degraded circumstances almost beyond the power of our sophisticated imaginations and privileged circumstances to conceive.

“Compared to those fortunate enough to live in developed countries individuals in the poorest nations have

“An infant mortality rate eight times higher”

“A life expectancy one-third lower

“An adult literacy rate 60% less
“A nutritional level, for one out of every two in the population, below acceptable standards; and for millions of infants, less protein than is sufficient to permit optimum development of the brain.”

And McNamara has summed up absolute poverty as:

“a condition of life so characterized by malnutrition, illiteracy, disease, squalid surroundings, high infant mortality and low life expectancy as to be beneath any reasonable definition of human decency.”

Absolute poverty is, as McNamara has said, responsible for the loss of countless lives, especially among infants and young children. When absolute poverty does not cause death it still causes misery of a kind not often seen in the affluent nations. Malnutrition in young children stunts both physical and mental development. It has been estimated that the health, growth and learning capacity of nearly half the young children in developing countries are affected by malnutrition. Millions of people on poor diets suffer from deficiency diseases, like goitre, or blindness caused by a lack of vitamin A. The food value of what the poor eat is further reduced by parasites such as hookworm and ringworm, which are endemic in conditions of poor sanitation and health education.

Death and disease apart, absolute poverty remains a miserable condition of life, with inadequate food, shelter, clothing, sanitation, health services and education. According to World Bank estimates which define absolute poverty in terms of income levels insufficient to provide adequate nutrition, something like 800 million people—almost 40% of the people of developing countries—live in absolute poverty Absolute poverty is probably the principal cause of human misery today.

This is the background situation, the situation that prevails on our planet all the time. It does not make headlines. People died from malnutrition and related diseases yesterday, and more will die tomorrow. The occasional droughts, cyclones, earthquakes and floods that take the lives of tens of thousands in one place and at one time are more newsworthy. They add greatly to the total amount of human suffering; but it is wrong to assume that when there are no major calamities reported, all is well.

The problem is not that the world cannot produce enough to feed and shelter its people. People in the poor countries consume, on average, 400 lbs. of grain a year, while North Americans average more than 2000 lbs. The difference is caused by the fact that in the rich countries we feed most of our grain to animals, converting it into meat, milk and eggs. Because this is an inefficient process, wasting up to 95% of the food value of the animal feed, people in rich countries are responsible for the consumption of far more food than those in poor countries who eat few animal products. If we stopped feeding animals on grains, soybeans and fishmeal the amount of food saved would—if distributed to those who need it—be more than enough to end hunger throughout the world.

These facts animal food do not mean that we can easily solve the world food problem by cutting down on animal products, but they show that the problem is essentially one of distribution rather than production. The world does produce enough food. Moreover the poorer nations themselves could produce her more if they made more use of improved agricultural techniques.
So why are people hungry? Poor people cannot afford to buy grain grown by American farmers. Poor farmers cannot afford to buy improved seeds, or fertilizers, or the machinery needed for drilling wells and pumping water. Only by transferring some of the wealth of the developed nations to the poor of the underdeveloped nations can the situation be changed.

That this wealth exists is clear. Against the picture of absolute poverty that McNamara has painted, one might pose a picture of “absolute affluence.” Those who are absolutely affluent are not necessarily affluent by comparison with their neighbours, but they are affluent by any reasonable definition of human needs. This means that they have more income than they need to provide themselves adequately with all the basic necessities of life. After buying food, shelter, clothing, necessary health services and education, the absolutely affluent are still able to spend money on luxuries. The absolutely affluent choose their food for the pleasures of the palate, not to stop hunger; they buy new clothes to look fashionable, not to keep warm; they move house to be in a better neighbourhood or have a play room for the children, not to keep out the rain; and after all this there is still money to spend on books and records, colour television, and overseas holidays.

At this stage I am making no ethical judgments about absolute affluence, merely pointing out that it exists. Its defining characteristic is a significant amount of income above the level necessary to provide for the basic human needs of oneself and one’s dependents. By this standard Western Europe, North America, Japan, Australia, New Zealand and the oil-rich Middle Eastern states are all absolutely affluent, and so are many, if not all, of their citizens. The USSR and Eastern Europe might also be included on this list. To quote McNamara once more:

The average citizen of a developed country enjoys wealth beyond the wildest dreams of the one billion people in countries with per capita incomes under $200 ....

These, therefore, are the countries—and individuals—who have wealth which they could, without threatening their own basic welfare, transfer to the absolutely poor.

At present, very little is being transferred. Members of the Organization of Petroleum Exporting Countries lead the way, giving an average of 2.1% of their Gross National Product. Apart from them, only Sweden, the Netherlands and Norway have reached the modest UN target of 0.7% of GNP. Britain gives 0.38% of its GNP in official development assistance and a small additional amount in unofficial aid from voluntary organizations. The total comes to less than £1 per month per person, and compares with 5.5% of GNP spent on alcohol, and 3% on tobacco. Other, even wealthier nations, give still less: Germany gives 0.27%, the United States 0.22% and Japan 0.21%.

The Moral Equivalent of Murder?

If these are the facts, we cannot avoid concluding that by not giving more than we do, people in rich countries are allowing those in poor countries to suffer from absolute poverty with consequent malnutrition, ill health and death. This is not a conclusion which applies only to governments. It applies to each absolutely affluent individual, for each of us has the opportunity to do something about the situation; for instance, to give our time or money to voluntary organizations like Oxfam, War on Want, Freedom from Hunger, and so on. If, then, allowing someone to die is not intrinsically different from killing someone, it would seem that we are all murderers.
Is this verdict too harsh? Many will reject it as self-evidently absurd. They would sooner take it as showing that allowing to die cannot be equivalent to killing than as showing that living in an affluent style without contributing to Oxfam is ethically equivalent to going over to India and shooting a few peasants. And no doubt, put as bluntly as that, the verdict is too harsh.

There are several significant differences between spending money on luxuries instead of using it to save lives, and deliberately shooting people.

First, the motivation will normally be different. Those who deliberately shoot others go out of their way to kill; they presumably want their victims dead, from malice, sadism, or some equally unpleasant motive. A person who buys a colour television set presumably wants to watch television in colour—not in itself a terrible thing. At worst, spending money on luxuries instead of giving it away indicates selfishness and indifference to the sufferings of others, characteristics which may be understandable but are not comparable with actual malice or similar motives.

Second, it is not difficult for most of us to act in accordance with a rule against killing people: it is, on the other hand, very difficult to obey a rule which commands us to save all the lives we can. To live a comfortable, or even luxurious life it is not necessary to kill anyone; but it is necessary to allow some to die whom we might have saved, for the money that we need to live comfortably could have been given away. Thus the duty to avoid killing is much easier to discharge completely than the duty to save. Saving every life we could would mean cutting our standard of living down to the bare essentials needed to keep us alive.* [* Strictly, we would need to cut down to the minimum level compatible with earning the income which, after providing for our needs, left us most to give away. Thus if my present position earns me, say £10,000 a year, but requires me to spend £1,000 a year on dressing respectably and maintaining a car, I cannot save more people by giving away the car and clothes if that will mean taking a job which, although it does not involve me in these expenses, earns me only £5,000.]

To discharge this duty completely would require a degree of moral heroism utterly different from what is required by mere avoidance of killing.

A third difference is the greater certainty of the outcome of shooting when compared with not giving aid. If I point a loaded gun at someone and pull the trigger, it is virtually certain that the person will be injured, if not killed; whereas the money that I could give might be spent on a project that turns out to be unsuccessful and helps no one.

Fourth, when people are shot there are identifiable individuals who have been harmed. We can point to them and to their grieving families. When I buy my colour television, I cannot know who my money would have saved if I had given it away. In a time of famine I may see dead bodies and grieving families on my new television, and I might not doubt that my money would have saved some of them; even then it is impossible to point to a body and say that had I not bought the set, that person would have survived.

Fifth, it might be said that the plight of the hungry is not my doing, and so I cannot be held responsible for it. The starving would have been starving if I had never existed. If I kill, however, I am responsible for my victims’ deaths, for those people would not have died if I had not killed them ....

Do the five differences not only explain, but also justify, our attitudes? Let us consider them one by one:
1. Take the lack of an identifiable victim first. Suppose that I am a travelling salesman, selling tinned food, and I learn that a batch of tins contains a contaminant, the known effect of which when consumed is to double the risk that the consumer will die from stomach cancer. Suppose I continue to sell the tins. My decision may have no identifiable victims. Some of those who eat the food will die from cancer. The proportion of consumers dying in this way will be twice that of the community at large, but which among the consumers died because they ate what I sold, and which would have contracted the disease anyway? It is impossible to tell; but surely this impossibility makes my decision no less reprehensible than it would have been had the contaminant had more readily detectable, though equally fatal, effects.

2. The lack of certainty that by giving money I could save a life does reduce the wrongness of not giving, by comparison with deliberate killing; but it is insufficient to show that not giving is acceptable conduct. The motorist who speeds through pedestrian crossings, heedless of anyone who might be on them, is not a murderer. She may never actually hit a pedestrian; yet what she does is very wrong indeed.

3. The notion of responsibility for acts rather than omissions is more puzzling. On the one hand we feel ourselves to be under a greater obligation to help those whose misfortunes we have caused. (It is for this reason that advocates of overseas aid often argue that Western nations have created the poverty of third World nations, through forms of economic exploitation which go back to the colonial system.) On the other hand any consequentialist would insist that we are responsible for all the consequences of our actions, and if a consequence of my spending money on a luxury item is that someone dies, I am responsible for that death. It is true that the person would have died even if I had never existed, but what is the relevance of that? The fact is that I do exist, and the consequentialist will say that our responsibilities derive from the world as it is, not as it might have been.

One way of making sense of the nonconsequentialist view of responsibility is by basing it on a theory of rights of the kind proposed by John Locke or, more recently, Robert Nozick. If everyone has a right to life, and this right is a right against others who might threaten my life, but not a right to assistance from others when my life is in danger, then we can understand the feeling that we are responsible for acting to kill but not for omitting to save. The former violates the rights of others, the latter does not.

Should we accept such a theory of rights? If we build up our theory of rights by imagining, as Locke and Nozick do, individuals living independently from each other in a “state of nature,” it may seem natural to adopt a conception of rights in which as long as each leaves the other alone, no rights are violated. I might, on this view, quite properly have maintained my independent existence if I had wished to do so. So if I do not make you any worse off than you would have been if I had had nothing at all to do with you, how can I have violated your rights? But why start from such an unhistorical, abstract and ultimately inexplicable idea as an independent individual? We now know that our ancestors were social beings long before they were human beings, and could not have developed the abilities and capacities of human beings if they had not been social beings first. In any case we are not, now, isolated individuals. If we consider people living together in a community, it is less easy to assume that rights must be restricted to rights against interference. We might, instead, adopt the view that taking rights to life seriously is incompatible with standing by and watching people die when one could easily save them.
4. What of the difference in motivation? That a person does not positively wish for the death of another lessens the severity of the blame she deserves; but not by as much as our present attitudes to giving aid suggest. The behaviour of the speeding motorist is again comparable, for such motorists usually have no desire at all to kill anyone. They merely enjoy speeding and are indifferent to the consequences. Despite their lack of malice, those who kill with cars deserve not only blame but also severe punishment.

5. Finally, the fact that to avoid killing people is normally not difficult, whereas to save all one possibly could save is heroic, must make an important difference.

The Argument for an Obligation to Assist

The path from the library at my university to the Humanities lecture theatre passes a shallow ornamental pond. Suppose that on my way to give a lecture I notice that a small child has fallen in and is in danger of drowning. Would anyone deny that I ought to wade in and pull the child out? This will mean getting my clothes muddy and either cancelling my lecture or delaying it until I can find something dry to change into; but compared with the avoidable death of a child this is insignificant.

A plausible principle that would support the judgment that I ought to pull the child out is this: if it is in our power to prevent something very bad happening, without thereby sacrificing anything of comparable moral significance, we ought to do it. This principle seems uncontroversial. It will obviously win the assent of consequentialists; but nonconsequentialists should accept it too, because the injunction to prevent what is bad applies only when nothing comparably significant is at stake. Thus the principle cannot lead to the kinds of actions of which nonconsequentialists strongly disapprove—serious violations of individual rights, injustice, broken promises, and so on. If a non-consequentialist regards any of these as comparable in moral significance to the bad thing that is to be prevented, he will automatically regard the principle as not applying in those cases in which the bad thing can only be prevented by violating rights, doing injustice, breaking promises, or whatever else is at stake. Most non-consequentialists hold that we ought to prevent what is bad and promote what is good. Their dispute with consequentialists lies in their insistence that this is not the sole ultimate ethical principle; that it is ethical principle is not denied by any plausible ethical theory.

Nevertheless the uncontroversial appearance of the principle that we ought to prevent what is bad when we can do so without sacrificing anything of comparable moral significance is deceptive. If it were taken seriously and acted upon, our lives and our world would be fundamentally changed. For the principle applies, not just to rare situations in which one can save a child from a pond, but to the everyday situation in which we can assist those living in absolute poverty. In saying this I assume that absolute poverty, with its hunger and malnutrition, lack of shelter, illiteracy, disease, high infant mortality and low life expectancy, is a bad thing. And I assume that it is within the power of the affluent to reduce absolute poverty, without sacrificing anything of comparable moral significance. If these two assumptions and the principle we have been discussing are correct, we have an obligation to help those in absolute poverty which is no less strong than our obligation to rescue a drowning child from a pond. Not to help would be wrong, whether or not it is intrinsically equivalent to killing. Helping is not, as
conventionally thought, a charitable act which it is praiseworthy to do, but not wrong to omit; it is something that everyone ought to do.

This is the argument for an obligation to assist.

Set out more formally, it would look like this.

First premise: If we can prevent something bad without sacrificing anything of comparable significance, we ought to do it.

Second premise: Absolute poverty is bad.

Third premise: There is some absolute poverty we can prevent without sacrificing anything of comparable moral significance.

Conclusion: We ought to prevent some absolute poverty.

The first premise is the substantive moral premise on which the argument rests, and I have tried to show that it can be accepted by people who hold a variety of ethical positions.

The second premise is unlikely to be challenged. Absolute poverty is, as McNamara put it, “beneath any reasonable definition of human decency” and it would be hard to find a plausible ethical view which did not regard it as a bad thing.

The third premise is more controversial, even though it is cautiously framed. It claims only that some absolute poverty can be prevented without the sacrifice of anything of comparable moral significance. It thus avoids the objection that any aid I can give is just “drops in the ocean,” for the point is not whether my personal contribution will make any noticeable impression on world poverty as a whole (of course it won’t) but whether it will prevent some poverty. This is all the argument needs to sustain its conclusion, since the second premise says that any absolute poverty is bad, and not merely the total amount of absolute poverty. If without sacrificing anything of comparable moral significance we can provide just one family with the means to raise itself out of absolute poverty, the third premise is vindicated. I have left the notion of moral significance unexamined in order to show that the argument does not depend on any specific values or ethical principles. I think the third premise is true for most people living in industrialized nations, on any defensible view of what is morally significant. Our affluence means that we have income we can dispose of without giving up the basic necessities of life, and we can use this income to reduce absolute poverty. Just how much we will think ourselves obliged to give up will depend on what we consider to be of comparable moral significance to the poverty we could prevent: color television, stylish clothes, expensive dinners, a sophisticated stereo system, overseas holidays, a (second?) car, a larger house, private schools for our children. … For a utilitarian, none of these is likely to be of comparable significance to the reduction of absolute poverty; and those who are not utilitarians surely must, if they subscribe to the principle of universalizability, accept that at least some of these things are of far less moral significance than the absolute poverty that could be prevented by the money they cost. …

Too High a Standard?
The final objection to the argument for an obligation to assist is that it sets a standard so high that none but a saint could attain it. How many people can we really expect to give away everything not comparable in moral significance to the poverty their donation could relieve? For most of us, with commonsense views about what is of moral significance, this would mean a life of real austerity. Might it not be counterproductive to demand so much? Might not people say: “As I can’t do what is morally required anyway, I won’t bother to give at all.” If, however, we were to set a more realistic standard, people might make a genuine effort to reach it. Thus setting a lower standard might actually result in more aid being given.

It is important to get the status of this objection clear. Its accuracy as a prediction of human behaviour is quite compatible with the argument that we are obliged to give to the point at which by giving more we sacrifice something of comparable moral significance. What would follow from the objection is that public advocacy of this standard of giving is undesirable. It would mean that in order to do the maximum to reduce absolute poverty, we should advocate a standard lower than the amount we think people really ought to give. Of course we ourselves—those of us who accept the original argument, with its higher standard—would know that we ought to do more than we publicly propose people ought to do, and we might actually give more than we urge others to give. There is no inconsistency here, since in both our private and our public behavior we are trying to do what will most reduce absolute poverty.

For a consequentialist, this apparent conflict between public and private morality is always a possibility, and not in itself an indication that the underlying principle is wrong. The consequences of a principle are one thing, the consequences of publicly advocating it another.

Is it true that the standard set by our argument is so high as to be counterproductive? There is not much evidence to go by, but discussions of the argument, with students and others have led me to think it might be. On the other hand the conventionally accepted standard—a few coins in a collection tin when one is waved under your nose—is obviously far too low. What level should we advocate? Any figure will be arbitrary but there may be something to be said for a round percentage of one’s income like, say, 10%—more than a token donation, yet not so high as to be beyond all but saints. (This figure has the additional advantage of being reminiscent of the ancient tithe, or tenth, which was traditionally given to the church, whose responsibilities included care of the poor in one’s local community. Perhaps the idea can be revived and applied to the global community.) Some families, of course, will find 10% a considerable strain on their finances. Others may be able to give more without difficulty. No figure should be advocated as a rigid minimum or maximum; but it seems safe to advocate that those earning average or above average incomes in affluent societies, unless they have an unusually large number of dependents or other special needs, ought to give a tenth of their income to reducing absolute poverty. By any reasonable ethical standards this is the minimum we ought to do, and we do wrong if we do less.

* * *

Lifeboat Ethics:
The Case against Helping the Poor
By Garrett Hardin

Environmentalists use the metaphor of the earth as a “spaceship” in trying to persuade countries, industries and people to stop wasting and polluting our natural resources. Since we all share life on this planet, they argue, no single person or institution has the right to destroy, waste, or use more than a fair share of its resources.

But does everyone on earth have an equal right to an equal share of its resources? The spaceship metaphor can be dangerous when used by misguided idealists to justify suicidal policies for sharing our resources through uncontrolled immigration and foreign aid. In their enthusiastic but unrealistic generosity, they confuse the ethics of a spaceship with those of a lifeboat.

A true spaceship would have to be under the control of a captain, since no ship could possibly survive if its course were determined by committee. Spaceship Earth certainly has no captain; the United Nations is merely a toothless tiger, with little power to enforce any policy upon its bickering members.

If we divide the world crudely into rich nations and poor nations, two thirds of them are desperately poor, and only one third comparatively rich, with the United States the wealthiest of all. Metaphorically each rich nation can be seen as a lifeboat full of comparatively rich people. In the ocean outside each lifeboat swim the poor of the world, who would like to get in, or at least to share some of the wealth. What should the lifeboat passengers do?

First, we must recognize the limited capacity of any lifeboat. For example, a nation’s land has a limited capacity to support a population and as the current energy crisis has shown us, in some ways we have already exceeded the carrying capacity of our land.

Adrift in a Moral Sea

So here we sit, say 50 people in our lifeboat. To be generous, let us assume it has room for 10 more, making a total capacity of 60. Suppose the 50 of us in the lifeboat see 100 others swimming in the water outside, begging for admission to our boat or for handouts. We have several options: we may be tempted to try to live by the Christian ideal of being “our brother’s keeper,” or by the Marxist ideal of “to each according to his needs.” Since the needs of all in the water are the same, and since they can all be seen as “our brothers,” we could take them all into our boat, making a total of 150 in a boat designed for 60. The boat swamps, everyone drowns. Complete justice, complete catastrophe.
Since the boat has an unused excess capacity of 10 more passengers, we could admit just 10 more to it. But which 10 do we let in? How do we choose? Do we pick the best 10, “first come, first served”? And what do we say to the 90 we exclude? If we do let an extra 10 into our lifeboat, we will have lost our “safety factor,” an engineering principle of critical importance. For example, if we don’t leave room for excess capacity as a safety factor in our country’s agriculture, a new plant disease or a bad change in the weather could have disastrous consequences.

Suppose we decide to preserve our small safety factor and admit no more to the lifeboat. Our survival is then possible although we shall have to be constantly on guard against boarding parties.

While this last solution clearly offers the only means of our survival, it is morally abhorrent to many people. Some say they feel guilty about their good luck. My reply is simple: “Get out and yield your place to others.” This may solve the problem of the guilt-ridden person’s conscience, but it does not change the ethics of the lifeboat. The needy person to whom the guilt-ridden person yields his place will not himself feel guilty about his good luck. If he did, he would not climb aboard. The net result of conscience-stricken people giving up their unjustly held seats is the elimination of that sort of conscience from the lifeboat.

This is the basic metaphor within which we must work out our solutions. Let us now enrich the image, step by step, with substantive additions from the real world, a world that must solve real and pressing problems of overpopulation and hunger.

The harsh ethics of the lifeboat become even harsher when we consider the reproductive differences between the rich nations and the poor nations. The people inside the lifeboats are doubling in numbers every 87 years; those swimming around outside are doubling, on the average, every 35 years, more than twice as fast as the rich. And since the world’s resources are dwindling, the difference in prosperity between the rich and the poor can only increase.

As of 1973, the U.S. had a population of 210 million people, who were increasing by 0.8 percent per year. Outside our lifeboat, let us imagine another 210 million people (say the combined populations of Colombia, Ecuador, Venezuela, Morocco, Pakistan, Thailand and the Philippines) who are increasing at a rate of 3.3 percent per year. Put differently, the doubling time for this aggregate population is 21 years, compared to 87 years for the U.S.

The harsh ethics of the lifeboat become harsher when we consider the reproductive differences between rich and poor.

Multiplying the Rich and the Poor

Now suppose the U.S. agreed to pool its resources with those seven countries, with everyone receiving an equal share. Initially the ratio of Americans to non-Americans in this model would be one-to-one. But consider what the ratio would be after 87 years, by which time the Americans would have doubled to a population of 420 million. By then, doubling every 21 years, the other group would have swollen to 3.54 billion. Each American would have to share the available resources with more than eight people.
But, one could argue, this discussion assumes that current population trends will continue, and they may not. Quite so. Most likely the rate of population increase will decline much faster in the U.S. than it will in the other countries, and there does not seem to be much we can do about it. In sharing with "each according to his needs," we must recognize that needs are determined by population size, which is determined by the rate of reproduction, which at present is regarded as a sovereign right of every nation, poor or not. This being so, the philanthropic load created by the sharing ethic of the spaceship can only increase.

The Tragedy of the Commons

The fundamental error of spaceship ethics, and the sharing it requires, is that it leads to what I call “the tragedy of the commons.” Under a system of private property, the men who own property recognize their responsibility to care for it, for if they don’t they will eventually suffer. A farmer, for instance, will allow no more cattle in a pasture than its carrying capacity justifies. If he overloads it, erosion sets in, weeds take over, and he loses the use of the pasture.

If a pasture becomes a commons open to all, the right of each to use it may not be matched by a corresponding responsibility to protect it. Asking everyone to use it with discretion will hardly do, for the considerate herdsman who refrains from overloading the commons suffers more than a selfish one who says his needs are greater. If everyone would restrain himself, all would be well; but it takes only one less than everyone to ruin a system of voluntary restraint. In a crowded world of less than perfect human beings, mutual ruin is inevitable if there are no controls. This is the tragedy of the commons.

One of the major tasks of education today should be the creation of such an acute awareness of the dangers of the commons that people will recognize its many varieties. For example, the air and water have become polluted because they are treated as commons. Further growth in the population or per-capita conversion of natural resources into pollutants will only make the problem worse. The same holds true for the fish of the oceans. Fishing fleets have nearly disappeared in many parts of the world, technological improvements in the art of fishing are hastening the day of complete ruin. Only the replacement of the system of the commons with a responsible system of control will save the land, air, water and oceanic fisheries.

The World Food Bank

In recent years there has been a push to create a new commons called a World Food Bank, an international depository of food reserves to which nations would contribute according to their abilities and from which they would draw according to their needs. This humanitarian proposal has received support from many liberal international groups, and from such prominent citizens as Margaret Mead, U.N. Secretary General Kurt Waldheim, and Senators Edward Kennedy and George McGovern.

A world food bank appeals powerfully to our humanitarian impulses. But before we rush ahead with such a plan, let us recognize where the greatest political push comes from, lest we be disillusioned later. Our experience with the “Food for Peace
Program,” or Public Law 480, gives us the answer. This program moved billions of dollars worth of U.S. surplus grain to food-short, population-long countries during the past two decades. But when P.L. 480 first became law, a headline in the business magazine *Forbes* revealed the real power behind it: “Feeding the World’s Hungry Millions: How It Will Mean Billions for U.S. Business.”

And indeed it did. In the years 1960 to 1970, U.S. taxpayers spent a total of $7.9 billion on the Food for Peace program. Between 1948 and 1970, they also paid an additional $50 billion for other economic-aid programs, some of which went for food and food-producing machinery and technology. Though all U.S. taxpayers were forced to contribute to the cost of P.L. 480 certain special interest groups gained handsomely under the program. Farmers did not have to contribute the grain; the Government or rather the taxpayers, bought it from them at full market prices. The increased demand raised prices of farm products generally. The manufacturers of farm machinery, fertilizers and pesticides benefited by the farmers’ extra efforts to grow more food. Grain elevators profited from storing the surplus until it could be shipped. Railroads made money hauling it to ports, and shipping lines profited from carrying it overseas. The implementation of P.L. 480 required the creation of a vast government bureaucracy, which then acquired its own vested interest in continuing the program regardless of its merits.

Extracting Dollars

Those who proposed and defended the Food for Peace program in public rarely mentioned its importance to any of these special interests. The public emphasis was always on its humanitarian effects. The combination of silent selfish interests and highly vocal humanitarian apologists made a powerful and successful lobby for extracting money from taxpayers. We can expect the same lobby to push now for the creation of a World Food Bank.

However great the potential benefit to selfish interests, it should not be a decisive argument against a truly humanitarian program. We must ask if such a program would actually do more good than harm, not only momentarily but also in the long run. Those who propose the food bank usually refer to a current “emergency” or “crisis” in terms of world food supply. But what is an emergency? Although they may be infrequent and sudden, everyone knows that emergencies will occur from time to time. A well-run family, company, organization or country prepares for the likelihood of accidents and emergencies. It expects them, it budgets for them, it saves for them.

Learning the Hard Way

What happens if some organizations or countries budget for accidents and others do not? If each country is solely responsible for its own well-being, poorly managed ones will suffer. But they can learn from experience. They may mend their ways, and learn to budget for infrequent but certain emergencies. For example, the weather varies from year to year, and periodic crop failures are certain. A wise and competent government saves out of the production of the good years in anticipation of bad years to come. Joseph taught this policy to Pharaoh in Egypt more than 2,000 years ago. Yet the great majority of the governments in the world today do not
follow such a policy. They lack either the wisdom or the competence, or both. Should those nations that do manage to put something aside be forced to come to the rescue each time an emergency occurs among the poor nations?

“But it isn’t their fault!” Some kind-hearted liberals argue. “How can we blame the poor people who are caught in an emergency? Why must they suffer for the sins of their governments?” The concept of blame is simply not relevant here. The real question is, what are the operational consequences of establishing a world food bank? If it is open to every country every time a need develops, slovenly rulers will not be motivated to take Joseph’s advice. Someone will always come to their aid. Some countries will deposit food in the world food bank, and others will withdraw it. There will be almost no overlap. As a result of such solutions to food shortage emergencies, the poor countries will not learn to mend their ways, and will suffer progressively greater emergencies as their populations grow.

Population Control the Crude Way

On the average poor countries undergo a 2.5 percent increase in population each year; rich countries, about 0.8 percent. Only rich countries have anything in the way of food reserves set aside, and even they do not have as much as they should. Poor countries have none. If poor countries received no food from the outside, the rate of their population growth would be periodically checked by crop failures and famines. But if they can always draw on a world food bank in time of need, their population can continue to grow unchecked, and so will their “need” for aid. In the short run, a world food bank may diminish that need, but in the long run it actually increases the need without limit.

Without some system of worldwide food sharing, the proportion of people in the rich and poor nations might eventually stabilize. The overpopulated poor countries would decrease in numbers, while the rich countries that had room for more people would increase. But with a well-meaning system of sharing, such as a world food bank, the growth differential between the rich and the poor countries will not only persist, it will increase. Because of the higher rate of population growth in the poor countries of the world, 88 percent of today’s children are born poor, and only 12 percent rich. Year by year the ratio becomes worse, as the fast-reproducing poor outnumber the slow-reproducing rich.

A world food bank is thus a commons in disguise. People will have more motivation to draw from it than to add to any common store. The less provident and less able will multiply at the expense of the abler and more provident, bringing eventual ruin upon all who share in the commons. Besides, any system of “sharing” that amounts to foreign aid from the rich nations to the poor nations will carry the taint of charity, which will contribute little to the world peace so devoutly desired by those who support the idea of a world food bank.

As past U.S. foreign-aid programs have amply and depressingly demonstrated, international charity frequently inspires mistrust and antagonism rather than gratitude on the part of the recipient nation [see “What Other Nations Hear When the Eagle Screams,” by Kenneth J. and Mary M. Gergen, PT, June].
Chinese Fish and Miracle Rice

The modern approach to foreign aid stresses the export of technology and advice, rather than money and food. As an ancient Chinese proverb goes: “Give a man a fish and he will eat for a day; teach him how to fish and he will eat for the rest of his days.” Acting on this advice, the Rockefeller and Ford Foundations have financed a number of programs for improving agriculture in the hungry nations. Known as the “Green Revolution,” these programs have led to the development of “miracle rice” and “miracle wheat,” new strains that offer bigger harvests and greater resistance to crop damage. Norman Borlaug, the Nobel Prize winning agronomist who, supported by the Rockefeller Foundation, developed “miracle wheat,” is one of the most prominent advocates of a world food bank.

Whether or not the Green Revolution can increase food production as much as its champions claim is a debatable but possibly irrelevant point. Those who support this well-intended humanitarian effort should first consider some of the fundamentals of human ecology. Ironically, one man who did was the late Alan Gregg, a vice president of the Rockefeller Foundation. Two decades ago he expressed strong doubts about the wisdom of such attempts to increase food production. He likened the growth and spread of humanity over the surface of the earth to the spread of cancer in the human body, remarking that “cancerous growths demand food; but, as far as I know, they have never been cured by getting it.”

Overloading the Environment

Every human born constitutes a draft on all aspects of the environment: food, air, water, forests, beaches, wildlife, scenery and solitude. Food can, perhaps, be significantly increased to meet a growing demand. But what about clean beaches, unspoiled forests, and solitude? If we satisfy a growing population’s need for food, we necessarily decrease its per capita supply of the other resources needed by men.

India, for example, now has a population of 600 million, which increases by 15 million each year. This population already puts a huge load on a relatively impoverished environment. The country’s forests are now only a small fraction of what they were three centuries ago and floods and erosion continually destroy the insufficient farmland that remains. Every one of the 15 million new lives added to India’s population puts an additional burden on the environment, and increases the economic and social costs of crowding. However humanitarian our intent, every Indian life saved through medical or nutritional assistance from abroad diminishes the quality of life for those who remain, and for subsequent generations. If rich countries make it possible, through foreign aid, for 600 million Indians to swell to 1.2 billion in a mere 28 years, as their current growth rate threatens, will future generations of Indians thank us for hastening the destruction of their environment? Will our good intentions be sufficient excuse for the consequences of our actions?

My final example of a commons in action is one for which the public has the least desire for rational discussion—immigration. Anyone who publicly questions the wisdom of current U.S. immigration policy is promptly charged with bigotry, prejudice, ethnocentrism, chauvinism, isolationism or selfishness. Rather than encounter such accusations, one would rather talk about other matters leaving
immigration policy to wallow in the crosscurrents of special interests that take no account of the good of the whole, or the interests of posterity.

Perhaps we still feel guilty about things we said in the past. Two generations ago the popular press frequently referred to Dagos, Wops, Polacks, Chinks and Krauts in articles about how America was being “overrun” by foreigners of supposedly inferior genetic stock [see “The Politics of Genetic Engineering: Who Decides Who’s Defective?” PT, June]. But because the implied inferiority of foreigners was used then as justification for keeping them out, people now assume that restrictive policies could only be based on such misguided notions. There are other grounds.

A Nation of Immigrants

Just consider the numbers involved. Our government acknowledges a net inflow of 400,000 immigrants a year. While we have no hard data on the extent of illegal entries, educated guesses put the figure at about 600,000 a year. Since the natural increase (excess of births over deaths) of the resident population now runs about 1.7 million per year, the yearly gain from immigration amounts to at least 19 percent of the total annual increase, and may be as much as 37 percent if we include the estimate for illegal immigrants. Considering the growing use of birth-control devices, the potential effect of education campaigns by such organizations as Planned Parenthood Federation of America and Zero Population Growth, and the influence of inflation and the housing shortage, the fertility rate of American women may decline so much that immigration could account for all the yearly increase in population. Should we not at least ask if that is what we want?

For the sake of those who worry about whether the “quality” of the average immigrant compares favorably with the quality of the average resident, let us assume that immigrants and native-born citizens are of exactly equal quality, however one defines that term. We will focus here only on quantity; and since our conclusions will depend on nothing else, all charges of bigotry and chauvinism become irrelevant.

Immigration vs. Food Supply

World food banks move food to the people, hastening the exhaustion of the environment of the poor countries. Unrestricted immigration, on the other hand, moves people to the food, thus speeding up the destruction of the environment of the rich countries. We can easily understand why poor people should want to make this latter transfer, but why should rich hosts encourage it?

As in the case of foreign-aid programs, immigration receives support from selfish interests and humanitarian impulses. The primary selfish interest in unimpeded immigration is the desire of employers for cheap labor, particularly in industries and trades that offer degrading work. In the past, one wave of foreigners after another was brought into the U.S. to work at wretched jobs for wretched wages. In recent years the Cubans, Puerto Ricans and Mexicans have had this dubious honor. The interests of the employers of cheap labor mesh well with the guilty silence of the country’s liberal intelligentsia. White Anglo-Saxon Protestants are particularly
reluctant to call for a closing of the doors to immigration for fear of being called bigots.

But not all countries have such reluctant leadership. Most education Hawaiians, for example, are keenly aware of the limits of their environment, particularly in terms of population growth. There is only so much room on the islands, and the islanders know it. To Hawaiians, immigrants from the other 49 states present as great a threat as those from other nations. At a recent meeting of Hawaiian government officials in Honolulu, I had the ironic delight of hearing a speaker who like most of his audience was of Japanese ancestry, ask how the country might practically and constitutionally close its doors to further immigration. One member of the audience countered: “How can we shut the doors now? We have many friends and relatives in Japan that we’d like to bring here some day so that they can enjoy Hawaii too.” The Japanese-American speaker smiled sympathetically and answered: “Yes, but we have children now, and someday we’ll have grandchildren too. We can bring more people here from Japan only by giving away some of the land that we hope to pass on to our grandchildren some day. What right do we have to do that?”

At this point, I can hear U.S. liberals asking: “How can you justify slamming the door once you’re inside? You say that immigrants should be kept out. But aren’t we all immigrants, or the descendants of immigrants? If we insist on staying, must we not admit all others?” Our craving for intellectual order leads us to seek and prefer symmetrical rules and morals: a single rule for me and everybody else; the same rule yesterday, today and tomorrow. Justice, we fell, should not change with time and place.

We Americans of non-Indian ancestry can look upon ourselves as the descendants of thieves who are guilty morally, if not legally, of stealing this land from its Indian owners. Should we then give back the land to the now living American descendants of those Indians? However morally or logically sound this proposal may be, I, for one, am unwilling to live by it and I know no one else who is. Besides, the logical consequence would be absurd. Suppose that, intoxicated with a sense of pure justice, we should decide to turn our land over to the Indians. Since all our other wealth has also been derived from the land, wouldn’t we be morally obliged to give that back to the Indians too?

Pure Justice vs. Reality

Clearly, the concept of pure justice produces an infinite regression to absurdity. Centuries ago, wise men invented statutes of limitations to justify the rejection of such pure justice, in the interest of preventing continual disorder. The law zealously defends property rights, but only relatively recent property rights. Drawing a line after an arbitrary time has elapsed may be unjust, but the alternatives are worse.

We are all the descendants of thieves, and the world’s resources are inequitably distributed. But we must begin the journey to tomorrow from the point where we are today. We cannot remake the past. We cannot safely divide the wealth equitably among all peoples so long as people reproduce at different rates. To do so would guarantee that our grandchildren and everyone else’s grandchildren, would have only a ruined world to inhabit.
To be generous with one’s own possessions is quite different from being generous with those of posterity. We should call this point to the attention of those who from a commendable love of justice and equality, would institute a system of the commons, either in the form of a world food bank, or of unrestricted immigration. We must convince them if we wish to save at least some parts of the world from environmental ruin.

Without a true world government to control reproduction and the use of available resources, the sharing ethic of the spaceship is impossible. For the foreseeable future, our survival demands that we govern our actions by the ethics of a lifeboat, harsh though they may be. Posterity will be satisfied with nothing less.

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The World’s Resources Aren’t Running Out

By Matt Ridley

Mr. Ridley is author of The Rational Optimist and member of Britain’s House of Lords.

Ecologists worry that the world’s resources come in fixed amounts that will run out, but we have broken through such limits again and again.

How many times have you heard that we humans are “using up” the world’s resources, “running out” of oil, “reaching the limits” of the atmosphere’s capacity to cope with pollution or “approaching the carrying capacity” of the land’s ability to support a greater population? The assumption behind all such statements is that there is a fixed amount of stuff—metals, oil, clean air, land—and that we risk exhausting it through our consumption.

“We are using 50% more resources than the Earth can sustainably produce, and unless we change course, that number will grow fast—by 2030, even two planets will not be enough,” says Jim Leape, director general of the World Wide Fund for Nature International (formerly the World Wildlife Fund).

But here’s a peculiar feature of human history: We burst through such limits again and again. After all, as a Saudi oil minister once said, the Stone Age didn’t end for lack of stone. Ecologists call this “niche construction”—that people (and indeed some other animals) can create new opportunities for themselves by making their habitats more productive in some way. Agriculture is the classic example of niche construction: We stopped relying on nature’s bounty and substituted an artificial and much larger bounty.

Economists call the same phenomenon innovation. What frustrates them about ecologists is the latter’s tendency to think in terms of static limits. Ecologists can’t seem to see that when whale oil starts to run out, petroleum is discovered, or that when farm
yields flatten, fertilizer comes along, or that when glass fiber is invented, demand for copper falls.

That frustration is heartily reciprocated. Ecologists think that economists espouse a sort of superstitious magic called “markets” or “prices” to avoid confronting the reality of limits to growth. The easiest way to raise a cheer in a conference of ecologists is to make a rude joke about economists.

I have lived among both tribes. I studied various forms of ecology in an academic setting for seven years and then worked at the *Economist* magazine for eight years. When I was an ecologist (in the academic sense of the word, not the political one, though I also had antinuclear stickers on my car), I very much espoused the carrying-capacity viewpoint—that there were limits to growth. I nowadays lean to the view that there are no limits because we can invent new ways of doing more with less.

This disagreement goes to the heart of many current political issues and explains much about why people disagree about environmental policy. In the climate debate, for example, pessimists see a limit to the atmosphere’s capacity to cope with extra carbon dioxide without rapid warming. So a continuing increase in emissions if economic growth continues will eventually accelerate warming to dangerous rates. But optimists see economic growth leading to technological change that would result in the use of lower-carbon energy. That would allow warming to level off long before it does much harm.

It is striking, for example, that the Intergovernmental Panel on Climate Change’s recent forecast that temperatures would rise by 3.7 to 4.8 degrees Celsius compared with preindustrial levels by 2100 was based on several assumptions: little technological change, an end to the 50-year fall in population growth rates, a tripling (only) of per capita income and not much improvement in the energy efficiency of the economy. Basically, that would mean a world much like today’s but with lots more people burning lots more coal and oil, leading to an increase in emissions. Most economists expect a five- or tenfold increase in income, huge changes in technology and an end to population growth by 2100: not so many more people needing much less carbon.

In 1679, Antonie van Leeuwenhoek, the great Dutch microscopist, estimated that the planet could hold 13.4 billion people, a number that most demographers think we may never reach. Since then, estimates have bounced around between 1 billion and 100 billion, with no sign of converging on an agreed figure.

Economists point out that we keep improving the productivity of each acre of land by applying fertilizer, mechanization, pesticides and irrigation. Further innovation is bound to shift the ceiling upward. Jesse Ausubel at Rockefeller University calculates that the amount of land required to grow a given quantity of food has fallen by 65% over the past 50 years, world-wide.

Ecologists object that these innovations rely on nonrenewable resources, such as oil and gas, or renewable ones that are being used up faster than they are replenished, such as aquifers. So current yields cannot be maintained, let alone improved.
In his recent book *The View from Lazy Point*, the ecologist Carl Safina estimates that if everybody had the living standards of Americans, we would need 2.5 Earths because the world’s agricultural land just couldn’t grow enough food for more than 2.5 billion people at that level of consumption. Harvard emeritus professor E.O. Wilson, one of ecology’s patriarchs, reckoned that only if we all turned vegetarian could the world’s farms grow enough food to support 10 billion people.

Economists respond by saying that since large parts of the world, especially in Africa, have yet to gain access to fertilizer and modern farming techniques, there is no reason to think that the global land requirements for a given amount of food will cease shrinking any time soon. Indeed, Mr. Ausubel, together with his colleagues Iddo Wernick and Paul Waggoner, came to the startling conclusion that, even with generous assumptions about population growth and growing affluence leading to greater demand for meat and other luxuries, and with ungenerous assumptions about future global yield improvements, we will need less farmland in 2050 than we needed in 2000. (So long, that is, as we don’t grow more biofuels on land that could be growing food.)

But surely intensification of yields depends on inputs that may run out? Take water, a commodity that limits the production of food in many places. Estimates made in the 1960s and 1970s of water demand by the year 2000 proved grossly overestimated: The world used half as much water as experts had projected 30 years before.

The reason was greater economy in the use of water by new irrigation techniques. Some countries, such as Israel and Cyprus, have cut water use for irrigation through the use of drip irrigation. Combine these improvements with solar-driven desalination of seawater world-wide, and it is highly unlikely that fresh water will limit human population.

The best-selling book *Limits to Growth*, published in 1972 by the Club of Rome (an influential global think tank), argued that we would have bumped our heads against all sorts of ceilings by now, running short of various metals, fuels, minerals and space. Why did it not happen? In a word, technology: better mining techniques, more frugal use of materials, and if scarcity causes price increases, substitution by cheaper material. We use 100 times thinner gold plating on computer connectors than we did 40 years ago. The steel content of cars and buildings keeps on falling.

Until about 10 years ago, it was reasonable to expect that natural gas might run out in a few short decades and oil soon thereafter. If that were to happen, agricultural yields would plummet, and the world would be faced with a stark dilemma: Plow up all the remaining rain forest to grow food, or starve.

But thanks to fracking and the shale revolution, peak oil and gas have been postponed. They will run out one day, but only in the sense that you will run out of Atlantic Ocean one day if you take a rowboat west out of a harbor in Ireland. Just as you are likely to stop rowing long before you bump into Newfoundland, so we may well find cheap substitutes for fossil fuels long before they run out.

The economist and metals dealer Tim Worstall gives the example of tellurium, a key ingredient of some kinds of solar panels. Tellurium is one of the rarest elements in the
Earth’s crust—one atom per billion. Will it soon run out? Mr. Worstall estimates that there are 120 million tons of it, or a million years’ supply altogether. It is sufficiently concentrated in the residues from refining copper ores, called copper slimes, to be worth extracting for a very long time to come. One day, it will also be recycled as old solar panels get cannibalized to make new ones.

Or take phosphorus, an element vital to agricultural fertility. The richest phosphate mines, such as on the island of Nauru in the South Pacific, are all but exhausted. Does that mean the world is running out? No: There are extensive lower grade deposits, and if we get desperate, all the phosphorus atoms put into the ground over past centuries still exist, especially in the mud of estuaries. It’s just a matter of concentrating them again.

In 1972, the ecologist Paul Ehrlich of Stanford University came up with a simple formula called IPAT, which stated that the impact of humankind was equal to population multiplied by affluence multiplied again by technology. In other words, the damage done to Earth increases the more people there are, the richer they get and the more technology they have.

Many ecologists still subscribe to this doctrine, which has attained the status of holy writ in ecology. But the past 40 years haven’t been kind to it. In many respects, greater affluence and new technology have led to less human impact on the planet, not more. Richer people with new technologies tend not to collect firewood and bushmeat from natural forests; instead, they use electricity and farmed chicken—both of which need much less land. In 2006, Mr. Ausubel calculated that no country with a GDP per head greater than $4,600 has a falling stock of forest (in density as well as in acreage).

Haiti is 98% deforested and literally brown on satellite images, compared with its green, well-forested neighbor, the Dominican Republic. The difference stems from Haiti’s poverty, which causes it to rely on charcoal for domestic and industrial energy, whereas the Dominican Republic is wealthy enough to use fossil fuels, subsidizing propane gas for cooking fuel specifically so that people won’t cut down forests.

Part of the problem is that the word “consumption” means different things to the two tribes. Ecologists use it to mean “the act of using up a resource”; economists mean “the purchase of goods and services by the public” (both definitions taken from the Oxford dictionary).

But in what sense is water, tellurium or phosphorus “used up” when products made with them are bought by the public? They still exist in the objects themselves or in the environment. Water returns to the environment through sewage and can be reused. Phosphorus gets recycled through compost. Tellurium is in solar panels, which can be recycled. As the economist Thomas Sowell wrote in his 1980 book *Knowledge and Decisions*, “Although we speak loosely of ‘production,’ man neither creates nor destroys matter, but only transforms it.”

Given that innovation—or “niche construction”—causes ever more productivity, how do ecologists justify the claim that we are already overdrawn at the planetary bank and
would need at least another planet to sustain the lifestyles of 10 billion people at U.S.
standards of living?

Examine the calculations done by a group called the Global Footprint Network—a
think tank founded by Mathis Wackernagel in Oakland, Calif., and supported by more
than 70 international environmental organizations—and it becomes clear. The group
assumes that the fossil fuels burned in the pursuit of higher yields must be offset in the
future by tree planting on a scale that could soak up the emitted carbon dioxide. A
widely used measure of “ecological footprint” simply assumes that 54% of the acreage
we need should be devoted to “carbon uptake.”

But what if tree planting wasn’t the only way to soak up carbon dioxide? Or if trees
grew faster when irrigated and fertilized so you needed fewer of them? Or if we cut
emissions, as the U.S. has recently done by substituting gas for coal in electricity
generation? Or if we tolerated some increase in emissions (which are measurably
increasing crop yields, by the way)? Any of these factors could wipe out a huge chunk of
the deemed ecological overdraft and put us back in planetary credit.

Helmut Haberl of Klagenfurt University in Austria is a rare example of an ecologist who
takes economics seriously. He points out that his fellow ecologists have been using
“human appropriation of net primary production”—that is, the percentage of the
world’s green vegetation eaten or prevented from growing by us and our domestic
animals—as an indicator of ecological limits to growth. Some ecologists had begun to
argue that we were using half or more of all the greenery on the planet.

This is wrong, says Dr. Haberl, for several reasons. First, the amount appropriated is
still fairly low: About 14.2% is eaten by us and our animals, and an additional 9.6% is
prevented from growing by goats and buildings, according to his estimates. Second,
most economic growth happens without any greater use of biomass. Indeed, human
appropriation usually declines as a country industrializes and the harvest grows—as a
result of agricultural intensification rather than through plowing more land.

Finally, human activities actually increase the production of green vegetation in natural
ecosystems. Fertilizer taken up by crops is carried into forests and rivers by wild birds
and animals, where it boosts yields of wild vegetation too (sometimes too much, causing
algal blooms in water). In places like the Nile delta, wild ecosystems are more
productive than they would be without human intervention, despite the fact that much
of the land is used for growing human food.

If I could have one wish for the Earth’s environment, it would be to bring together the
two tribes—to convene a grand powwow of ecologists and economists. I would pose
them this simple question and not let them leave the room until they had answered it:
How can innovation improve the environment?

* * *

How Capitalism Saved the Whales
By James S. Robbins

Mr. Robbins received his Ph.D. from the Fletcher School of Law and Diplomacy.

He has written for Liberty magazine and The Wall Street Journal.

It is an article of faith among environmentalists that the ills of the world can be traced to economic and technological development, especially since the Industrial Revolution. The changes that took place in the late eighteenth and early nineteenth centuries, such as harnessing new sources of energy (moving from water to coal power, for example), the development of the factory system, and the human population explosion, they say, led directly to the current problems with waste disposal, air and water pollution, overcrowding, and misused resources, not to mention global warming, ozone depletion, acid rain, and other highly speculative developments.

Fixation on doomsaying can cause environmentalists to forget that the negative consequences of industrialization are minute compared to the positive developments of the industrial age. People are healthier, live longer, and are more productive than ever before in history. But defenders of industrialism can go even further to show that in many cases technological progress has benefited the environment. This is vividly demonstrated in the case of one of the most emotion-laden symbols of environmentalism, the whales.

At the dawn of the industrial age, whales were an important natural resource that humans had been exploiting for centuries. Whales were especially valued for their oil, which was used primarily as fuel for lamps. It was also used for heating, for lubrication, soap, paint, and varnish manufacturing, and the processing of textiles and rope. The Japanese among others had long acquired a taste for whale meat. Regular whale oil (“train oil”) was extracted from the blubber which encased the whale’s body. But the best oil was spermaceti, found only in the nose of the sperm whale. If exposed to air it would congeal, and was used for smokeless candles, regarded as the finest quality candles ever made.

The sperm whale also sometimes produced ambergris, a sticky substance from the intestines used in the manufacture of perfume. Baleen, the bony, plankton-straining ribs in the mouths of most whales (excepting the sperm whale), was lightweight and had good tensile qualities. It was used for a variety of things, including corset stays, umbrella ribs, fishing rods, buggy whips, carriage springs, and skirt hoops. Bones from the body were generally used as fertilizer.

Whaling was a major industry in the nineteenth century, and the United States was the preeminent whaling nation. According to tradition, American commercial whaling began in 1712 in New England. Whaling expanded through the eighteenth century, but was disrupted by the American Revolution and the Napoleonic Wars. In 1815 came peace and rapid growth in the industry. By 1833 there were 392 American whaling vessels. By 1846 there were 735 whalers, comprising 80 percent of the whaling fleet of the entire world. Each year whaling produced 4-5 million gallons of sperm oil, 6-10 million gallons of train
oil, and 1.6-5.6 million pounds of bone. The price of train oil rose from 35 cents per gallon in 1825 to 95 cents in 1855.

Though large, whaling was not a robust industry. Even with rising prices, profit margins were always slim, and one in ten ships typically lost money on a voyage. In 1858, a very poor year, 64 percent failed to make a profit. But whalers could always count on an increasing demand for their products, as populations grew and markets expanded accordingly. Had the whaling industry matched the 300 percent population growth from 1850 to 1900, many species of whale would have been extinct long ago.

The Role of Technology in Saving the Whales

Yet, the American whaling industry peaked in the 1850s. The reason for its decline was not because of public awareness of the evils of whaling, it was not because of consciousness-raising efforts by pioneer environmentalists, and it definitely was not because of legislation. The whales were saved because of the march of technology.

The first step that led to saving the whales was made by Dr. Abraham Gesner, a Canadian geologist. In 1849, he devised a method whereby kerosene could be distilled from petroleum. Petroleum had previously been considered either a nuisance, or a miracle cure (an idea originating with Native Americans). Earlier coal-gas methods had been used for lighting since the 1820s, but they were prohibitively expensive. Gesner's kerosene was cheap, easy to produce, could be burned in existing lamps, and did not produce an offensive odor as did most whale oil. It could be stored indefinitely, unlike whale oil, which would eventually spoil. The American petroleum boom began in the 1850s. By the end of the decade there were 30 kerosene plants operating in the United States. The cheaper, more efficient fuel began to drive whale oil out of the market.

The man most responsible for the commercial success of kerosene was John D. Rockefeller. In 1865, at the age of 25, he went into partnership with Samuel Andrews, the part-owner of a Cleveland refinery. Rockefeller had sensed that too much capital was being invested in finding and extracting oil, and not enough was being invested in its processing. Backed by investors, he set up a network of kerosene distilleries that would later develop into Standard Oil.

As kerosene became generally available throughout the country, the demand for whale oil dropped precipitously. The 735-ship fleet of 1846 had shrunk to 39 by 1876. The price of sperm oil reached its high of $1.77 per gallon in 1856; by 1896 it sold for 40 cents. Yet it could not keep pace with the price of refined petroleum, which dropped from 59 cents per gallon in 1865 to a fraction over seven cents in 1895.

Rockefeller, too, would eventually find himself having to adapt to the changing market. A new invention soon snuffed out both flame-based lighting systems. In 1879 Thomas A. Edison began marketing the incandescent light bulb he had invented the previous year. Arc-light technologies had existed since the turn of the century, but it was Edison who devised the modern, commercially feasible light bulb, which produced an even light, burned longer and brighter than oil or kerosene, and was much safer than an open flame. As the country was electrified, whale oil and kerosene were both driven from the illumination market.
American whaling might have expired then, but for the vagaries of fashion. The peripheral market in baleen and whalebone suddenly exploded as more women began to wear corsets, bustles, and other garments that relied for their shape upon the pliant material. From 32 cents per pound in 1870, whalebone rose to $1.12 in 1875, and $3.25 in 1878, reaching $5.00 at the turn of the century. Whalebone constituted 80 percent of the value of a bowhead—sperm whales were given a respite because of their lack of baleen. But by 1908, this market crashed as well. Spring steel replaced whalebone in women’s fashions, and as automobiles supplanted horse-drawn carriages, demand for whalebone buggy whips and wagon suspensions collapsed. A few American whalers stayed in business, but their time had passed. The last American whaler left port in 1924, and grounded on Cuttyhunk Island the next day.¹

Stopping technology in its tracks in the 1850s would have doomed the whales. But suppose whaling had been outlawed then, as it is now? The immediate effect would have been a dramatic decline in quality of life. Would kerosene and electric lamps have come on the scene any faster, in reaction to the sudden surge in demand for substitutes? Maybe—but at the cost of the spirit of innovation which brought the inventions on the scene in the first place. A government that can squelch one endeavor, such as whaling, can outlaw any enterprise. The unpredictability and capriciousness of the state is the true enemy of innovation. Gesner, Rockefeller, and Edison had no intention of saving the whales. Their primary motivation was to make a profit. If the government fosters an atmosphere in which innovation and profit-making potential are subject to whims of bureaucrats, lawyers, and politicians, and not based in the abilities of creative people to find innovative solutions to public needs, innovators will not set their minds to the task, and no state whip can force them to do so. In its time, killing whales was rational, goal-oriented activity, fulfilling human needs. It was not “mindless slaughter” for fun or sport. And the decline of whaling was also rational; human needs remained, even increased—but human ingenuity had found better ways to meet those needs. The whale industry declined—not because of concern for the whales, not because of legislation, but because they were no longer a necessary resource.

The whales were not the only beneficiaries of the technological advancements of the nineteenth century. The Galapagos tortoise was driven almost to extinction because the islands were in the center of a major whaling area, and sailors killed the tortoises for fresh meat. In northern climes, whalers sometimes killed blubber-rich Arctic seals to augment their oil stores. Both of these animals were saved by the decline of whaling. Oil-drilling in Pennsylvania restored many lakes which had been contaminated by natural petroleum leaks. These were all unintended consequences; but the fact that technological

¹ Despite the extinction of American whaling, the whales were not yet safe. The whaling mantle passed to other countries, notably Norway, Japan, and the Soviet Union. Critics of technological development can point to other inventions that kept whaling on the margins of profitability, notably the rocket harpoon, and the harpoon cannon. The process of hydrogenation gave whale oil new markets in soap and margarine. A by-product of whale oil is glycerine, used in manufacturing explosives, and the two world wars guaranteed a market. The Japanese took increasing numbers of whales for food, and the Soviets used them for animal fodder and fertilizer. By the middle of the twentieth century, whaling had revived.
development under capitalism manages to produce such consequences consistently argues in favor of the system.

Humans are problem solvers, and the human mind should not be prevented from doing what only it can do. Creative solutions are superior to state restrictions because they strike at the causes of problems, not their effects. Furthermore, just as creative action produces unintentional positive consequences, restricting innovation multiplies negative effects. No one, especially government agencies or neo-Luddites, can anticipate the indirect or unintended favorable consequences of technological innovation. This is why Abraham Gesner, John D. Rockefeller, and Thomas Edison saved more whales than Greenpeace ever will.

The second cycle of whaling was more destructive than the first in absolute number; but it never equaled the per capita whale consumption of the previous century. Had per capita rates of the 1850s continued unabated, the total would have been three times that number in the American market alone.

The situation would have been worse for less numerous species. In the first two decades of the nineteenth century, American whalers killed right whales at an average of almost 15,000 per year. When whaling dropped off at the end of the century, there were only about 50,000 right whales left alive.

* * *

Source: August 1992 issue of *The Freeman.*

Reforming Public Welfare

By Charles Murray

A Proposal for Public Welfare

I begin with the proposition that it is within our resources to do enormous good for some people quickly. We have available to us a program that would convert a large proportion of the younger generation of hardcore unemployed into steady workers making a living wage. The same program would drastically reduce births to single teenage girls. It would reverse the trendline in the breakup of poor families. It would measurably increase the upward socioeconomic mobility of poor families. These improvements would affect some millions of persons.

All these are results that have eluded the efforts of the social programs installed since 1965, yet, from everything we know, there is no real question about whether they would occur under the program I propose. A wide variety of persuasive evidence from our own culture and around the world, from experimental data and longitudinal studies, from theory and practice, suggests that the program would achieve such results.

The proposed program, our final and most ambitious thought experiment, consists of scrapping the entire federal welfare and income-support structure for working-aged persons, including AFDC, Medicaid, Food Stamps, Unemployment Insurance, Worker’s
Compensation, subsidized housing, disability insurance, and the rest. It would leave the working-aged person with no recourse whatsoever except the job market, family members, friends, and public or private locally funded services. It is the Alexandrian solution: cut the knot, for there is no way to untie it.

It is difficult to examine such a proposal dispassionately. Those who dislike paying for welfare are for it without thinking. Others reflexively imagine bread lines and people starving in the streets. But as a means of gaining fresh perspective on the problem of effective reform, let us consider what this hypothetical society might look like.

A large majority of the population is unaffected. A surprising number of the huge American middle and working classes go from birth to grave without using any social welfare benefits until they receive their first Social Security check. Another portion of the population is technically affected, but the change in income is so small or sporadic that it makes no difference in quality of life. A third group comprises persons who have to me new arrangements and behave in different ways. Sons and daughters who fail to find work continue to live with their parents or relatives or friends. Teenaged mothers have to rely on support from their parents or the father of the child and perhaps work as well. People laid off from work have to use their own savings or borrow from others to make do until the next job is found. All these changes involve great disruption in expectations and accustomed roles.

Along with the disruptions go other changes in behavior. Some parents do not want their young adult children continuing to live off their income, and become quite insistent about their children learning skills and getting jobs. This attitude is most prevalent among single mothers who have to depend most critically the earning power of their offspring.

Parents tend to become upset at the prospect of a daughter’s bringing home a baby that must be entirely supported on an already inadequate income. Some become so upset that they spend considerable parental energy avoiding such an eventuality. Potential fathers of such babies find themselves under more pressure not to cause such a problem, or to help with its solution if it occurs.

Adolescents who were not job-ready find they are job-ready after all. It turns out that they can work for low wages and accept the discipline of the workplace if the alternative is grim enough. After a few years, many—not all, but many—find that they have acquired salable skills, or that they are at the right place at the right time, or otherwise find that the original entry-level job has gradually been transformed into a secure job paying a decent wage. A few—not a lot, but a few—find that the process leads to affluence.

Perhaps the most rightful, deserved benefit goes to the much larger population of low-income families who have been doing things right all along and have been punished for it: the young man who has taken responsibility for his wife and child even though his friends with the same choice have called him a fool; the single mother who has worked full time and forfeited her right to welfare for very little extra money; the parents who have set an example for their children even as the rules of the game have taught their children that the example is outmoded. For these millions of people, the instantaneous result is that no one makes fun of them any longer. The longer-term result will be that they regain the status that is properly theirs. They will not only be the
bedrock upon which the community is founded (which they always have been), they will be recognized as such. The process whereby they regain their position is not magical, but a matter of logic. When it becomes highly dysfunctional for a person to be dependent, status will accrue to being independent, and in fairly short order. Noneconomic rewards will once again reinforce the economic rewards of being a good parent and provider.

The prospective advantages are real and extremely plausible. In fact, if a government program of the traditional sort (one that would “do” something rather than simply get out of the way) could as plausibly promise these advantages, its passage would be a foregone conclusion. Congress, yearning for programs that are not retreads of failures, would be prepared to spend billions. Negative side-effects (as long as they were the traditionally acceptable negative side-effects) would be brushed aside as trivial in return for the benefits. For let me be quite clear: I am not suggesting that we dismantle income support for the working-aged to balance the budget or punish welfare cheats. I am hypothesizing, with the advantage of powerful collateral evidence, that the lives of large numbers of poor people would be radically changed for the better.

There is, however, a fourth segment of the population yet to be considered, those who are pauperized by the withdrawal of government supports and unable to make alternate arrangements: the teenaged mother who has no one to turn to; the incapacitated or the inept who are thrown out of the house; those to whom economic conditions have brought long periods in which there is no work to be had; those with illnesses not covered by insurance. What of these situations?

The first resort is the network of local services. Poor communities in our hypothetical society are still dotted with storefront health clinics, emergency relief agencies, employment services, legal services. They depend for support on local taxes or local philanthropy, and the local taxpayers and philanthropists tend to scrutinize them rather closely. But, by the same token, they also receive considerably more resources than they formerly did. The dismantling of the federal services has poured tens of billions of dollars back into the private economy. Some of that money no doubt has been spent on Mercedes and summer homes on the Cape. But some has been spent on capital investments that generate new jobs. And some has been spent on increased local services to the poor, voluntarily or as decreed by the municipality. In many cities, the coverage provided by this network of agencies is more generous, more humane, more wisely distributed, and more effective in its results than the services formerly subsidized by the federal government.

But we must expect that a large number of people will fall between the cracks. How might we go about trying to retain the advantages of a zero-level welfare stem and still address the residual needs?

As we think about the nature of the population still in need, it becomes apparent that their basic problem in the vast majority of the cases is the lack of a job, and this problem is temporary. What they need is something to tide them over while finding a new place in the economy. So our first step is to reinstall the Unemployment Insurance program in more or less its previous form. Properly administered, unemployment insurance makes sense. Even if it is restored with all the defects of current practice, the negative effects of Unemployment Insurance alone are relatively minor. Our objective is
not to wipe out chicanery or to construct a theoretically unblemished system, but to meet legitimate human needs without doing more harm than good. Unemployment Insurance is one of the least harmful ways of contributing to such ends. Thus the system has been amended to take care of the victims of short-term swings in the economy.

Who is left? We are now down to the hardest of the hard core of the welfare-dependent. They have no jobs. They have been unable to find jobs (or have not tried to find jobs) for a longer period of time than the unemployment benefits cover. They have no families who will help. They have no friends who will help. For some reason, they cannot get help from local services or private charities except for the soup kitchen and a bed in the Salvation Army hall.

What will be the size of this population? We have never tried a zero-level federal welfare system under conditions of late-twentieth-century national wealth, so we cannot do more than speculate. But we may speculate. Let us ask of whom the population might consist and how they might fare.

For any category of “needy” we may name, we find ourselves driven to one of two lines of thought. Either the person is in a category that is going to be at the top of the list of services that localities vote for themselves, and at the top of the list of private services, or the person is in a category where help really is not all that essential or desirable. The burden of the conclusion is not that every single person will be taken care of, but that the extent of resources to deal with needs is likely to be very great—not based on wishful thinking, but on extrapolations from reality.

To illustrate, let us consider the plight of the stereotypical welfare mother—never married, no skills, small children, no steady help from a man. It is safe to say that, now as in the 1950s, there is no one who has less sympathy from the white middle class, which is to be the source of most of the money for the private and local services we envision. Yet this same white middle class is a soft touch for people trying to make it on their own, and a soft touch for “deserving” needy mothers—AFDC was one of the most widely popular of the New Deal welfare measures, intended as it was for widows with small children. Thus we may envision two quite different scenarios.

In one scenario, the woman is presenting the local or private service with this proposition: “Help me find a job and day-care for my children, and I will take care of the rest.” In effect, she puts herself into the same category as the widow and the deserted wife—identifies herself as one of the most obviously deserving of the deserving poor. Welfare mothers who want to get into the labor force are likely to find a wide range of help. In the other scenario, she asks for an outright and indefinite cash grant—in effect, a private or local version of AFDC—so that she can stay with the children and not hold a job. In the latter case, it is very easy to imagine situations in which she will not be able to find a local service or a private philanthropy to provide the help she seeks. The question we must now ask is: What’s so bad about that? If children were always better off being with their mother all day and if, by the act of giving birth, a mother acquired the inalienable right to be with the child, then her situation would be unjust to her and injurious to her children. Neither assertion can be defended, however—especially not in the 1980s, when more mothers of all classes work away from the home than ever before, and even more especially not in view of the empirical
record for the children growing up under the current welfare system. Why should the mother be exempted by the system from the pressures that must affect everyone else’s decision to work?

As we survey these prospects, important questions remain unresolved. The first of these is why, if federal social transfers are treacherous, should locally mandated transfers be less so? Why should a municipality be permitted to legislate its own AFDC or Food Stamp program if their results are so inherently bad?

Part of the answer lies in conceptions of freedom. I have deliberately avoided raising them—the discussion is about how to help the disadvantaged, not about how to help the advantaged cut their taxes, to which arguments for personal freedom somehow always get diverted. Nonetheless, the point is valid: Local or even state systems leave much more room than a federal system for everyone, donors and recipients alike, to exercise freedom of choice about the kind of system they live under. Laws are more easily made and changed, and people who find them unacceptable have much more latitude in going somewhere more to their liking.

But the freedom of choice argument, while legitimate, is not necessary. We may put the advantages of local systems in terms of the Law of Imperfect Selection. A federal system must inherently employ very crude, inaccurate rules for deciding who gets what kind of help, and the results are as I outlined them in Chapter 16. At the opposite extreme—a neighbor helping a neighbor, a family member helping another family member—the law loses its validity nearly altogether. Very fine-grained judgments based on personal knowledge are being made about specific people and changing situations. In neighborhoods and small cities, the procedures can still bring much individualized information to bear on decisions. Even systems in large cities and states can do much better than a national system; a decaying industrial city in the Northeast and a booming sunbelt city of the same size can and probably should adopt much different rules about who gets what and how much.

A final and equally powerful argument for not impeding local systems is diversity. We know much more in the 1980s than we knew in the 1960s about what does not work. We have a lot to learn about what does work. Localities have been a rich source of experiments. Marva Collins in Chicago gives us an example of how a school can bring inner-city students up to national norms. Sister Falaka Fattah in Philadelphia shows us how homeless youths can be rescued from the streets. There are numberless such lessons waiting to be learned from the diversity of local efforts. By all means, let a hundred flowers bloom, and if the federal government can play a useful role in lending a hand and spreading the word of successes, so much the better.

The ultimate unresolved question about our proposal to abolish income maintenance for the working-aged is how many people will fall through the cracks. In whatever detail we try to foresee the consequences, the objection may always be raised: We cannot be sure that everyone will be taken care of in the degree to which we would wish. But this observation by no means settles the question. If one may point in objection to the child now fed by Food Stamps who would go hungry, one may also point with satisfaction to the child who would have an entirely different and better future. Hungry children should be fed; there is no argument about that. It is no less urgent that children be allowed to grow up in a system free of the forces that encourage
them to remain poor and dependent. If a strategy reasonably promises to remove those forces, after so many attempts to “help the poor” have failed, it is worth thinking about.

But that rationale is too vague. Let me step outside the persona I have employed and put the issue in terms of one last intensely personal hypothetical example. Let us suppose that you, a parent, could know that tomorrow your own child would be made an orphan. You have a choice. You may put your child with an extremely poor family, so poor that your child will be badly clothed and will indeed sometimes be hungry. But you also know that the parents have worked hard all their lives, will make sure your child goes to school and studies, and will teach your child that independence is a primary value. Or you may put your child with a family with parents who have never worked, who will be incapable of overseeing your child’s education—but who have plenty of food and good clothes, provided by others. If the choice about where one would put one’s own child is as clear to you as it is to me, on what grounds does one justify support of a system that, indirectly but without doubt, makes the other choice for other children? The answer that “What we really want is a world where that choice is not forced upon us” is no answer. We have tried to have it that way. We failed. Everything we know about why we failed tells us that more of the same will not make the dilemma go away.

The Ideal of Opportunity

Billions for equal opportunity, not one cent for equal outcome—such is the slogan to inscribe on the banner of whatever cause my proposals constitute. Their common theme is to make it possible to get as far as one can go on one’s merit, hardly a new ideal in American thought. The ideal itself has never lapsed. What did lapse was the recognition that practical merit exists. Some people are better than others. They deserve more of society’s rewards, of which money is only one small part. A principal function of social policy is to make sure they have the opportunity to reap those rewards. Government cannot identify the worthy but it can protect a society in which the worthy can identify themselves.

I am proposing triage of a sort, triage by self-selection. In triage on the battlefield, the doctor makes the decision—this one gets treatment, that one waits, the other one is made comfortable while waiting to die. In our social triage, the decision is left up to the patient. The patient always has the right to say “I can do X” and get a chance to prove it. Society always has the right to hold him to that pledge. The patient always has the right to fail. Society always has the right to let him.

There is in this stance no lack of compassion but a presumption of respect. People—all people, black or white, rich or poor—may be unequally responsible for what has happened to them in the past, but all are equally responsible for what they do next. Just as in our idealized educational system a student can come back a third, fourth, or fifth time to a course, in our idealized society a person can fail repeatedly and always be qualified for another chance—to try again, to try something easier, to try something different. The options are always open. Opportunity is endless. There is no punishment for failure, only a total absence of rewards. Society—or our idealized society—should be preoccupied with making sure that achievement is rewarded.

There is no shortage of people to be rewarded. Go into any inner-city school and you will find students of extraordinary talent, kept from knowing how good they are by
rules we imposed in the name of fairness. Go into any poor community, and you will find people of extraordinary imagination and perseverance, energy and pride, making tortured accommodations to the strange world we created in the name of generosity. The success stories of past generations of poor in this country are waiting to be repeated.

There is no shortage of institutions to provide the rewards. Our schools know how to educate students who want to be educated. Our industries know how to find productive people and reward them. Our police know how to protect people who are ready to cooperate in their own protection. Our system of justice knows how to protect the rights of individuals who know what their rights are. Our philanthropic institutions know how to multiply the effectiveness of people who are already trying to help themselves. In short, American society is very good at reinforcing the investment of an individual in himself. For the affluent and for the middle-class, these mechanisms continue to work about as well as they ever have, and we enjoy their benefits. Not so for the poor. American government, in its recent social policy, has been ineffectual in trying to stage-manage the decision to invest, and it has been unintentionally punitive toward those who would make the decision on their own. It is time to get out of the way.

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**Why Chinese Mothers Are Superior**

By Amy Chua

*Can a regimen of no playdates, no TV, no computer games and hours of music practice create happy kids? And what happens when they fight back?*

A lot of people wonder how Chinese parents raise such stereotypically successful kids. They wonder what these parents do to produce so many math whizzes and music prodigies, what it’s like inside the family, and whether they could do it too. Well, I can tell them, because I’ve done it. Here are some things my daughters, Sophia and Louisa, were never allowed to do:

- attend a sleepover
- have a playdate
- be in a school play
- complain about not being in a school play
- watch TV or play computer games
- choose their own extracurricular activities
- get any grade less than an A
- not be the No. 1 student in every subject except gym and drama
• play any instrument other than the piano or violin
• not play the piano or violin.

I’m using the term “Chinese mother” loosely. I know some Korean, Indian, Jamaican, Irish and Ghanaian parents who qualify too. Conversely, I know some mothers of Chinese heritage, almost always born in the West, who are not Chinese mothers, by choice or otherwise. I’m also using the term “Western parents” loosely. Western parents come in all varieties.

All the same, even when Western parents think they’re being strict, they usually don’t come close to being Chinese mothers. For example, my Western friends who consider themselves strict make their children practice their instruments 30 minutes every day. An hour at most. For a Chinese mother, the first hour is the easy part. It’s hours two and three that get tough.

Despite our squeamishness about cultural stereotypes, there are tons of studies out there showing marked and quantifiable differences between Chinese and Westerners when it comes to parenting. In one study of 50 Western American mothers and 48 Chinese immigrant mothers, almost 70% of the Western mothers said either that “stressing academic success is not good for children” or that “parents need to foster the idea that learning is fun.” By contrast, roughly 0% of the Chinese mothers felt the same way. Instead, the vast majority of the Chinese mothers said that they believe their children can be “the best” students, that “academic achievement reflects successful parenting,” and that if children did not excel at school then there was “a problem” and parents “were not doing their job.” Other studies indicate that compared to Western parents, Chinese parents spend approximately 10 times as long every day drilling academic activities with their children. By contrast, Western kids are more likely to participate in sports teams.

What Chinese parents understand is that nothing is fun until you’re good at it. To get good at anything you have to work, and children on their own never want to work, which is why it is crucial to override their preferences. This often requires fortitude on the part of the parents because the child will resist; things are always hardest at the beginning, which is where Western parents tend to give up. But if done properly, the Chinese strategy produces a virtuous circle. Tenacious practice, practice, practice is crucial for excellence; rote repetition is underrated in America. Once a child starts to excel at something—whether it’s math, piano, pitching or ballet—he or she gets praise, admiration and satisfaction. This builds confidence and makes the once not-fun activity fun. This in turn makes it easier for the parent to get the child to work even more.

Chinese parents can get away with things that Western parents can’t. Once when I was young—maybe more than once—when I was extremely disrespectful to my mother, my father angrily called me “garbage” in our native Hokkien dialect. It worked really well. I felt terrible and deeply ashamed of what I had done. But it didn’t damage my self-esteem or anything like that. I knew exactly how highly he thought of me. I didn’t actually think I was worthless or feel like a piece of garbage.

As an adult, I once did the same thing to Sophia, calling her garbage in English when she acted extremely disrespectfully toward me. When I mentioned that I had done this at a dinner party, I was immediately ostracized. One guest named Marcy got so upset
she broke down in tears and had to leave early. My friend Susan, the host, tried to rehabilitate me with the remaining guests.

The fact is that Chinese parents can do things that would seem unimaginable—even legally actionable—to Westerners. Chinese mothers can say to their daughters, “Hey fatty—lose some weight.” By contrast, Western parents have to tiptoe around the issue, talking in terms of “health” and never ever mentioning the f-word, and their kids still end up in therapy for eating disorders and negative self-image. (I also once heard a Western father toast his adult daughter by calling her “beautiful and incredibly competent.” She later told me that made her feel like garbage.)

Chinese parents can order their kids to get straight As. Western parents can only ask their kids to try their best. Chinese parents can say, “You’re lazy. All your classmates are getting ahead of you.” By contrast, Western parents have to struggle with their own conflicted feelings about achievement, and try to persuade themselves that they’re not disappointed about how their kids turned out.

I’ve thought long and hard about how Chinese parents can get away with what they do. I think there are three big differences between the Chinese and Western parental mindsets.

First, I’ve noticed that Western parents are extremely anxious about their children’s self-esteem. They worry about how their children will feel if they fail at something, and they constantly try to reassure their children about how good they are notwithstanding a mediocre performance on a test or at a recital. In other words, Western parents are concerned about their children’s psyches. Chinese parents aren’t. They assume strength, not fragility, and as a result they behave very differently.

For example, if a child comes home with an A-minus on a test, a Western parent will most likely praise the child. The Chinese mother will gasp in horror and ask what went wrong. If the child comes home with a B on the test, some Western parents will still praise the child. Other Western parents will sit their child down and express disapproval, but they will be careful not to make their child feel inadequate or insecure, and they will not call their child “stupid,” “worthless” or “a disgrace.” Privately, the Western parents may worry that their child does not test well or have aptitude in the subject or that there is something wrong with the curriculum and possibly the whole school. If the child’s grades do not improve, they may eventually schedule a meeting with the school principal to challenge the way the subject is being taught or to call into question the teacher’s credentials.

If a Chinese child gets a B—which would never happen—there would first be a screaming, hair-tearing explosion. The devastated Chinese mother would then get dozens, maybe hundreds of practice tests and work through them with her child for as long as it takes to get the grade up to an A.

Chinese parents demand perfect grades because they believe that their child can get them. If their child doesn’t get them, the Chinese parent assumes it’s because the child didn’t work hard enough. That’s why the solution to substandard performance is always to excoriate, punish and shame the child. The Chinese parent believes that their child will be strong enough to take the shaming and to improve from it. (And when Chinese
kids do excel, there is plenty of ego-inflating parental praise lavished in the privacy of the home.

Second, Chinese parents believe that their kids owe them everything. The reason for this is a little unclear, but it’s probably a combination of Confucian filial piety and the fact that the parents have sacrificed and done so much for their children. (And it’s true that Chinese mothers get in the trenches, putting in long grueling hours personally tutoring, training, interrogating and spying on their kids.) Anyway, the understanding is that Chinese children must spend their lives repaying their parents by obeying them and making them proud.

By contrast, I don’t think most Westerners have the same view of children being permanently indebted to their parents. My husband, Jed, actually has the opposite view. “Children don’t choose their parents,” he once said to me. “They don’t even choose to be born. It’s parents who foist life on their kids, so it’s the parents’ responsibility to provide for them. Kids don’t owe their parents anything. Their duty will be to their own kids.” This strikes me as a terrible deal for the Western parent.

Third, Chinese parents believe that they know what is best for their children and therefore override all of their children’s own desires and preferences. That’s why Chinese daughters can’t have boyfriends in high school and why Chinese kids can’t go to sleepaway camp. It’s also why no Chinese kid would ever dare say to their mother, “I got a part in the school play! I’m Villager Number Six. I’ll have to stay after school for rehearsal every day from 3:00 to 7:00, and I’ll also need a ride on weekends.” God help any Chinese kid who tried that one.

Don’t get me wrong: It’s not that Chinese parents don’t care about their children. Just the opposite. They would give up anything for their children. It’s just an entirely different parenting model.

Here’s a story in favor of coercion, Chinese-style. Lulu was about 7, still playing two instruments, and working on a piano piece called “The Little White Donkey” by the French composer Jacques Ibert. The piece is really cute—you can just imagine a little donkey ambling along a country road with its master—but it’s also incredibly difficult for young players because the two hands have to keep schizophrenically different rhythms.

Lulu couldn’t do it. We worked on it nonstop for a week, drilling each of her hands separately, over and over. But whenever we tried putting the hands together, one always morphed into the other, and everything fell apart. Finally, the day before her lesson, Lulu announced in exasperation that she was giving up and stomped off.

“Get back to the piano now,” I ordered.

“You can’t make me.”

“Oh yes, I can.”

Back at the piano, Lulu made me pay. She punched, thrashed and kicked. She grabbed the music score and tore it to shreds. I taped the score back together and encased it in a plastic shield so that it could never be destroyed again. Then I hauled Lulu’s dollhouse to the car and told her I’d donate it to the Salvation Army piece by piece if she didn’t have “The Little White Donkey” perfect by the next day. When Lulu said, “I thought
you were going to the Salvation Army, why are you still here?” I threatened her with no
lunch, no dinner, no Christmas or Hanukkah presents, no birthday parties for two,
three, four years. When she still kept playing it wrong, I told her she was purposely
working herself into a frenzy because she was secretly afraid she couldn’t do it. I told
her to stop being lazy, cowardly, self-indulgent and pathetic.

Jed took me aside. He told me to stop insulting Lulu—which I wasn’t even doing, I was
just motivating her—and that he didn’t think threatening Lulu was helpful. Also, he
said, maybe Lulu really just couldn’t do the technique—perhaps she didn’t have the
coordination yet—had I considered that possibility?

“You just don’t believe in her,” I accused.

“That’s ridiculous,” Jed said scornfully. “Of course I do.”

“Sophia could play the piece when she was this age.”

“But Lulu and Sophia are different people,” Jed pointed out.

“Oh no, not this,” I said, rolling my eyes. “Everyone is special in their special own
way,” I mimicked sarcastically. “Even losers are special in their own special way. Well
don’t worry, you don’t have to lift a finger. I’m willing to put in as long as it takes, and
I’m happy to be the one hated. And you can be the one they adore because you make
them pancakes and take them to Yankees games.”

I rolled up my sleeves and went back to Lulu. I used every weapon and tactic I could
think of. We worked right through dinner into the night, and I wouldn’t let Lulu get up,
not for water, not even to go to the bathroom. The house became a war zone, and I lost
my voice yelling, but still there seemed to be only negative progress, and even I began to
have doubts.

Then, out of the blue, Lulu did it. Her hands suddenly came together—her right and left
hands each doing their own imperturbable thing—just like that.

Lulu realized it the same time I did. I held my breath. She tried it tentatively again. Then
she played it more confidently and faster, and still the rhythm held. A moment later, she
was beaming.

“Mommy, look—it’s easy!” After that, she wanted to play the piece over and over and
wouldn’t leave the piano. That night, she came to sleep in my bed, and we snuggled and
hugged, cracking each other up. When she performed “The Little White Donkey” at a
recital a few weeks later, parents came up to me and said, “What a perfect piece for
Lulu—it’s so spunky and so her.”

Even Jed gave me credit for that one. Western parents worry a lot about their children’s
self-esteem. But as a parent, one of the worst things you can do for your child’s self-
estee m is to let them give up. On the flip side, there’s nothing better for building
confidence than learning you can do something you thought you couldn’t.

There are all these new books out there portraying Asian mothers as scheming, callous,
overdriven people indifferent to their kids’ true interests. For their part, many Chinese
secretly believe that they care more about their children and are willing to sacrifice much
more for them than Westerners, who seem perfectly content to let their children turn
out badly. I think it’s a misunderstanding on both sides. All decent parents want to do
what’s best for their children. The Chinese just have a totally different idea of how to do that.

Western parents try to respect their children’s individuality, encouraging them to pursue their true passions, supporting their choices, and providing positive reinforcement and a nurturing environment. By contrast, the Chinese believe that the best way to protect their children is by preparing them for the future, letting them see what they’re capable of, and arming them with skills, work habits and inner confidence that no one can ever take away.

* * *

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Some Thoughts Concerning Education

By John Locke

§ 1. A sound mind in a sound body, is a short, but full description of a happy state in this world; he that has these two, has little more to wish for; and he that wants either of them, will be but little the better for any thing else. Men’s happiness, or misery, is most part of their own making. He whose mind directs not wisely, will never take the right way; and he whose body is crazy and feeble, will never be able to advance in it. I confess, there are some men’s constitutions of body and mind so vigorous, and well framed by nature, that they need not much assistance from others; but, by the strength of their natural genius, they are, from their cradles, carried towards what is excellent; and, by the privilege of their happy constitutions, are able to do wonders. But examples of this kind are but few; and I think I may say, that, of all the men we meet with, nine parts of ten are what they are, good or evil, useful or not, by their education. It is that which makes the great difference in mankind. The little, or almost insensible, impressions on our tender infancies, have very important and lasting consequences; and there it is, as in the fountains of some rivers, where a gentle application of the hand turns the flexible waters into channels, that make them take quite contrary courses; and by this little direction, given them at first, in the source, they receive different tendencies, and arrive at last at very remote and distant places.

§ 2. I imagine the minds of children, as easily turned, this or that way, as water itself; and though this be the principal part, and our main care should be about the inside, yet the clay cottage is not to be neglected. I shall therefore begin with the case, and consider first the health of the body, as that which perhaps you may rather expect, from that study I have been thought more peculiarly to have applied myself to; and that also which will be soonest despatched, as lying, if I guess not amiss, in a very little compass.

§ 3. How necessary health is to our business and happiness; and how requisite a strong constitution, able to endure hardships and fatigue, is, to one that will make any figure in the world; is too obvious to need any proof.
§ 43. This being laid down in general, as the course ought to be taken, it is fit we come
now to consider the parts of the discipline to be used a little more particularly. I have
spoken so much of carrying a strict hand over children, that perhaps I shall be
suspected of not considering enough what is due to their tender age and constitutions.
But that opinion will vanish, when you have heard me a little farther. For I am very apt
to think, that great severity of punishment does but very little good; nay, great harm in
education: and I believe it will be found, that, *cæteris paribus*, those children who have
been most chastised, seldom make the best men. All that I have hitherto contended for,
is, that whatsoever rigour is necessary, it is more to be used, the younger children are;
and, having by a due application wrought its effect, it is to be relaxed, and changed into
a milder sort of government.

§ 67. Manners, as they call it, about which children are so often perplexed, and have so
many goodly exhortations made them, by their wise maids and governesses, I think, are
rather to be learned by example than rules; and then children, if kept out of ill company,
will take a pride to behave themselves prettily, after the fashion of others, perceiving
themselves esteemed and commended for it. But, if by a little negligence in this part, the
boy should not put off his hat, nor make legs very gracefully, a dancing-master will cure
that defect, and wipe off all that plainness of nature, which the à-la-mode people call
clownishness. And since nothing appears to me to give children so much becoming
confidence and behaviour, and so to raise them to the conversation of those above their
age, as dancing; I think they should be taught to dance, as soon as they are capable of
learning it. For, though this consist only in outward gracefulness of motion, yet, I know
not how, it gives children manly thoughts and carriage, more than any thing. But
otherwise I would not have little children much tormented about punctilios, or niceties
of breeding.

Never trouble yourself about those faults in them, which you know age will cure.

§ 135. I place virtue as the first and most necessary of those endowments that belong to
a man or a gentleman, as absolutely requisite to make him valued and beloved by others,
acceptable or tolerable to himself. Without that, I think, he will be happy neither in this,
nor the other world.

§ 148. When he can talk, it is time he should begin to learn to read. But as to this, give
me leave here to inculcate again what is very apt to be forgotten, viz. that great care is to
be taken, that it be never made as a business to him, nor he look on it as a task. We
naturally, as I said, even from our cradles, love liberty, and have therefore an aversion to
many things, for no other reason, but because they are enjoined us. I have always had a
fancy, that learning might be made a play and recreation to children; and that they might
be brought to desire to be taught, if it were proposed to them as a thing of honour,
credit, delight, and recreation, or as a reward for doing something else, and if they were
never chid or corrected for the neglect of it.

§ 149. Thus children may be cozened into a knowledge of the letters; be taught to read,
without perceiving it to be any thing but a sport, and play themselves into that which
others are whipped for. Children should not have any thing like work, or serious, laid on them; neither their minds nor bodies will bear it. It injures their healths; and their being forced and tied down to their books, in an age at enmity with all such restraint, has, I doubt not, been the reason why a great many have hated books and learning all their lives after: it is like a surfeit, that leaves an aversion behind, not to be removed.

§ 157. The Lord’s prayer, the creed, and ten commandments, it is necessary he should learn perfectly by heart; but, I think, not by reading them himself in his primer, but by somebody’s repeating them to him, even before he can read. But learning by heart, and learning to read, should not, I think, be mixed, and so one made to clog the other. But his learning to read should be made as little trouble or business to him as might be.

§ 160. When he can read English well, it will be seasonable to enter him in writing. And here the first thing should be taught him, is to hold his pen right; and this he should be perfect in, before he should be suffered to put it to paper: for not only children, but any body else, that would do any thing well, should never be put upon too much of it at once, or be set to perfect themselves in two parts of an action at the same time, if they can possibly be separated.

§ 162. As soon as he can speak English, it is time for him to learn some other language: this nobody doubts of, when French is proposed. And the reason is, because people are accustomed to the right way of teaching that language, which is by talking it into children in constant conversation, and not by grammatical rules. The Latin tongue would easily be taught the same way, if his tutor, being constantly with him, would talk nothing else to him, and make him answer still in the same language. But because French is a living language, and to be used more in speaking, that should be first learned, that the yet pliant organs of speech might be accustomed to a due formation of those sounds, and he get the habit of pronouncing French well, which is the harder to be done, the longer it is delayed.

§ 178. At the same time that he is learning French and Latin, a child, as has been said, may also be entered in arithmetic, geography, chronology, history, and geometry too. For if these be taught him in French or Latin, when he begins once to understand either of these tongues, he will get a knowledge in these sciences, and the language to-boot.

Geography, I think, should be begun with; for the learning of the figure of the globe, the situation and boundaries of the four parts of the world, and that of particular kingdoms and countries, being only an exercise of the eyes and memory, a child with pleasure will learn and retain them: and this is so certain, that I now live in the house with a child, whom his mother has so well instructed this way in geography, that he knew the limits of the four parts of the world, could readily point, being asked, to any country upon the globe, or any county in the map of England; knew all the great rivers, promontories, straits, and bays in the world, and could find the longitude and latitude of any place before he was six years old. These things, that he will thus learn by sight, and have by rote in his memory, are not all, I confess, that he is to learn upon the globes. But yet it is a good step and preparation to it, and will make the remainder much easier,
when his judgment is grown ripe enough for it: besides that, it gets so much time now, and by the pleasure of knowing things, leads him on insensibly to the gaining of languages.

§ 179. When he has the natural parts of the globe well fixed in his memory, it may then be time to begin arithmetic. By the natural parts of the globe, I mean several positions of the parts of the earth and sea, under different names and distinctions of countries; not coming yet to those artificial and imaginary lines, which have been invented, and are only supposed, for the better improvement of that science.

§ 180. Arithmetic is the easiest, and consequently the first sort of abstract reasoning, which the mind commonly bears, or accustoms itself to: and is of so general use in all parts of life and business, that scarce any thing is to be done without it. This is certain, a man cannot have too much of it, nor too perfectly;

§ 184. As nothing teaches, so nothing delights, more than history. …

§ 194. Though the systems of physics, that I have met with, afford little encouragement to look for certainty, or science, in any treatise, which shall pretend to give us a body of natural philosophy from the first principles of bodies in general; yet the incomparable Mr. Newton has shown, how far mathematics, applied to some parts of nature, may, upon principles that matter of fact justify, carry us in the knowledge of some, as I may so call them, particular provinces of the incomprehensible universe. And if others could give us so good and clear an account of other parts of nature, as he has of this our planetary world, and the most considerable phenomena observable in it, in his admirable book “Philosophiæ naturalis principia mathematica,” we might in time hope to be furnished with more true and certain knowledge in several parts of this stupendous machine, than hitherto we could have expected. And though there are very few that have mathematics enough to understand his demonstrations; yet the most accurate mathematicians, who have examined them, allowing them to be such, his book will deserve to be read, and give no small light and pleasure to those, who, willing to understand the motions, properties, and operations of the great masses of matter in this our solar system, will but carefully mind his conclusions, which may be depended on as propositions well proved.

§ 216. Though I am now come to a conclusion of what obvious remarks have suggested to me concerning education, I would not have it thought, that I look on it as a just treatise on this subject. There are a thousand other things that may need consideration; especially if one should take in the various tempers, different inclinations, and particular defaults, that are to be found in children; and prescribe proper remedies. The variety is so great, that it would require a volume; nor would that reach it. Each man’s mind has some peculiarity, as well as his face, that distinguishes him from all others; and there are possibly scarce two children, who can be conducted by exactly the same method. Besides that, I think a prince, a nobleman, and an ordinary gentleman’s son, should have different ways of breeding. But having had here only some general views in reference to the main end and aims in education, and those designed for a gentleman’s son, who
being then very little, I considered only as white paper, or wax, to be moulded and fashioned as one pleases; I have touched little more than those heads, which I judged necessary for the breeding of a young gentleman of his condition in general; and have now published these my occasional thoughts, with this hope, that, though this be far from being a complete treatise on this subject, or such as that every one may find what will just fit his child in it; yet it may give some small light to those, whose concern for their dear little ones makes them so irregularly bold, that they dare venture to consult their own reason, in the education of their children, rather than wholly to rely upon old custom.

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Source: *Some Thoughts Concerning Education* [1690].

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**Sulzer and Kant on Obedience in Education in 1700s Germany**

In Britain and America in the 1700s, the most influential philosopher of education was John Locke, with his *Some Thoughts Concerning Education*. In France, it was Jean-Jacques Rousseau with his *Émile*.

But in the German states, it was Johann Georg Sulzer, with his 1748 *An Essay on the Education and Instruction of Children*. Sulzer’s fundamental thesis:

“Obedience is so important that all education is actually nothing other than learning how to obey.”

He elaborates: “It is not very easy, however, to implant obedience in children. It is quite natural for the child’s soul to want to have a will of its own, and things that are not done correctly in the first two years will be difficult to rectify thereafter. One of the advantages of these early years is that then force and compulsion can be used. Over the years, children forget everything that happened to them in early childhood. If their wills can be broken at this time, they will never remember afterwards that they had a will, and for this very reason the severity that is required will not have any serious consequences.”[1]

To which I add from Immanuel Kant’s lectures on education, first delivered in 1776/77:

“Above all things, obedience is an essential feature in the character of a child, especially of a school boy or girl.”[2] Much of Kant on education reads like a gloss on Sulzer, with its emphasis on obedience, duty, discipline, and punishment.

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**Some Quotations on Education**

By Maria Montessori

Education should fit the child, not vice versa:

“The adult has not understood the child or the adolescent, and is therefore in continual strife with him. The remedy is not that the adult should learn something intellectually, or complete a deficient culture. He must find a different starting point ... In their dealings with children adults ... look upon the child as something empty that is to be filled through their own efforts, as something inert and helpless for which they must do everything, as something lacking an inner guide and in constant need of direction. ... But if a child has within himself the key to his own personality ... these must be delicate powers indeed, and an adult by his untimely interventions can prevent their secret realization ....” (1936)

Cognition and movement are integrated:

“One of the greatest mistakes of our day is to think of movement by itself, as something apart from the higher functions. ... Mental development must be connected with movement and be dependent on it. It is vital that educational theory and practice should become informed by this idea. ... Watching a child makes it obvious that the development of the mind comes about through his movements. ... Mind and movements are parts of the same entity.” (1967, 141-2)

Choice:

“These children have free choice all day long. Life in based on choice, so they learn to make their own decisions. They must decide and choose for themselves all the time. ... They cannot learn through obedience to the commands of another.” (1989, 26)

Intrinsic motivation, not extrinsic:

“The prize and the punishment are incentives towards unnatural and forced effort, and therefore we certainly cannot speak of the natural development of the child in connection with them.” (1912/1964, 21)

“The secret of success is found to lie in the right use of imagination in awakening interest, and the stimulation of seeds already sown.” (1948/1967, 1-2)

Spontaneous self-development:
“By leaving the children in our schools at liberty we have been with great clearness to follow them in their natural method of spontaneous self-development.” (1912/1964, 357)

“All we have to do is set the energy free. … When we speak of freedom in education we mean freedom for the creative energy which is the urge of life towards the development of the individual. This is not the casual energy like the energy of a bomb that explodes. It has a guiding principle, a very fine, but unconscious directive, the aim of which is to develop a normal person. When we speak of free children we are thinking of this energy which must be free in order to construct these children well.” (1989, 12)

Meaningful-to-student context:

“Education, as today conceived, is something separated both from biological and social life. All who enter the educational world tend to be cut off from society. … People are prepared for life by exclusion from it.” (1967, 10-11)

Social voluntarism and win-win:

“Our schools show that children of different ages help one another. The younger ones see what the older ones are doing and ask for explanations. These are readily given, and the instruction is really valuable. … The older ones are happy to be able to teach what they know. People sometimes fear that if a child of five gives lessons, this will hold him back from his own progress. But, in the first place, he does not teach all the time and his freedom is respected. Second, teaching helps him to understand what he knows even better than before. He has to analyze and rearrange his little store of knowledge before he can pass it on. … [So] everyone achieves a healthy normality through the mutual exchange.” (1967, 226-28)

Schools can make a “contribution to the cause of goodness by removing obstacles” (1965, 189).

The teacher as provider of structure, guide, and “policeman”:

“Freedom in a structured environment.” (1965)

“The children in our schools are free, but that does not mean there is no organization. Organization, in fact, is necessary … if the children are to be free to work.” (1967, 244)

“It is true that the child develops in his environment through activity itself, but he needs material means, guidance and an indispensable understanding. It is the adult who provides these necessities. … If [the adult] does less than is necessary, the child cannot act meaningfully, and if he does more than is necessary, he imposes himself on the child, extinguishing creative impulses.” (1956, 154)

“Do not apply the rule of non-interference when the children are still the prey of all their different naughtinesses. Don’t let them climb on the windows, the furniture, etc.
You must interfere at this stage. At this stage the teacher must be a policeman. The policeman has to defend the honest citizens against the disturbers.” (1989, 16)

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Source: Stephen Hicks’s video lecture on Objectivism and Montessori, Part 12 of Philosophy of Education course. Also at Youtube.

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Alison Gopnik’s Advice to Parents: Stop Parenting!

But why doesn’t she tell school authorities to stop schooling?

By Peter Gray

Alison Gopnik is a renowned developmental psychologist whose research has revealed much about the amazing learning and reasoning capacities of young children, and she may be the leading interpreter of such research to the general public. She is one of the best science writers I know of. In her most recent book, The Gardener and the Carpenter, released just a few days ago, she describes the results of many clever experiments that help us understand how young children learn by watching others, listening to others, and manipulating objects in systematic ways in their play.

A persistent theme emerging from such research, as Gopnik explains, is that children learn not by passively absorbing information, but by actively engaging their social and physical environments and drawing logical inferences based on what they see, hear, and in other ways experience. Gopnik contends that children learn a great deal from other people, including from their parents, not because the others are deliberately teaching them but because those others are doing and talking about interesting things, which children are innately motivated to try to understand and incorporate into their own growing world views.

Indeed, Gopnik describes research showing that deliberate teaching can, at least sometimes, reduce the amount that children learn about an object, because the teaching tends to inhibit them from exploring the object themselves and thereby prevents them from learning any more about it than what the teacher had pointed out. The research reveals, to a far greater extent than most people would expect, that young children are quite sophisticated little scientists who bring their already acquired knowledge and theories to bear, in logical ways, as they explore the world around them to acquire new, more advanced understandings. We adults can help them best not by teaching, but by making sure that they have adequate social and physical environments and time and space in which to explore. The more that young children are integrated into the real world of other children and adults, the more they will learn about that world and discover their places in it.

Of course, if we take this approach and let children learn in their own natural ways, we are giving up the illusion that we can control what they learn and can shape them into
being the particular kinds of persons that we might want them to be. We are, instead, trusting children to shape themselves. And this leads to the main point of the book.

Gopnik is not only a researcher and author, but is also the mother of three grown sons and proud grandmother to a little boy named Augie. Her book is founded on research about how children learn, but her message is directed to parents. In a nutshell, her message to parents is this: Stop parenting. Does that sound paradoxical?

Parent, according to Gopnik, is a wonderful noun, referring to a partner in a particular kind of relationship; but it’s a terrible verb when used, as it so often is, to refer to what is perceived as a particular kind of work. Here are some of Gopnik’s words about this awful verb.

• “Parent’ is not actually a verb, not a form of work, and it isn’t and shouldn’t be directed toward the goal of sculpting a child into a particular kind of adult (p 8) … We recognize the difference between work and other relationships, other kinds of love. To be a wife is not to engage in ‘wifing,’ to be a friend is not to ‘friend,’ even on Facebook, and we don’t ‘child’ our mothers and fathers (p 9)."

• “To be a parent—to care for a child—is to be part of a profound and unique human relationship, to engage in a particular kind of love (p 9). … Love doesn’t have goals or blueprints, but it does have a purpose. The purpose of love is not to change the people we love, but to give them what they need to thrive. Love’s purpose is not to shape our beloved’s destiny, but to help them shape their own. It isn’t to show them the way, but to help them find a path for themselves, even if the path they take isn’t one we would choose for ourselves, or even one we would choose for them. … Loving children doesn’t give them a destination; it gives them sustenance for the journey (p 10).”

• “The word ‘parenting,’ now so ubiquitous, first emerged in America in 1958 and became common only in the 1970s (p 21). … But, in fact, parenting is a terrible invention. It hasn’t improved the lives of children and parents, and in some ways it’s arguably made them worse. For middle-class parents, trying to shape their children into worthy adults becomes the source of endless anxiety and guilt coupled with frustration. And for their children, parenting leads to an oppressive cloud of hovering expectations (p 24). … The rise of parenting has accompanied the decline of the street, the public playground, the neighborhood, even recess (p 36).”

The title of the book—The Gardener and the Carpenter—comes from two possible ways of thinking about the role of parents with respect to children’s development. Here, again, in Gopnik’s words:

• “In the parenting model, being a parent is like being a carpenter. You should pay some attention to the kind of material you are working with, and it may have some influence on what you try to do. But essentially your job is to shape that material into a final product that will fit the scheme you had in mind to begin with. And you can assess how good a job you’ve done by looking at the finished product. Are the doors true? Are the chairs steady? Messiness and variability are the carpenter’s enemies; precision and control are her allies. Measure twice, cut once (p 18).”

• “When we garden, on the other hand, we create a protected and nurturing space for plants to flourish. … And as any gardener knows, our specific plans are always thwarted. The poppy comes up neon orange instead of pale pink, the rose that was supposed to climb the fence stubbornly remains a foot from the ground, black spot and rust and aphids can never be defeated. … And yet the compensation is that our greatest horticultural triumphs and joys also come when the garden escapes our control, when the weedy Queen Anne’s lace unexpectedly showed up in just the right place in front of the dark yew tree, when the forgotten daffodil travels to the other side of the garden and bursts out among the blue...
forget-me-nots, when the grapevine that was supposed to stay demurely hitched to the arbor runs scarlet riot through the trees. … Unlike a good chair, a good garden is constantly changing, as it adapts to the changing circumstances of weather and the seasons. And in the long run, that kind of varied, flexible, complex, dynamic system will be more robust and adaptable than the most carefully tended hothouse bloom (pp 18-19).”

- “So our job as parents is not to make a particular kind of child. Instead, our job is to provide a protected space of love, safety, and stability in which children of many unpredictable kinds can flourish. Our job is not to shape our children’s minds; it’s to let those minds explore all the possibilities that the world allows. … We can’t make children learn, but we can let them learn (p 20).”

Although she doesn’t say it explicitly, it seems clear that Gopnik would be fine with the verb “to parent” if it meant something like “to garden.”

Those who have read my book Free to Learn know that I agree completely with Gopnik in essentially all she says about children’s learning and the appropriate role of parents. Indeed, her research and some of the other research she describes is included in the evidence I present in my book. I do, however, have one big complaint about Gopnik’s book. Gopnik fails to acknowledge that the carpenter model, with all its problems, applies doubly, or triply, or way way more than triply, to our system of schooling. I wish she would point the finger more squarely at schooling, which is largely the product of and fostered by academic institutions such as Berkeley where she works (and Boston College where I work), rather than at parents.

In fact, as I have argued elsewhere (though not with these terms), the carpenter model of schooling is what has largely driven the carpenter model of parenting. It is very hard to be a gardener parent while sending your child to a carpenter school, and all public schools today are in the carpenter mode. Your children keep getting tested to see how they measure up, according to the standard model for all children that the schooling system has set. And if they don’t meet the standards, you get called in by the school authorities who do their best to make you feel that it is your responsibility to make your child conform and meet the measures that all the children are supposed to meet. Your child wants to explore one day away from school—like that beautiful grapevine that wants to run riot through the trees—and if this happens several time you will be accused of negligence and may even be threatened with having your child taken away because of the truancy laws. You continuously hear propaganda about how your child’s future employability depends on getting high marks in school, doing all the right extracurriculars, and getting into a prestigious college—propaganda that places like Berkeley (and even Boston College) profit from mightily. So, how can parents maintain a gardener mentality in the face of all this pressure from the carpenters?

I was a gardener as a parent until my son started school, and then, when he started school, there was such a discrepancy between the schoolish restrictions on his life and my belief that he needed freedom to grow that I was afraid he would be crushed in the conflict. The only solution, without giving up on the gardener model and watching my wildflower wither, was to take him out of school. Fortunately, we discovered the Sudbury Valley School, a radically alternative democratic school that operates in perfect accord with everything that Gopnik says about how children learn and develop. It is truly a garden where children and teenagers can play and explore in their own chosen ways and become their own, beautiful, varied, ever-changing selves. It’s a school that’s
been around for almost 50 years; it’s one of the most fully studied schools in existence; its model has been successfully replicated by many other schools throughout the world; and yet its existence is almost never acknowledged by people in academia, even by people who believe that children learn best when they are free to explore and play in their own ways.

Much of my research, summarized in *Free to Learn* and in previous essays in this blog as well as in academic articles, has been about the ways that young people learn and develop when they are truly free to control their own education, as they are designed by nature to do. As part of that research I’ve followed up graduates of Sudbury Valley and grown “unschoolers” (people who were homeschooled by a method in which they had charge of their own education). Such research, about what happens when children really do grow up free to chart their own days and destinies, in a safe and nurturing environment, is the natural real-world complement to the kinds of laboratory research that Gopnik discusses.

Gopnik clearly acknowledges that school is a problem. She writes about how schools teach children to be good at school—good at tests—but not much else. At one point she says, “By the time they arrive in our classes, many Berkeley undergraduates are absolute Matajuros of test-taking. It’s no wonder we’re greatly disappointed—and they’re resentfully surprised—when we ask them to actually be apprentice scientists or scholars instead. Skilled adults continue to face difficult challenges, of course, but passing exams isn’t one of them. Being the best test-taker in the world isn’t much help for discovering either new truths about that world or new ways of thriving in it (p 190).”

But Gopnik does not acknowledge the scope of the problem and says nothing about how our carpenter schools interfere with parents’ attempts to be gardeners at home. She offers no suggestion about what to do about schools and no acknowledgement that thousands of families are, successfully, raising their children in the gardener mode by removing them from standard schools. In fact, near the beginning of the book (p 6), she says, “I believed—and still do—that good public schools are best for all children.” That, I’m sure, is a politically correct thing to say and makes the establishment think, “She’s OK,” but it contradicts everything else she says in this book. Where are these “good public schools” she is talking about? The ones that are usually called “good” are those that churn out the highest test scores and place the greatest pressures on kids. All public schools these days are judged, and the teachers are judged, by children’s test scores. Every public school, by law, is in the carpenter mode; none of them are gardens.

OK, I’m a little frustrated and I guess I’m showing it. There are so many smart and good-willed people in academia who, like Gopnik, seem to get it, but who then fail to come to the logical conclusion and fail even to look at the real-world evidence that their ideas beg them to examine. The evidence has been out there for a long time that it is possible to develop learning spaces where children and teenagers can learn naturally; and the evidence has been out there for a long time that children and teenagers develop beautifully, in highly varied ways, like flowers in a garden, in those spaces; and the evidence has been out there for a long time that such learning spaces are far less expensive and less trouble to operate than are standard schools, precisely because they work with children’s nature rather than against it. And yet academia continues to blind itself to that evidence. Why?
United States Supreme Court

*University of California Regents v. Bakke*

438 U.S. 265 (1978)

Argued October 12, 1977, Decided June 28, 1978

The Medical School of the University of California at Davis (hereinafter Davis) had two admissions programs for the entering class of 100 students—the regular admissions program and the special admissions program. Under the regular procedure, candidates whose overall undergraduate grade point averages fell below 2.5 on a scale of 4.0 were summarily rejected. About one out of six applicants was then given an interview, following which he was rated on a scale of 1 to 100 by each of the committee members (five in 1973 and six in 1974), his rating being based on the interviewers’ summaries, his overall grade point average, his science courses grade point average, his Medical College Admissions Test (MCAT) scores, letters of recommendation, extracurricular activities, and other biographical data, all of which resulted in a total “benchmark score.” The full admissions committee then made offers of admission on the basis of their review of the applicant’s file and his score, considering and acting upon applications as they were received. The committee chairman was responsible for placing names on the waiting list and had discretion to include persons with “special skills.” A separate committee, a majority of whom were members of minority groups, operated the special admissions program. The 1973 and 1974 application forms, respectively, asked candidates whether they wished to be considered as “economically and/or educationally disadvantaged” applicants and members of a “minority group” (blacks, Chicanos, Asians, American Indians). If an applicant of a minority group was found to be “disadvantaged,” he would be rated in a manner similar to the one employed by the general admissions committee. Special candidates, however, did not have to meet the 2.5 grade point cutoff and were not ranked against candidates in the general admissions process. About one-fifth of the special applicants were invited for interviews in 1973 and 1974, following which they were given benchmark scores, and the top choices were then given to the general admissions committee, which could reject special candidates for failure to meet course requirements or other specific deficiencies. The special committee continued to recommend candidates until 16 special admission selections had been made. During a four-year period 63 minority [438 U.S. 265, 266] students were admitted to Davis under the special program and 44 under the general program. No disadvantaged whites were admitted under the special program, though many applied. Respondent, a white male, applied to Davis in 1973 and 1974, in both years being considered only under the
general admissions program. Though he had a 468 out of 500 score in 1973, he was rejected since no general applicants with scores less than 470 were being accepted after respondent’s application, which was filed late in the year, had been processed and completed. At that time four special admission slots were still unfilled. In 1974 respondent applied early, and though he had a total score of 549 out of 600, he was again rejected. In neither year was his name placed on the discretionary waiting list. In both years special applicants were admitted with significantly lower scores than respondent’s. After his second rejection, respondent filed this action in state court for mandatory, injunctive, and declaratory relief to compel his admission to Davis, alleging that the special admissions program operated to exclude him on the basis of his race in violation of the Equal Protection Clause of the Fourteenth Amendment, a provision of the California Constitution, and 601 of Title VI of the Civil Rights Act of 1964, which provides, inter alia, that no person shall on the ground of race or color be excluded from participating in any program receiving federal financial assistance. Petitioner cross-claimed for a declaration that its special admissions program was lawful. The trial court found that the special program operated as a racial quota, because minority applicants in that program were rated only against one another, and 16 places in the class of 100 were reserved for them. Declaring that petitioner could not take race into account in making admissions decisions, the program was held to violate the Federal and State Constitutions and Title VI. Respondent’s admission was not ordered, however, for lack of proof that he would have been admitted but for the special program. The California Supreme Court, applying a strict-scrutiny standard, concluded that the special admissions program was not the least intrusive means of achieving the goals of the admittedly compelling state interests of integrating the medical profession and increasing the number of doctors willing to serve minority patients. Without passing on the state constitutional or federal statutory grounds the court held that petitioner’s special admissions program violated the Equal Protection Clause. Since petitioner could not satisfy its burden of demonstrating that respondent, absent the special program, would not have been admitted, the court ordered his admission to Davis.

Held: The judgment below is affirmed insofar as it orders respondent’s admission to Davis and invalidates petitioner’s special admissions program, but is reversed insofar as it prohibits petitioner from taking race into account as a factor in its future admissions decisions.

MR. JUSTICE POWELL announced the judgment of the Court.

This case presents a challenge to the special admissions program of the petitioner, the Medical School of the University of California at Davis, which is designed to assure the admission [438 U.S. 265, 270] of a specified number of students from certain minority groups. The Superior Court of California sustained respondent’s challenge, holding that petitioner’s program violated the California Constitution, Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and the Equal Protection Clause of the Fourteenth Amendment. The court enjoined petitioner from considering respondent’s race or the race of any other applicant in making admissions decisions. It refused, however, to
order respondent’s admission to the Medical School, holding that he had not carried his burden of proving that he would have been admitted but for the constitutional and statutory violations. The Supreme Court of California affirmed those portions of the trial court’s judgment declaring the special admissions program unlawful and enjoining petitioner from considering the race of any applicant. [438 U.S. 265, 271] It modified that portion of the judgment denying respondent’s requested injunction and directed the trial court to order his admission.

For the reasons stated in the following opinion, I believe that so much of the judgment of the California court as holds petitioner’s special admissions program unlawful and directs that respondent be admitted to the Medical School must be affirmed. For the reasons expressed in a separate opinion, my Brothers THE CHIEF JUSTICE, MR. JUSTICE STEWART, MR. JUSTICE REHNQUIST, and MR. JUSTICE STEVENS concur in this judgment. [438 U.S. 265, 272]

I also conclude for the reasons stated in the following opinion that the portion of the court’s judgment enjoining petitioner from according any consideration to race in its admissions process must be reversed. For reasons expressed in separate opinions, my Brothers MR. JUSTICE BRENNAN, MR. JUSTICE WHITE, MR. JUSTICE MARSHALL, and MR. JUSTICE BLACKMUN concur in this judgment.

Affirmed in part and reversed in part.

I

The Medical School of the University of California at Davis opened in 1968 with an entering class of 50 students. In 1971, the size of the entering class was increased to 100 students, a level at which it remains. No admissions program for disadvantaged or minority students existed when the school opened, and the first class contained three Asians but no blacks, no Mexican-Americans, and no American Indians. Over the next two years, the faculty devised a special admissions program to increase the representation of “disadvantaged” students in each Medical School class. The special program consisted of a separate admissions system operating in coordination with the regular admissions process.

Under the regular admissions procedure, a candidate could submit his application to the Medical School beginning in July of the year preceding the academic year for which admission was sought. Record 149. Because of the large number of applications, the admissions committee screened each one to select candidates for further consideration. Candidates whose overall undergraduate grade point averages fell below 2.5 on a scale of 4.0 were summarily rejected. About one out of six applicants was invited for a personal interview. Following the interviews, each candidate was rated on a scale of 1 to 100 by his interviewers and four other members of the admissions committee. The rating embraced the interviewers’ summaries, the candidate’s overall grade point average, grade point average in science courses, scores on the Medical College Admissions Test (MCAT), letters of recommendation, extracurricular activities, and
other biographical data. The ratings were added together to arrive at each candidate’s “benchmark” score. Since five committee members rated each candidate in 1973, a perfect score was 500; in 1974, six members rated each candidate, so that a perfect score was 600. The full committee then reviewed the file and scores of each applicant and made offers of admission on a “rolling” basis. The chairman was responsible for placing names on the waiting list. They were not placed in strict numerical order; instead, the chairman had discretion to include persons with “special skills.”

The special admissions program operated with a separate committee, a majority of whom were members of minority groups. On the 1973 application form, candidates were asked to indicate whether they wished to be considered as “economically and/or educationally disadvantaged” applicants; on the 1974 form the question was whether they wished to be considered as members of a “minority group,” which the Medical School apparently viewed as “Blacks,” “Chicanos,” “Asians,” and “American Indians.” If these questions were answered affirmatively, the application was forwarded to the special admissions committee. No formal definition of “disadvantaged” was ever produced, but the chairman of the special committee screened each application to see whether it reflected economic or educational deprivation. Having passed this initial hurdle, the applications then were rated by the special committee in a fashion similar to that used by the general admissions committee, except that special candidates did not have to meet the 2.5 grade point average cutoff applied to regular applicants. About one-fifth of the total number of special applicants were invited for interviews in 1973 and 1974. Following each interview, the special committee assigned each special applicant a benchmark score. The special committee then presented its top choices to the general admissions committee. The latter did not rate or compare the special candidates against the general applicants, but could reject recommended special candidates for failure to meet course requirements or other specific deficiencies. The special committee continued to recommend special applicants until a number prescribed by faculty vote were admitted. While the overall class size was still 50, the prescribed number was 8; in 1973 and 1974, when the class size had doubled to 100, the prescribed number of special admissions also doubled, to 16.

From the year of the increase in class size—1971—through 1974, the special program resulted in the admission of 21 black students, 30 Mexican-Americans, and 12 Asians, for a total of 63 minority students. Over the same period, the regular admissions program produced 1 black, 6 Mexican-Americans, and 37 Asians, for a total of 44 minority students. Although disadvantaged whites applied to the special program in large numbers, none received an offer of admission through that process. Indeed, in 1974, at least, the special committee explicitly considered only “disadvantaged” special applicants who were members of one of the designated minority groups.

Allan Bakke is a white male who applied to the Davis Medical School in both 1973 and 1974. In both years Bakke’s application was considered under the general admissions program, and he received an interview. His 1973 interview was with Dr. Theodore C. West, who considered Bakke “a very desirable applicant to [the] medical school.”
Despite a strong benchmark score of 468 out of 500, Bakke was rejected. His application had come late in the year, and no applicants in the general admissions process with scores below 470 were accepted after Bakke’s application was completed. There were four special admissions slots unfilled at that time, however, for which Bakke was not considered. Id., at 70. After his 1973 rejection, Bakke wrote to Dr. George H. Lowrey, Associate Dean and Chairman of the Admissions Committee, protesting that the special admissions program operated as a racial and ethnic quota.

Bakke’s 1974 application was completed early in the year. His student interviewer gave him an overall rating of 94, finding him “friendly, well tempered, conscientious and delightful to speak with.” His faculty interviewer was, by coincidence, the same Dr. Lowrey to whom he had written in protest of the special admissions program. Dr. Lowrey found Bakke “rather limited in his approach” to the problems of the medical profession and found disturbing Bakke’s “very definite opinions which were based more on his personal viewpoints than upon a study of the total problem.” Dr. Lowrey gave Bakke the lowest of his six ratings, an 86; his total was 549 out of 600. Again, Bakke’s application was rejected. In neither year did the chairman of the admissions committee, Dr. Lowrey, exercise his discretion to place Bakke on the waiting list. In both years, applicants were admitted under the special program with grade point averages, MCAT scores, and benchmark scores significantly lower than Bakke’s.

After the second rejection, Bakke filed the instant suit in the Superior Court of California. He sought mandatory, injunctive, and declaratory relief compelling his admission to the Medical School. He alleged that the Medical School’s special admissions program operated to exclude him from the school on the basis of his race, in violation of his rights under the Equal Protection Clause of the Fourteenth Amendment. The University cross-complained for a declaration that its special admissions program was lawful. The trial court found that the special program operated as a racial quota, because minority applicants in the special program were rated only against one another, and 16 places in the class of 100 were reserved for them. Declaring that the University could not take race into account in making admissions decisions, the trial court held the challenged program violative of the Federal Constitution, the State Constitution, and Title VI. The court refused to order Bakke’s admission, however, holding that he had failed to carry his burden of proving that he would have been admitted but for the existence of the special program.

Bakke appealed from the portion of the trial court judgment denying him admission, and the University appealed from the decision that its special admissions program was unlawful and the order enjoining it from considering race in the processing of applications. The Supreme Court of California transferred the case directly from the trial court, “because of the importance of the issues involved.” The California court accepted the findings of the trial court with respect to the University’s program. Because the special admissions program involved a racial classification, the Supreme Court held itself bound to apply strict scrutiny. It then turned to the goals the University presented as justifying the special program. Although the court agreed that the goals of
integrating the medical profession and increasing the number of physicians willing to serve members of minority groups were compelling state interests, it concluded that the special admissions program was not the least intrusive means of achieving those goals. Without passing on the state constitutional or the federal statutory grounds cited in the trial court’s judgment, the California court held that the Equal Protection Clause of the Fourteenth Amendment required that “no applicant may be rejected because of his race, in favor of another who is less qualified, as measured by standards applied without regard to race.”

Turning to Bakke’s appeal, the court ruled that since Bakke had established that the University had discriminated against him on the basis of his race, the burden of proof shifted to the University to demonstrate that he would not have been admitted even in the absence of the special admissions program. The court analogized Bakke’s situation to that of a plaintiff under Title VII of the Civil Rights Act of 1964. On this basis, the court initially ordered a remand for the purpose of determining whether, under the newly allocated burden of proof, Bakke would have been admitted to either the 1973 or the 1974 entering class in the absence of the special admissions program. In its petition for rehearing below, however, the University conceded its inability to carry that burden. California court thereupon amended its opinion to direct that the trial court enter judgment ordering Bakke’s admission to the Medical School. That order was stayed pending review in this Court. We granted certiorari to consider the important constitutional issue. …

V

Accordingly, we would reverse the judgment of the Supreme Court of California holding the Medical School’s special admissions program unconstitutional and directing respondent’s admission, as well as that portion of the judgment enjoining the Medical School from according any consideration to race in the admissions process.

* * *

The Case for Affirmative Action
By Charles J. Ogletree Jr.

My dreams became reality as a result of my Stanford education. My father, who grew up in Birmingham, Ala., and my mother, a native of Little Rock, Ark., never finished high school. They grew up in a segregated South that offered few opportunities and many obstacles for African Americans. I grew up in Merced, Calif., in an environment where many of my peers viewed merely staying alive and getting a job as a successful course in life. But, with a push from my parents, I was determined to be the first in my
family to attend college. With help from high school counselors, I discovered Stanford. And thanks to an aggressive minority outreach program by the admissions office, I was given the opportunity of a first-rate education. Without affirmative action, I would never have applied to, and certainly would not have attended, Stanford.

We must keep affirmative action—and keep refining it. It is a small but significant way to compensate victims of slavery, Jim Crow laws, discrimination and immigration restrictions. It is also a means to assure that institutions such as Stanford will celebrate and foster that which they simply cannot avoid: diversity in a democratic society. Affirmative action admissions policies seek to realign the balance of power and opportunity by doing what is, at heart, quite simple: affirmatively including the formerly excluded.

There are critics of affirmative action who claim it is no longer needed, or unfairly discriminates “in reverse” or “stigmatizes” admitted minority students. I disagree. Those who claim affirmative action is no longer needed believe that the field has been leveled. But they ignore alarming figures. Last year, only 1,455 African Americans received PhDs in the United States. During the same year, 24,608 whites were awarded PhDs. The truth is that while America has made progress on racial issues, these changes are recent, vulnerable to being reversed and in fact nowhere near completed.

Those who cry “reverse discrimination” base their views almost exclusively on a belief that minority test scores are too low. But they fail to acknowledge that test scores and subsequent performance in college have a correlation that is, to say the least, inexact. When we insist on test scores as an ultimate measure of merit, we exclude, once again, students who have not had access to good public education or to funds that pay for preparatory courses for those tests. We exclude those who, given the opportunity, will display their ability.

Finally, those who would eradicate affirmative action because it “stigmatizes” minorities have two flaws in their argument. Stigma is the product of racist attitudes that still persist today. As a result, killing affirmative action would do little, probably nothing, to ameliorate the stigmatization of minorities. Indeed, one wonders, even for the few whom affirmative action might arguably stigmatize: Would they feel better and achieve more being excluded from a good education entirely? That question ties into the second flaw in the “stigmatization” argument: Opponents rely on the exceptional case, not the rule. (Just as they tend to point to the minuscule number of failures rather than the many successes.) The majority of minorities strongly favor affirmative action because of the benefits and opportunities it affords.

I was attracted to Stanford precisely because of its affirmative action programs. Here was an institution that clearly recognized that some people enter life with different abilities and opportunities, and that standardized tests were not the only way to judge issues of character, creativity and intellectual promise. When I arrived on campus, I found there was no affirmative action in course selection or grading. I was expected to compete with my peers on an equal basis. I learned that success was not automatic. I
got my bachelor’s degree in three years and graduated with distinction. I spent my fourth year obtaining my master’s degree, and giving serious thought to the next stages of life.

The experiences of many of my minority classmates is a ringing endorsement of affirmative action. Most came from families where the parents had not gone to college, and many were from single-parent households. Moreover, many went on to become successful doctors, lawyers and business leaders, and others are prominent school teachers, public servants and entrepreneurs.

It is my hope that one day we will no longer need affirmative action. As our society becomes more diverse, the need for specific programs aimed at targeted groups will obviously diminish. However, that time has not yet arrived. My two teenage children, who are both college bound, are far better qualified to navigate the educational waters than I was 25 years ago. Despite this laudable progress, they are still judged in everyday life, by race. They are constantly reminded by comments, innuendo and circumstances of their ethnicity precisely because we have not been able as a society to overcome the issues of race.

The affirmative action policies promoted by Stanford recognize that, for more than 300 years, African Americans were treated differently because of their race. The important efforts over the course of the past 30 years by government and private institutions have gone a considerable distance in facing up to this history. It will not take 300 years, or even 100 years, to address the sad legacy of our nation’s past. We have made a lot of progress. This is no time to turn back.

* * *


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“Affirmative Action”: A Worldwide Disaster

Thomas Sowell

Arguments for and against “affirmative action” have raged for about twenty years in the United States. Similar arguments have provoked controversy—and even bloodshed—for a longer or a shorter period, in the most disparate societies, scattered around the world. India, Nigeria, Australia, Guyana, Malaysia, Sri Lanka, Pakistan, and Indonesia are just some of the countries where some groups receive official, government-sanctioned preferences over others. While the American phrase “affirmative action” is used in Australia and Canada, other countries have used a variety of other phrases, such as “positive discrimination” (India), “sons of the soil” preferences (Indonesia, Malaysia), “standardization” (Sri Lanka), or “reflecting the federal character” of the country (Nigeria). The same general principle of government
apportionment of coveted positions, to supersede the competition of the marketplace or of academia, was of course also embodied in the *numerus clausus* laws used to restrict the opportunities of Jews in prewar Central and Eastern Europe.

The countries with preferential policies have varied enormously in cultural, political, economic, and other ways. The groups receiving preferences have likewise varied greatly, from locally or nationally dominant groups in some countries to the poorest and most abject groups, such as the untouchables of India. Such vast disparities in settings and people make it all the more striking that there are common patterns among these countries—patterns with serious implications for “affirmative-action” policies in the United States. Among these patterns are the following:

1. Preferential programs, even when explicitly and repeatedly defined as “temporary,” have tended not only to persist but also to expand in scope, either embracing more groups or spreading to wider realms for the same groups, or both. Even preferential programs established with legally mandated cut-off dates, as in India and Pakistan, have continued far past those dates by subsequent extensions.

2. Within the groups designated by government as recipients of preferential treatment, the benefits have usually gone disproportionately to those members already more fortunate.

3. Group polarization has tended to increase in the wake of preferential programs, with non-preferred groups reacting adversely, in ways ranging from political backlash to mob violence and civil war.

4. Fraudulent claims of belonging to the designated beneficiary groups have been widespread and have taken many forms in various countries.

In the United States, as in other countries around the world, the empirical consequences of preferential policies have received much less attention than the rationales and goals of such policies. Too often these rationales and goals have been sufficient unto themselves, both in the political arena and in courts of law. Without even an attempt at empirical assessment of costs versus benefits, with no attempt to pinpoint either losers or gainers, discussions of preferential policies are often exercises in assertion, counter-assertion, and accusation. Illusions flourish in such an atmosphere. So do the disappointments and bitterness to which illusions lead.

Foremost among these illusions is the belief that group “disparities” in “representation” are suspect anomalies that can be corrected by having the government temporarily apportion places on the basis of group membership. Every aspect of this belief fails the test of evidence, in country after country. The prime moral illusion is that preferential policies compensate for wrongs suffered. This belief has been supported only by a thin veneer of emotional rhetoric, seldom examined but often reiterated.

*Statistical Disparities*
Equally nebulous are the assumptions about the statistical “disparities” and “imbalances” that preferential policies are supposed to correct.

The idea that large statistical disparities between groups are unusual—and therefore suspicious—is commonplace, but only among those who have not bothered to study the history of racial, ethnic, and other groups in countries around the world. Among leading scholars who have in fact devoted years of research to such matters, a radically different picture emerges. Donald L. Horowitz of Duke University, at the end of a massive and masterful international study of ethnic groups—a study highly praised in scholarly journals—examined the idea of a society where groups are “proportionately represented” at different levels and in different sectors. He concluded that “few, if any, societies have ever approximated this description.”

A worldwide study of military forces and police forces by Cynthia Enloe of Clark University likewise concluded that “militaries fall far short of mirroring, even roughly, the multi-ethnic societies” from which they come. Moreover, just “as one is unlikely to find a police force or a military that mirrors its plural society, so one is unlikely to find a representative bureaucracy.” One reason is that “it is common for different groups to rely on different mobility ladders.” Some choose the military, some the bureaucracy, and some various parts of the private sector. Even within the military, different branches tend to have very different racial or ethnic compositions—the Afrikaners, for example, being slightly underrepresented in the South African navy and greatly overrepresented in the South African army, though their utter dominance in the government ensures that they cannot be discriminated against in either branch. Powerless minorities have likewise been greatly over-represented or even dominant in particular branches of the military or the police—the Chinese in Malaysia’s air force and among detectives in the police force, for example.

In the private sector as well, it is commonplace for minorities to be overrepresented, or even dominant, in competitive industries where they have no power to prevent others from establishing rival businesses. Jewish prominence in the clothing industry, not only in the United States, but in Argentina and Chile as well, did not reflect any ability to prevent other Americans, Argentines, or Chileans from manufacturing garments, but simply the advantages of the Jews’ having brought needle-trade skills and experience with them from Eastern Europe. The fact that Jews owned more than half the clothing stores in mid-19th-century Melbourne likewise reflected that same advantage, rather than any ability to forbid other Australians from selling clothes. In a similar way, German minorities have been dominant as pioneers in piano manufacturing in colonial America, czarist Russia, Australia, France, and England. Italian fishermen, Japanese farmers, and Irish politicians have been among many other minority groups with special success in special fields in various countries, without any ability to keep out others.

Another distinguished scholar who has studied multi-ethnic societies around the world, Myron Weiner of MIT, refers to “the universality of ethnic inequality.” He points out that those inequalities are multidimensional:
All multi-ethnic societies exhibit a tendency for ethnic groups to engage in different occupations, have different levels (and, often, types) of education, receive different incomes, and occupy a different place in the social hierarchy.

Yet the pattern Professor Weiner has seen, after years of research, as a “universality” is routinely assumed to be an anomaly, not only by preferential-policy advocates, but also by the intelligentsia, the media, legislators, and judges—all of whom tend to assume, as a norm, what Professor Horowitz has found to exist (or even to be approximated) in “few, if any, societies.” That what exists widely across the planet is regarded as an anomaly, while what exists virtually nowhere is regarded as a norm, is a tribute to the effectiveness of sheer reiteration in establishing a vision—and of the difficulties of dispelling a prevailing vision by facts.

Some might try to salvage the statistical argument for discrimination by describing discrimination as also being universal. But, to repeat, groups who are in no position to discriminate against anybody have often been overrepresented in coveted positions—the Chinese in Malaysian universities, the Tamils in Sri Lankan universities, the southerners in Nigerian universities, all during the 1960’s, and Asians in American universities today being just some of the minorities of whom this has been true. All sorts of other powerless minorities have dominated particular industries or sectors of the economy, the intellectual community, or government employment. Among businessmen, India’s Gujaratis in East Africa, the Lebanese in West Africa, the Chinese in Southeast Asia, the Jews in Eastern Europe, and Koreans and Vietnamese in black ghettos across the United States are just some examples. Among high government officials, the Germans were greatly over-represented in czarist Russia, as were Christians in the Ottoman empire. Among intellectuals, the Scots were as dominant in 18th- and 19th-century Britain as the Jews have been in other parts of Europe. In short, large statistical disparities have been commonplace, both in the presence of discrimination and in its absence. Indeed, large disparities have been commonplace in the utilization of preferential programs designed to reduce disparities.

The intellectual and political coup of those who promote the randomness assumption is to put the burden of proof entirely on others. It is not merely the individual employer, for example, who must disprove this assumption in his own particular case in order to escape a charge of discrimination. All who oppose the randomness assumption find themselves confronted with the task of disproving an elusive plausibility, for which no evidence is offered. As for counter-evidence, no enumeration of the myriad ways in which groups are grossly disparate—in age of marriage, alcohol consumption, immigration patterns, performance in sports, performance on tests—can ever be conclusive, even when extended past the point where the patience of the audience is exhausted.

Those viscerally convinced of the pervasiveness of discrimination and its potency as an explanation of social disparities—and convinced also of the effectiveness of preferential policies as a remedy—are little troubled by the logical shakiness of the statistical evidence. That is all the more reason for others to be doubly troubled—not simply
because an incorrect policy may be followed but also, and more importantly, because actions ostensibly based on the rule of law are in substance based on visceral convictions, the essence of lynch law.

*Statistical “Control” and “Explanation”*

Those who regard income differences or occupational differences among groups as evidence of discrimination recognize that groups also differ in education, job experience, and other factors that affect such results as incomes and occupations. However, by comparing individuals with the same education, the same job experience, etc., who belong to different racial or ethnic groups, they treat the remaining differentials in pay or occupational status as evidence of discrimination and as a rough measure of its magnitude. In principle, this process of statistically controlling variables that affect outcomes is logical and reasonable. It is only in practice that serious problems arise because we simply do not know enough to do what we are trying to do or claiming to do.

A 1982 study by the U.S. Commission on Civil Rights, for example, recognized that differences in age and education affect incomes but considered that its study of intergroup economic differences was “controlling for such factors” when it compared individuals of the same age and with the same number of years of schooling. Unfortunately, education is one of many multidimensional variables. Education varies not only in number of years, but also qualitatively, according to the caliber of the institution in which the education was received, the performance of the student receiving the education, and the kind of field in which the student specializes. Seldom are statistical data sufficiently detailed to permit holding all these dimensions of education constant. Moreover, qualitative variables such as the caliber of the institution are difficult to quantify and impossible to quantify with precision.

One way of dealing with this complication is to ignore the multidimensional nature of education, by either explicitly or implicitly assuming that these individual variations more or less cancel out when comparing thousands of people. However, individuals from different racial or ethnic groups differ not only randomly but also systematically. For example, groups with significantly lower quantities of education tend to have lower qualities of education as well, whether quality is measured by individual performance, institutional ranking, or the prestige and remuneration of the fields of specialization. This pattern is found, whether comparing Chinese versus Malays in Malaysia, Tamils versus Sinhalese in Sri Lanka, European and American Jews versus North African and Middle Eastern Jews in Israel, caste Hindus versus untouchables in India, or whites versus blacks or Hispanics in the United States. Thus, what is called the “same” education in intergroup statistical comparisons is often not even approximately the same education in reality.

*Statistical Trends*

Where the benefits of “affirmative action” are not simply regarded as axiomatic, they are too often based on a partial reading of statistical trends. “Before” and “after”
comparisons abound, to show that minority representation in this or that institution or sector—or in desirable jobs throughout the economy—has increased in the wake of preferential policies. This might be valid in a static world, to which “change” was added—which seems to be the kind of world envisioned by those using that approach. However, such a vision bears little resemblance to the real world, in which affirmative action has been just one of innumerable social changes, including many going back much farther than preferential policies.

The proportions of blacks in professional and other high-level occupations increased substantially in the decade following passage of the Civil Rights Act of 1964—a fact often cited as evidence of its effectiveness in the economy. What is almost never cited is the fact that the proportions of blacks in such occupations rose even more substantially in the decade preceding passage of the Civil Rights Act of 1964. Nor were blacks unique. The incomes of Chinese Americans, Japanese Americans, and Mexican Americans all rose, both absolutely and relative to the incomes of whites, in the decade preceding passage of the Civil Rights Act of 1964. This was not a static world, to which “change” was added, but a world of trends already in motion. Moreover, the kinds of social trends that preceded preferential policies were by no means unique to the United States.

In a number of countries around the world, it has been precisely the rise of a newly-educated and upwardly-mobile class among previously lagging groups that provided the political impetus to demands for preferential policies. In Bombay, capital of India’s state of Maharashtra, the “marked advancement of the Maharashtrians occurred prior to the stringent policy measures adopted by the state government” to promote preferential hiring, according to a scholarly study. In part this reflected a prior “enormous growth in school enrollments” in Maharashtra and a “rapid expansion in college enrollment”—also prior to preferences. A similar growth of an indigenous, newly-educated class in Poland, Czechoslovakia, and Lithuania during the years between the two world wars led to demands for preferential policies in the form of group quotas to relieve them from having to compete with Jews. Likewise, in Nigeria, it was the recent growth of an educated class in the north that led to demands for preferential policies to relieve them from having to compete with more educated southern Nigerians. This same pattern of a rising educated class prior to the preferential policies that they promote can also be found in Indonesia, Sri Lanka, Malaysia, the Quebec province of Canada, and much of sub-Saharan Africa.

A serious assessment of preferential policies cannot ignore preexisting trends. Neither can it generalize from trends in particular sectors to national trends. Even in countries where nationwide data on the economic position of officially preferred groups show little or no improvement, nevertheless improvements in particular sectors may be dramatic. For example, increased employment of officially preferred groups at higher levels may be much more striking in government agencies and in government-related parts of the private sector than in the economy as a whole. This pattern has been visible at various periods in India, Poland, Malaysia, Hungary, Sri Lanka, and the United States. But this is hardly decisive evidence of the effectiveness of such policies when nationwide data tell a very different story.
In the United States, stories and statistics abound as to how the number of blacks employed in particular institutions increased dramatically during the 1970’s—often in government agencies or in firms with government contracts that made them subject to federal “guidelines.” However, the employment of blacks by private firms without government contracts actually declined between 1970 and 1980. What were, from the viewpoint of the economy, transfers of people were seen from the viewpoint of particular institutions as dramatic increases. It is one of the elementary fallacies to generalize from a part to the whole, whether it is called “the fallacy of composition” or the story of the blind men feeling different parts of an elephant.

Assumptions as Law

Flaws in logic or evidence are unfortunate in intellectual speculation but they are far more serious in courts of law, where major penalties may be inflicted on those whose employees or students, for example, do not have a racial or ethnic composition that meets the preconceptions of other people. Some U.S. Supreme Court Justices have repeatedly treated statistical disparities as tantamount to discrimination and assumed the task of restoring groups to where they would have been otherwise. Even where group disparities in “representation” reflect demonstrable performance disparities, these performance disparities themselves have been taken as proof of societal discrimination. Thus, in the Weber case, Justice Harry Blackmun declared that there could be “little doubt that any lack of skill” on the part of minority workers competing with Brian Weber “has its roots in purposeful discrimination of the past.” In the Bakke case, four Justices declared that the failure of minority medical-school applicants to perform as well as Allan Bakke “was due principally to the effects of past discrimination.” The Court’s task, therefore, was one of “putting minority applicants in the position they would have been in if not for the evil of racial discrimination.”

All this presupposes a range of knowledge that no one has ever possessed. Ironically, this sweeping assumption of knowledge has been combined with an apparent ignorance of vast disparities in performance, disparities favoring groups with no power to discriminate against anybody. From such judicial speculation it is only a short step to the idea of restoring groups to where they would have been—and what they would have been—but for the offending discrimination.

What would the average Englishman be like today “but for” the Norman conquest? What would the average Japanese be like “but for” the enforced isolation of Japan for two-and-a-half centuries under the Tokugawa shoguns? What would the Middle East be like “but for” the emergence of Islam? In any other context besides preferential-policy issues, the presumption of knowing the answers to such questions would be regarded as ridiculous, even as intellectual speculation, much less as a basis for serious legal action.

To know how one group’s employment, education, or other pattern differs statistically from another’s is usually easy. What is difficult to know are the many variables determining the interest, skill, and performance of those individuals from various groups who are being considered for particular jobs, roles, or institutions. What is virtually impossible to know are the patterns that would exist in a non-discriminatory
world—the deviations from which would indicate the existence and magnitude of discrimination.

Age distribution and geographic distribution are only two very simple factors which can play havoc with the assumption that groups would be evenly or randomly distributed in occupations and institutions, in the absence of discrimination. When one group’s median age is a decade younger than another’s—not at all uncommon—that alone may be enough to cause the younger group to be statistically “overrepresented” in sports, crime, and entry-level jobs, as well as in those kinds of diseases and accidents that are more prevalent among the young, while the older group is over-represented in homes for the elderly, in the kinds of jobs requiring long years of experience, and in the kinds of diseases and accidents especially prevalent among older people.

Another very simple factor operating against an even “representation” of groups is that many ethnic groups are distributed geographically in patterns differing from one another. It would be unlikely that American ethnic groups concentrated in cold states like Minnesota and Wisconsin would be as well represented among citrus growers and tennis players as they are on hockey teams and among skiers. It is also unlikely that groups concentrated in land-locked states would be equally represented in maritime activities, or that groups from regions lacking mineral deposits would be as well-represented among miners or in other occupations associated with extractive industries as groups located in Pennsylvania or West Virginia.

Differences in geographic concentrations among racial and ethnic groups are by no means confined to the U.S. In Brazil, people of German and Japanese ancestry are concentrated in the south. In Switzerland, whole regions are predominantly French, German, or Italian. In countries around the world, an overwhelming majority of the Chinese or the Jewish population is heavily concentrated in a few major cities—often in just one city in a given country. Group differences in geographical distribution can reach right down to the neighborhood level or even to particular streets. In Buenos Aires, people of Italian ancestry have concentrated in particular neighborhoods or on particular streets, according to the places of their own or their ancestral origins in Italy. In Bombay, people from different parts of India are likewise concentrated in particular neighborhoods or on particular streets.

Lest the point be misunderstood, while these two simple and obvious factors—age and location—are capable of disrupting the even “representation” that many assume to exist in the absence of discrimination, there are also innumerable other factors, of varying degrees of complexity and influence, that can do the same. Moreover, differences in age and location may play a significant role in explaining some socioeconomic differences between some groups but not other socioeconomic differences between those groups, or among other groups. The purpose here is not to pinpoint the reasons for intergroup differences—or even to assume that they can all be pinpointed—but rather to show how arbitrary and unfounded is the assumption that groups would be evenly “represented,” in the absence of discrimination. Precisely because the known differences among groups are large and multidimensional, the presumption of weighing
these differences so comprehensively and accurately as to know where some group would be “but for” discrimination approaches hubris.

Even the more modest goal of knowing the general direction of the deviation of a group’s position from where it would have been without discrimination is by no means necessarily achievable. What are the “effects” of centuries of injustice, punctuated by recurring outbursts of lethal mass violence, against the overseas Chinese in Southeast Asia or against the Jews in Europe? Both groups are generally more prosperous than their persecutors. Would they have been still more prosperous in the absence of such adversity? Perhaps—but many peoples with a long history of peace, and with prosperity supplied by nature itself, have quietly stagnated. This is not to say that the Jews and the Chinese would have done so. It is only to say that we do not know and cannot know. No amount of good intentions will make us omniscient. No fervent invocation of “social justice” will supply the missing knowledge.

Honors

Nowhere is control more illusory than in the awarding of honors, whose very meaning and effect depend upon other people’s opinions. Preferential honors for members of particular groups can easily render suspect not only those particular honors but also honors fully merited and awarded after free and open competition. If one-fifth of the honors received by preferred groups are awarded under double standards, the other four-fifths are almost certain to fall under a cloud of suspicion as well, if only because some of those who lost out in the competition would prefer to believe that they were not bested fairly. It is by no means clear that more real honors—which are ultimately other people’s opinions—will come to a group preferentially given awards. Preferential honors can in practice mean a moratorium on recognition of the group’s achievements, which can be confounded with patronage or pay-offs. This need not inevitably be so. The point is that the matter is out of the control of those who decide award policy, and in the hands of others observing the outcomes and deciding what to make of them.

Honor is more than a sop to personal vanity. It is a powerful incentive which accomplishes many social tasks, including tasks that are too arduous and dangerous to be compensated by money—even inducing individuals in crisis situations to sacrifice their lives for the greater good of others. In more mundane matters, honor and respect from one’s colleagues and subordinates are important and sometimes indispensable aids, without which even the most talented and conscientious individuals sometimes cannot fulfill their promise. To jeopardize the respect and recognition of individuals from preferred groups by rewarding “honors” tainted with double standards is not only to downgrade their own achievements but also to downgrade their chances of accomplishing those achievements in the first place. For example, minority faculty members have often complained about a lack of intellectual and research interaction with their colleagues, and of being thought of as “affirmative-action” professors. After the media revealed that black students were admitted to the Harvard Medical School with lower qualifications, white patients began to refuse to be examined by such students. The negative effects of tainted honors are by no means limited to academia.
Historical Compensation

The wrongs of history have been invoked by many groups in many countries as a moral claim for contemporary compensation. Much emotional fervor goes into such claims but the question here is about their logic or morality. Assuming for the sake of argument that the historical claims are factually correct, which may not be the case in all countries, to transfer benefits between two groups of living contemporaries because of what happened between two sets of dead people is to raise the question whether any sufferer is in fact being compensated. Only where both wrongs and compensation are viewed as collectivized and inheritable does redressing the wrongs of history have a moral, or even a logical, basis.

The biological continuity of the generations lends plausibility to the notion of group compensation—but only if guilt can be inherited. Otherwise there are simply windfall gains and windfall losses among contemporaries, according to the accident of their antecedents. Moreover, few people would accept this as a general principle to be applied consistently, however much they may advocate it out of compassion (or guilt) over the fate of particular unfortunates. No one would advocate that today’s Jews are morally entitled to put today’s Germans in concentration camps, in compensation for the Nazi Holocaust. Most people would not only be horrified at any such suggestion but would also regard it as a second act of gross immorality, in no way compensating the first, but simply adding to the sum total of human sins.

Sometimes a more sociological, rather than moral, claim is made that living contemporaries are suffering from the effects of past wrongs and that it is these effects which must be offset by compensatory preferences. Tempting as it is to imagine that the contemporary troubles of historically wronged groups are due to those wrongs, this is confusing causation with morality. The contemporary socioeconomic position of groups in a given society often bears no relationship to the historic wrongs they have suffered. Both in Canada and in the United States, the Japanese have significantly higher incomes than the whites, who have a documented history of severe anti-Japanese discrimination in both countries. The same story could be told of the Chinese in Malaysia, Indonesia, and many other countries around the world, of the Jews in countries with virulent anti-Semitism, and a wide variety of other groups in a wide variety of other countries. Among poorer groups as well, the level of poverty often has little correlation with the degree of oppression. No one would claim that the historic wrongs suffered by Puerto Ricans in the United States exceed those suffered by blacks, but the average Puerto Rican income is lower than the average income of blacks.

None of this proves that historic wrongs have no contemporary effects. Rather, it is a statement about the limitations of our knowledge, which is grossly inadequate to the task undertaken and likely to remain so. To pretend to disentangle the innumerable sources of intergroup differences is an exercise in hubris rather than morality.

As one contemporary example of how easy it is to go astray in such efforts, it was repeated for years that the high rate of single-parent, teenage pregnancy among blacks was “a legacy of slavery.” Evidence was neither asked nor given. But when serious
scholarly research was finally done on this subject, the evidence devastated this widely held belief. The vast majority of black children grew up in two-parent homes, even under slavery itself, and for generations thereafter. The current levels of single-parent, teenage pregnancy are a phenomenon of the last half of the 20th century and are a disaster that has also struck groups with wholly different histories from that of blacks. Passionate commitment to “social justice” can never be a substitute for knowing what you are talking about.

Those who attribute any part of the socioeconomic fate of any group to factors internal to that group are often accused of “blaming the victim.” This may sometimes be part of an attempt to salvage the historical-compensation principle but it deserves separate treatment.

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Source: Commentary, 1989.

**An Open Letter to Bill Bennett**

By Milton Friedman

Milton Friedman was Senior Research Fellow at the Hoover Institution at Stanford University and Professor Emeritus of Economics at the University of Chicago. He was awarded the Nobel Prize in economics in 1976.

**Dear Bill:**

In Oliver Cromwell’s eloquent words, “I beseech you, in the bowels of Christ, think it possible you may be mistaken” about the course you and President Bush urge us to adopt to fight drugs. The path you propose of more police, more jails, use of the military in foreign countries, harsh penalties for drug users, and a whole panoply of repressive measures can only make a bad situation worse. The drug war cannot be won by those tactics without undermining the human liberty and individual freedom that you and I cherish.

You are not mistaken in believing that drugs are a scourge that is devastating our society. You are not mistaken in believing that drugs are tearing asunder our social fabric, ruining the lives of many young people, and imposing heavy costs on some of the most disadvantaged among us. You are not mistaken in believing that the majority of the public share your concerns. In short, you are not mistaken in the end you seek to achieve.

Your mistake is failing to recognize that the very measures you favor are a major source of the evils you deplore. Of course the problem is demand, but it is not only demand, it is demand that must operate through repressed and illegal channels. Illegality creates obscene profits that finance the murderous tactics of the drug lords; illegality leads to the corruption of law enforcement officials; illegality monopolizes the efforts of honest law forces so that they are starved for resources to fight the simpler crimes of robbery, theft and assault.
Drugs are a tragedy for addicts. But criminalizing their use converts that tragedy into a disaster for society, for users and non-users alike. Our experience with the prohibition of drugs is a replay of our experience with the prohibition of alcoholic beverages.

I append excerpts from a column that I wrote in 1972 on “Prohibition and Drugs.” The major problem then was heroin from Marseilles: today it is cocaine from Latin America. Today, also, the problem is far more serious than it was 17 years ago: more addicts, more innocent victims; more drug pushers, more law enforcement officials; more money spent to enforce prohibition, more money spent to circumvent prohibition.

Had drugs been decriminalized 17 years ago, “crack” would never have been invented (it was invented because the high cost of illegal drugs made it profitable to provide a cheaper version) and there would today be far fewer addicts. The lives of thousands, perhaps hundreds of thousands of innocent victims would have been saved, and not only in the U.S. The ghettos of our major cities would not be drug-and-crime-infested no-man’s lands. Fewer people would be in jails, and fewer jails would have been built.

Colombia, Bolivia and Peru would not be suffering from narco-terror, and we would not be distorting our foreign policy because of narco-terror. Hell would not, in the words with which Billy Sunday welcomed Prohibition, “be forever for rent,” but it would be a lot emptier.

Decriminalizing drugs is even more urgent now than in 1972, but we must recognize that the harm done in the interim cannot be wiped out, certainly not immediately. Postponing decriminalization will only make matters worse, and make the problem appear even more intractable.

Alcohol and tobacco cause many deaths in users than do drugs. Decriminalizing them would not prevent us from treating drugs as we now treat alcohol and tobacco: prohibiting sales of drugs to minors, outlawing the advertising of drugs and similar measures. Such measures could be enforced, while outright prohibition cannot be. Moreover, if even a small fraction of the money we now spend on trying to enforce drug prohibition were devoted to treatment and rehabilitation, in an atmosphere of compassion not punishment, the reduction in drug usage and in the harm done to the users could be dramatic.

This plea comes from the bottom of my heart. Every friend of freedom, and I know you are one, must be as revolted as I am by the prospect of turning the United States into an armed camp, by the vision of jails filled with casual drug users and of an army of enforcers empowered to invade the liberty of citizens on slight evidence. A country in which shooting down unidentified planes “on suspicion” can be seriously considered as a drug-war tactic is not the kind of United States that either you or I want to hand on to future generations.

Milton Friedman

Senior Research Fellow, Hoover Institution, Stanford University

Flashback

This is a truncated version of a column by Mr. Friedman in Newsweek’s May 1, 1972, issue, as President Nixon was undertaking an earlier “drug war.”
“The reign of tears is over. The slums will soon be only a memory. We will turn our prisons into factories and our jails into storehouses and corncribs. Men will walk upright now, women will smile, and the children will laugh. Hell will be forever for rent.”

That is how Billy Sunday, the noted evangelist and leading crusader against Demon Rum, greeted the onset of Prohibition in early 1920.

We know now how tragically his hopes were doomed.

Prohibition is an attempted cure that makes matters worse—for both the addict and the rest of us.

Consider first the addict. Legalizing drugs might increase the number of addicts, but it is not clear that it would. Forbidden fruit is attractive, particularly to the young. More important, many drug addicts are deliberately made by pushers, who give likely prospects that first few doses free. It pays the pusher to do so because, once hooked, the addict is a captive customer. If drugs were legally available, any possible profit from such inhumane activity would disappear, since the addict could buy from the cheapest source.

Whatever happens to the number of addicts, the individual addict would clearly be far better off if drugs were legal. Addicts are driven to associate with criminals to get the drugs, become criminals themselves to finance the habit, and risk constant danger of death and disease.

Consider next the rest of us. The harm to us from the addiction of others arises almost wholly from the fact that drugs are illegal. It is estimated that addicts commit one third to one half of all street crime in the U.S.

Legalize drugs, and Street crime would drop dramatically.

Moreover, addicts and pushers are not the only ones corrupted. Immense sums are at stake. It is inevitable that some relatively low-paid police and other government officials—and some high-paid ones as well—will succumb to the temptation to pick up easy money.

Legalizing drugs would simultaneously reduce the amount of crime and raise the quality of law enforcement. Can you conceive of any other measure that would accomplish so much to promote law and order?

In drugs, as in other areas, persuasion and example are likely to be far more effective than the use of force to shape others in our image.

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A Response to Milton Friedman

By William J. Bennett

William J. Bennett was Research Fellow at the American Enterprise Institute. He has served as Director of the Office of National Drug Control Policy and as U.S. Secretary of Education.

Dear Milton:
There was little, if anything, new in your open letter to me calling for the legalization of drugs (The Wall Street Journal, Sept. 7). As the excerpt from your 1972 article made clear, the legalization argument is an old and familiar one, which has recently been revived by a small number of journalists and academics who insist that the only solution to the drug problem is no solution at all. What surprises me is that you would continue to advocate so unrealistic a proposal without pausing to consider seriously its consequences.

If the argument for drug legalization has one virtue it is its sheer simplicity. Eliminate laws against drugs, and street crime will disappear. Take the profit out of the black market through decriminalization and regulation, and poor neighborhoods will no longer be victimized by drug dealers. Cut back on drug enforcement, and use the money to wage a public health campaign against drugs, as we do with tobacco and alcohol.

**Counting Costs**

The basic premise of all these propositions is that using our nation’s laws to fight drugs is too costly. To be sure, our attempts to reduce drug use do carry with them enormous costs. But the question that must be asked—and which is totally ignored by the legalization advocates—is what are the costs of not enforcing laws against drugs?

In my judgment, and in the judgment of virtually every serious scholar in this field, the potential costs of legalizing drugs would be so large as to make it a public policy disaster.

Of course, no one, including you, can say with certainty what would happen in the U.S. if drugs were suddenly to become a readily purchased product. We do know, however, that wherever drugs have been cheaper and more easily obtained, drug use—and addiction—has skyrocketed. In opium and cocaine-producing countries, addiction is rampant among the peasants involved in drug production.

Professor James Q. Wilson tells us that during the years in which heroin could be legally prescribed by doctors in Britain, the number of addicts increased forty-fold. And after the repeal of Prohibition—an analogy favored but misunderstood by legalization advocates—consumption of alcohol soared by 350%.

Could we afford such dramatic increases in drug use? I doubt it. Already the toll of drug use on American society—measured in lost productivity, in rising health insurance costs, in hospitals flooded with drug overdose emergencies, in drug-caused accidents, and in premature death—is surely more than we would like to bear.

You seem to believe that by spending just a little more money on treatment and rehabilitation, the costs of increased addiction can be avoided. That hope betrays a basic misunderstanding of the problems facing drug treatment. Most addicts don’t suddenly decide to get help. They remain addicts either because treatment isn’t available or because they don’t seek it out. The National Drug Control Strategy announced by President Bush on Sept. 5 goes a long way in making sure that more treatment slots are available. But the simple fact remains that many drug users won’t enter treatment until they are forced to—often by the very criminal justice system you think is the source of the problem.

As for the connection between drugs and crime, your unswerving commitment to a legalization solution prevents you from appreciating the complexity of the drug market. Contrary to your claim, most addicts do not turn to crime to support their habit. Research shows that many of
them were involved in criminal activity before they turned to drugs. Many former addicts who have received treatment continue to commit crimes during their recovery. And even if drugs were legal. What evidence do you have that the habitual drug user wouldn’t continue to rob and steal to get money for clothes, food or shelter? Drug addicts always want more drugs than they can afford, and no legalization scheme has yet come up with a way of satisfying that appetite.

The National Drug Control Strategy emphasizes the importance of reclaiming the streets and neighborhoods where drugs have wrought havoc because, I admit, the price of having drug laws is having criminals who will try to subvert them. Your proposal might conceivably reduce the amount of gang- and dealer-related crime, but it is fanciful to suggest that it would make crime vanish. Unless you are willing to distribute drugs freely and widely, there will always be a black market to undercut the regulated one. And as for the potential addicts, for the school children and for the pregnant mothers, all of whom would find drugs more accessible and legally condoned, your proposal would offer nothing at all.

So I advocate a larger criminal justice system to take drug users off the streets and deter new users from becoming more deeply involved in so hazardous an activity. You suggest that such policies would turn the country ‘into an armed camp.’ Try telling that to the public housing tenants who enthusiastically support plans to enhance security in their buildings, or to the residents who applaud police when a local crack house is razed. They recognize that drug use is a threat to the individual liberty and domestic tranquility guaranteed by the Constitution.

I remain an ardent defender our nation’s laws against illegal drug use and our attempts to enforce them because I believe drug use is wrong. A true friend of freedom understands that government has a responsibility to craft and uphold laws that help educate citizens about right and wrong. That, at any rate, was the Founders’ view of our system of government.

**Liberal Ridicule**

Today this view is much ridiculed by liberal elites and entirely neglected by you. So while I cannot doubt the sincerity of your opinion legalization, I find it difficult to respect. The moral cost of legalizing drugs is great, but it is a cost that apparently lies outside the narrow scope of libertarian policy prescriptions.

I do not have a simple solution to the drug problem. I doubt that one exists. But I am committed to fighting the problem on several fronts through imaginative policies and hard work over a long period of time. As in the past, some of these efforts will work and some won’t. Your response, however, is to surrender and see what happened. To my mind that is irresponsible and reckless public policy. At a time when national intolerance for drug use is rapidly increasing, the legalization argument is a political anachronism. Its recent resurgence is, I trust, only a temporary distraction from the genuine debate on national drug policy.

**William J. Bennett**

*Director, Office of National Drug Control Policy*

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Eighteen Questions about Sex and Love

1. What is sex?
2. What is love?
3. What is the relationship between sex and love?
4. What are the values or benefits of sex? [Physical and psychological]
5. What are the costs or risks of sex? [Physical and psychological]
6. How much of sex is physical, emotional, and rational? [E.g., the psychological role of fantasies, list-making of preferred traits,]
7. Do men and women want the same things out of sex? [E.g., evolutionary psychology explanations, constructionist explanations]
8. How much commitment should sex involve? [E.g., open-ended, marriage, for the purpose of raising children]
9. Should sexual relationships be exclusive? [one-on-one, polyamory]
10. How much of one’s sexuality is biological, cultural, or a matter of one’s choices and character?
11. Is one’s sexual orientation (heterosexual, bi-sexual, homosexual) biological, cultural or a matter of choice and habit?
12. What is normal sex? [Sex that is healthy, moral, etc.]
13. What is sexual deviancy? [Sex that is unhealthy, immoral, etc.]
14. What is the legitimate range of sexual practice? [E.g., age differences, fetishes, orientation, activities, species]
15. What is pornography? [E.g., “erotica,” soft/hardcore, obscenity]
16. Is pornography healthy or harmful?
17. What is the ideal sex life? [E.g., romantic, promiscuity, procreative, chastity]
18. What role should the government have in individuals’ sex lives? [E.g., rights-violations (e.g., rape), censorship or not, regulations about age of consent, marriage, public displays of sexuality]

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Sex and Love—Three Ideals

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<th>Platonic love</th>
<th>Romantic love</th>
<th>Promiscuity</th>
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<td>Romantic love/sex is the ideal</td>
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Sex is bad and love is good
Sex is physical and love is spiritual
The physical is bad and the spiritual is good
The physical and the spiritual are different and opposed to each other
(All spirit, no physical)

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Valuing Love
By Nathaniel Branden

I do not know if there has ever been a time in history when the word love has been used so promiscuously as it is at present.

We are told constantly that we must “love” everyone. Leaders of movements declare that they “love” followers they have never met. Enthusiasts of personal-growth workshops and encounter-group weekends emerge from such experiences announcing that they “love” all people everywhere.

Just as a currency, in the process of becoming more and more inflated, has less and less purchasing power, so words, through an analogous process of inflation, through being used less and less discriminately, are progressively emptied of meaning.

It is possible to feel benevolence and goodwill toward human beings one does not know or does not know very well. It is not possible to feel love. Aristotle made this observation twenty-five hundred years ago, and we still need to remember it. In forgetting it, all we accomplish is the destruction of the concept of love.

Love by its very nature entails a process of selection, of discrimination. Love is our response to what represents our highest values. Love is a response to distinctive characteristics possessed by some beings but not by all. Otherwise, what would be the tribute of love?
If love between adults does not imply admiration, if it does not imply an appreciation of traits and qualities that the recipient of love possesses, what meaning or significance would love have and why would anyone consider it desirable?

In his book *The Art of Loving*, Erich Fromm wrote: “In essence, all human beings are identical. We are all part of One; we are One. This being so, it should not make any difference whom we love.”

Really? If we were to ask our lovers why they care for us, consider what our reaction would be if told, “Why shouldn’t I love you? All human beings are identical. Therefore, it doesn’t make any difference whom I love. So it might as well be you.” Not very inspiring, is it?

So I find the advocacy of “universal love” puzzling—if one takes words literally. Not everyone condemns sexual promiscuity, but I have never heard of anyone who hails it as an outstanding virtue.

But spiritual promiscuity? Is that an outstanding virtue? Why? Is the spirit so much less important than the body?

In commenting on this paradox, Ayn Rand wrote in *Atlas Shrugged:* “A morality that professes the belief that the values of the spirit are more precious than matter, a morality that teaches you to scorn a whore who gives her body indiscriminately to all men—the same morality demands that you surrender your soul in promiscuous love for all comers.”

My own impression is that people who talk of “loving” everyone are, in fact, expressing a wish or a plea that everyone love them. But to take love—above all, love between adults—seriously, to treat the concept with respect and distinguish it from generalized benevolence or goodwill, is to appreciate that it is a unique experience possible between some people but not between all.

Consider the case of romantic love. When two adults with significant spiritual and psychological affinities encounter each other, and if they have evolved to a decent level of maturity—if they are beyond the level of merely struggling to make their relationship “work”—then romantic love can become a pathway, not only to sexual and emotional happiness but also to higher reaches of human growth. It can become a context for a continuing encounter with the self, through the process of interaction with another self. Two consciousnesses, each dedicated to personal evolution, can provide an extraordinary stimulus and challenge to each other.

But such a possibility presupposes self-esteem. The first love affair we must consummate successfully is with ourselves; only then are we ready for a relationship with another. A person who feels unworthy and unlovable is not ready for romantic love.

Of course, there are other kinds of love besides romantic love. What I feel for my grandchildren is a different kind of love. What it has in common with romantic love,
however, is that I see in my grandchildren values and traits that touch my heart. But it
would be a corruption of language to say that I “love” my grandchildren the same as I
“love” children whom I do not even know. Whatever my feelings for other children, the
experience is entirely different.

Apart from what I feel for my wife—who is the highest value in my life—writing is my
paramount passion. What this means, practically, is that a good deal of my time and
energy is devoted to writing.

This has to do with living one’s values, not simply professing them.

You ask, “How do I bring love into my life?” My answer is that I focus day after day
principally on what I care most about in this world—on what I most respect and
admire. That is what I give my time and attention to.

Since my highest priorities are my marriage and my work, I give the greatest part of my
time and energy to them. With regard to my wife, I frequently communicate to her my
awareness of all the traits and characteristics in her that I so much love, respect,
appreciate, and admire.

We all want to be seen, understood, appreciated. I call this the need for the experience
of psychological visibility. I strive to make my wife feel visible to me.

I also spend a great deal of time thinking about the things I love. I am keenly aware of
how much there is in life to appreciate and enjoy. I dwell on that every day. I do not
take anything good in my life for granted.

I am always aware of our mortality. I know that if I love someone, the time to express it
is today. If I value something, the time to honor it is today.

* * *


United States Supreme Court

Furman v. Georgia

408 U. S. 238 (1972)

Argued January 17, 1972 and decided June 29, 1972

Syllabus

Imposition and carrying out of death penalty in these cases held to constitute cruel and unusual
punishment in violation of Eighth and Fourteenth Amendments.

[Background]
Furman, a black, killed a householder while seeking to enter the home at night. Furman shot the deceased through a closed door. He was 26 years old and had finished the sixth grade in school. Pending trial, he was committed to the Georgia Central State Hospital for a psychiatric examination on his plea of insanity tendered by court-appointed counsel. The superintendent reported that a unanimous staff diagnostic conference had concluded “that this patient should retain his present diagnosis of Mental Deficiency, Mild to Moderate, with Psychotic Episodes associated with Convulsive Disorder.” The physicians agreed that “at present the patient is not psychotic, but he is not capable of cooperating with his counsel in the preparation of his defense”; and the staff believed “that he is in need of further psychiatric hospitalization and treatment.”

We cannot say from facts disclosed in these records that these defendants were sentenced to death because they were black. Yet our task is not restricted to an effort to divine what motives impelled these death penalties. Rather, we deal with a system of law and of justice that leaves to the uncontrolled discretion of judges or juries the determination whether defendants committing these crimes should die or be imprisoned. Under these laws, no standards govern the selection of the penalty. People live or die, dependent on the whim of one man or of 12.

MR. JUSTICE BRENNAN, concurring.

The question presented in these cases is whether death is today a punishment for crime that is “cruel and unusual” and consequently, by virtue of the Eighth and Fourteenth Amendments, beyond the power of the State to inflict.

I

We have very little evidence of the Framers’ intent in including the Cruel and Unusual Punishments Clause among those restraints upon the new Government enumerated in the Bill of Rights. …

II

Ours would indeed be a simple task were we required merely to measure a challenged punishment against those that history has long condemned. That narrow and unwarranted view of the Clause, however, was left behind with the 19th century. Our task today is more complex. We know “that the words of the [Clause] are not precise, and that their scope is not static.” We know, therefore, that the Clause “must draw its meaning from the evolving standards of decency that mark the progress of a maturing society.” That knowledge, of course, is but the beginning of the inquiry. …

The primary principle is that a punishment must not be so severe as to be degrading to the dignity of human beings. Pain, certainly, may be a factor in the judgment. The infliction of an extremely severe punishment will often entail physical suffering. Yet the Framers also knew “that there could be exercises of cruelty by laws other than those which inflicted bodily pain or mutilation.” Even though “[t]here may be involved no physical mistreatment, no primitive torture,” severe mental pain may be inherent in the infliction of a particular punishment.

More than the presence of pain, however, is comprehended in the judgment that the extreme severity of a punishment makes it degrading to the dignity of human beings. The barbaric punishments condemned by history, “punishments which inflict torture, such as the rack, the thumbscrew, the iron boot, the stretching of limbs and the like,” are, of course, “attended with acute pain and suffering.” When we consider why they have been condemned, however, we realize
that the pain involved is not the only reason. The true significance of these punishments is that they treat members of the human race as nonhumans, as objects to be toyed with and discarded. They are thus inconsistent with the fundamental premise of the Clause that even the vilest criminal remains a human being possessed of common human dignity.

Indeed, a punishment may be degrading to human dignity solely because it is a punishment. A State may not punish a person for being “mentally ill, or a leper, or . . . afflicted with a venereal disease,” or for being addicted to narcotics. To inflict punishment for having a disease is to treat the individual as a diseased thing, rather than as a sick human being. That the punishment is not severe, “in the abstract,” is irrelevant; “[e]ven one day in prison would be a cruel and unusual punishment for the ‘crime’ of having a common cold.” Finally, of course, a punishment may be degrading simply by reason of its enormity. A prime example is expatriation, a “punishment more primitive than torture,” for it necessarily involves a denial by society of the individual’s existence as a member of the human community.

In determining whether a punishment comports with human dignity, we are aided also by a second principle inherent in the Clause—that the State must not arbitrarily inflict a severe punishment. This principle derives from the notion that the State does not respect human dignity when, without reason, it inflicts upon some people a severe punishment that it does not inflict upon others. Indeed, the very words “cruel and unusual punishments” imply condemnation of the arbitrary infliction of severe punishments. And, as we now know, the English history of the Clause reveals a particular concern with the establishment of a safeguard against arbitrary punishments.

A third principle inherent in the Clause is that a severe punishment must not be unacceptable to contemporary society. Rejection by society, of course, is a strong indication that a severe punishment does not comport with human dignity. In applying this principle, however, we must make certain that the judicial determination is as objective as possible. Thus, for example, *Weems v. United States* and *Trop v. Dulles* suggest that one factor that may be considered is the existence of the punishment in jurisdictions other than those before the Court. *Wilkerson v. Utah* suggests that another factor to be considered is the historic usage of the punishment. *Trop v. Dulles* combined present acceptance with past usage by observing that “the death penalty has been employed throughout our history, and, in a day when it is still widely accepted, it cannot be said to violate the constitutional concept of cruelty.” In *Robinson v. California*, which involved the infliction of punishment for narcotics addiction, the Court went a step further, concluding simply that, “in the light of contemporary human knowledge, a law which made a criminal offense of such a disease would doubtless be universally thought to be an infliction of cruel and unusual punishment.”

The question under this principle, then, is whether there are objective indicators from which a court can conclude that contemporary society considers a severe punishment unacceptable. Accordingly, the judicial task is to review the history of a challenged punishment and to examine society’s present practices with respect to its use. Legislative authorization, of course, does not establish acceptance. The acceptability of a severe punishment is measured not by its availability, for it might become so offensive to society as never to be inflicted, but by its use.

The final principle inherent in the Clause is that a severe punishment must not be excessive. A punishment is excessive under this principle if it is unnecessary: the infliction of a severe punishment by the State cannot comport with human dignity when it is nothing more than the pointless infliction of suffering. If there is a significantly less severe punishment adequate to achieve the purposes for which the punishment is inflicted, the punishment inflicted is unnecessary, and therefore excessive.
There are, then, four principles by which we may determine whether a particular punishment is “cruel and unusual.”

III

… The question, then, is whether the deliberate infliction of death is today consistent with the command of the Clause that the State may not inflict punishments that do not comport with human dignity. I will analyze the punishment of death in terms of the principles set out above and the cumulative test to which they lead: it is a denial of human dignity for the State arbitrarily to subject a person to an unusually severe punishment that society has indicated it does not regard as acceptable, and that cannot be shown to serve any penal purpose more effectively than a significantly less drastic punishment. Under these principles and this test, death is today a “cruel and unusual” punishment.

Death is a unique punishment in the United States. In a society that so strongly affirms the sanctity of life, not surprisingly, the common view is that death is the ultimate sanction. This natural human feeling appears all about us. There has been no national debate about punishment, in general or by imprisonment comparable to the debate about the punishment of death. No other punishment has been so continuously restricted, nor has any State yet abolished prisons, as some have abolished this punishment. And those States that still inflict death reserve it for the most heinous crimes. Juries, of course, have always treated death cases differently, as have governors exercising their commutation powers. Criminal defendants are of the same view.

“As all practicing lawyers know who have defended persons charged with capital offenses, often the only goal possible is to avoid the death penalty.” Some legislatures have required particular procedures, such as two-stage trials and automatic appeals, applicable only in death cases. “It is the universal experience in the administration of criminal justice that those charged with capital offenses are granted special considerations.” This Court, too, almost always treats death cases as a class apart. And the unfortunate effect of this punishment upon the functioning of the judicial process is well known; no other punishment has a similar effect.

The only explanation for the uniqueness of death is its extreme severity. Death is today an unusually severe punishment, unusual in its pain, in its finality, and in its enormity. No other existing punishment is comparable to death in terms of physical and mental suffering. Although our information is not conclusive, it appears that there is no method available that guarantees an immediate and painless death. Since the discontinuance of flogging as a constitutionally permissible punishment, death remains as the only punishment that may involve the conscious infliction of physical pain. In addition, we know that mental pain is an inseparable part of our practice of punishing criminals by death, for the prospect of pending execution exacts a frightful toll during the inevitable long wait between the imposition of sentence and the actual infliction of death. As the California Supreme Court pointed out, “the process of carrying out a verdict of death is often so degrading and brutalizing to the human spirit as to constitute psychological torture.” Indeed, as Mr. Justice Frankfurter noted, “the onset of insanity while awaiting execution of a death sentence is not a rare phenomenon.” The “fate of ever-increasing fear and distress” to which the expatriate is subjected can only exist to a greater degree for a person confined in prison awaiting death.

The unusual severity of death is manifested most clearly in its finality and enormity. Death, in these respects, is in a class by itself. Expatriation, for example, is a punishment that “destroys for the individual the political existence that was centuries in the development,” that “strips the citizen
of his status in the national and international political community,” and that puts “[h]is very existence” in jeopardy. Expatriation thus inherently entails “the total destruction of the individual’s status in organized society.” “In short, the expatriate has lost the right to have rights.” Yet, demonstrably, expatriation is not “a fate worse than death.” Although death, like expatriation, destroys the individual’s “political existence” and his “status in organized society,” it does more, for, unlike expatriation, death also destroys “[h]is very existence.” There is, too, at least the possibility that the expatriate will, in the future, regain "the right to have rights." Death forecloses even that possibility.

Death is truly an awesome punishment. The calculated killing of a human being by the State involves, by its very nature, a denial of the executed person’s humanity. The contrast with the plight of a person punished by imprisonment is evident. An individual in prison does not lose “the right to have rights.” A prisoner retains, for example, the constitutional rights to the free exercise of religion, to be free of cruel and unusual punishments, and to treatment as a “person” for purposes of due process of law and the equal protection of the laws. A prisoner remains a member of the human family. Moreover, he retains the right of access to the courts. His punishment is not irrevocable. Apart from the common charge, grounded upon the recognition of human fallibility, that the punishment of death must inevitably be inflicted upon innocent men, we know that death has been the lot of men whose convictions were unconstitutionally secured in view of later, retroactively applied, holdings of this Court. The punishment itself may have been unconstitutionally inflicted, yet the finality of death precludes relief. An executed person has indeed “lost the right to have rights.” As one 19th century proponent of punishing criminals by death declared, “When a man is hung, there is an end of our relations with him. His execution is a way of saying, ‘You are not fit for this world, take your chance elsewhere.’”

In comparison to all other punishments today, then, the deliberate extinguishment of human life by the State is uniquely degrading to human dignity. I would not hesitate to hold, on that ground alone, that death is today a “cruel and unusual” punishment, were it not that death is a punishment of longstanding usage and acceptance in this country. I therefore turn to the second principle—that the State may not arbitrarily inflict an unusually severe punishment.

The outstanding characteristic of our present practice of punishing criminals by death is the infrequency with which we resort to it. The evidence is conclusive that death is not the ordinary punishment for any crime.

There has been a steady decline in the infliction of this punishment in every decade since the 1930’s, the earliest period for which accurate statistics are available. In the 1930’s, executions averaged 167 per year; in the 1940’s, the average was 128; in the 1950’s, it was 72; and in the years 1960-1962, it was 48. There have been a total of 46 executions since then, 36 of them in 1963-1964. Yet our population and the number of capital crimes committed have increased greatly over the past four decades. The contemporary rarity of the infliction of this punishment is thus the end result of a long-continued decline. That rarity is plainly revealed by an examination of the years 1961-1970, the last 10-year period for which statistics are available. During that time, an average of 106 death sentences was imposed each year. …

When a country of over 200 million people inflicts an unusually severe punishment no more than 50 times a year, the inference is strong that the punishment is not being regularly and fairly applied. To dispel it would indeed require a clear showing of nonarbitrary infliction.
Although there are no exact figures available, we know that thousands of murders and rapes are committed annually in States where death is an authorized punishment for those crimes. However the rate of infliction is characterized—as “freakishly” or “spectacularly” rare, or simply as rare—it would take the purest sophistry to deny that death is inflicted in only a minute fraction of these cases. How much rarer, after all, could the infliction of death be?

When the punishment of death is inflicted in a trivial number of the cases in which it is legally available, the conclusion is virtually inescapable that it is being inflicted arbitrarily. Indeed, it smacks of little more than a lottery system. …

When there is a strong probability that an unusually severe and degrading punishment is being inflicted arbitrarily, we may well expect that society will disapprove of its infliction. I turn, therefore, to the third principle. An examination of the history and present operation of the American practice of punishing criminals by death reveals that this punishment has been almost totally rejected by contemporary society. …

Our practice of punishing criminals by death has changed greatly over the years. One significant change has been in our methods of inflicting death. Although this country never embraced the more violent and repulsive methods employed in England, we did for a long time rely almost exclusively upon the gallows and the firing squad. Since the development of the supposedly more humane methods of electrocution late in the 19th century and lethal gas in the 20th, however, hanging and shooting have virtually ceased. Our concern for decency and human dignity, moreover, has compelled changes in the circumstances surrounding the execution itself. No longer does our society countenance the spectacle of public executions, once thought desirable as a deterrent to criminal behavior by others. Today we reject public executions as debasing and brutalizing to us all.

Also significant is the drastic decrease in the crimes for which the punishment of death is actually inflicted. …

The final principle to be considered is that an unusually severe and degrading punishment may not be excessive in view of the purposes for which it is inflicted. … The States’ primary claim is that death is a necessary punishment because it prevents the commission of capital crimes more effectively than any less severe punishment. The first part of this claim is that the infliction of death is necessary to stop the individuals executed from committing further crimes. The sufficient answer to this is that, if a criminal convicted of a capital crime poses a danger to society, effective administration of the State’s pardon and parole laws can delay or deny his release from prison, and techniques of isolation can eliminate or minimize the danger while he remains confined. The more significant argument is that the threat of death prevents the commission of capital crimes because it deters potential criminals who would not be deterred by the threat of imprisonment. The argument is not based upon evidence that the threat of death is a superior deterrent. …

* * *
United States Supreme Court

Gregg v. Georgia

428 U. S. 153 (1976)

Argued March 31, 1976 and decided July 2, 1976

MR. JUSTICE STEWART, MR. JUSTICE POWELL, and MR. JUSTICE STEVENS concluded that:

(1) The punishment of death for the crime of murder does not, under all circumstances, violate the Eighth and Fourteenth Amendments.

(a) The Eighth Amendment, which has been interpreted in a flexible and dynamic manner to accord with evolving standards of decency, forbids the use of punishment that is “excessive” either because it involves the unnecessary and wanton infliction of pain or because it is grossly disproportionate to the severity of the crime.

(b) Though a legislature may not impose excessive punishment, it is not required to select the least severe penalty possible, and a heavy burden rests upon those attacking its judgment.

(c) The existence of capital punishment was accepted by the Framers of the Constitution, and, for nearly two centuries, this Court has recognized that capital punishment for the crime of murder is not invalid per se.

(d) Legislative measures adopted by the people’s chosen representatives weigh heavily in ascertaining contemporary standards of decency; and the argument that such standards require that the Eighth Amendment be construed as prohibiting the death penalty has been undercut by the fact that, in the four years since Furman was decided, Congress and at least 35 States have enacted new statutes providing for the death penalty.

(e) Retribution and the possibility of deterrence of capital crimes by prospective offenders are not impermissible considerations for a legislature to weigh in determining whether the death penalty should be imposed, and it cannot be said that Georgia’s legislative judgment that such a penalty is necessary in some cases is clearly wrong.

(f) Capital punishment for the crime of murder cannot be viewed as invariably disproportionate to the severity of that crime.

2. The concerns expressed in Furman that the death penalty not be imposed arbitrarily or capriciously can be met by a carefully drafted statute that ensures that the sentencing authority is given adequate information and guidance, concerns best met by a system that provides for a bifurcated proceeding at which the sentencing authority is apprised of the information relevant to the imposition of sentence and provided with standards to guide its use of that information.

3. The Georgia statutory system under which petitioner was sentenced to death is constitutional. The new procedures, on their face, satisfy the concerns of Furman, since, before the death penalty can be imposed, there must be specific jury findings as to the circumstances of the crime or the character of the defendant, and the State Supreme Court thereafter reviews the comparability of each death sentence with the sentences imposed on similarly situated defendants to ensure that the sentence of death in a particular case is not disproportionate.
Petitioner's contentions that the changes in Georgia’s sentencing procedures have not removed the elements of arbitrariness and capriciousness condemned by *Furman* are without merit.

(a) The opportunities under the Georgia scheme for affording an individual defendant mercy—whether through the prosecutor’s unfettered authority to select those whom he wishes to prosecute for capital offenses and to plea bargain with them; the jury’s option to convict a defendant of a lesser included offense; or the fact that the Governor or pardoning authority may commute a death sentence—do not render the Georgia statute unconstitutional.

(b) Petitioner’s arguments that certain statutory aggravating circumstances are too broad or vague lack merit, since they need not be given overly broad constructions or have been already narrowed by judicial construction. One such provision was held impermissibly vague by the Georgia Supreme Court. Petitioner’s argument that the sentencing procedure allows for arbitrary grants of mercy reflects a misinterpretation of *Furman*, and ignores the reviewing authority of the Georgia Supreme Court to determine whether each death sentence is proportional to other sentences imposed for similar crimes. Petitioner also urges that the scope of the evidence and argument that can be considered at the presentence hearing is too wide, but it is desirable for a jury to have as much information as possible when it makes the sentencing decision.

(c) The Georgia sentencing scheme also provides for automatic sentence review by the Georgia Supreme Court to safeguard against prejudicial or arbitrary factors. In this very case, the court vacated petitioner’s death sentence for armed robbery as an excessive penalty.

“Courts are not representative bodies. They are not designed to be a good reflex of a democratic society. Their judgment is best informed, and therefore most dependable, within narrow limits. Their essential quality is detachment, founded on independence. History teaches that the independence of the judiciary is jeopardized when courts become embroiled in the passions of the day and assume primary responsibility in choosing between competing political, economic and social pressures.”

C

In the discussion to this point, we have sought to identify the principles and considerations that guide a court in addressing an Eighth Amendment claim. We now consider specifically whether the sentence of death for the crime of murder is a per se violation of the Eighth and Fourteenth Amendments to the Constitution. We note first that history and precedent strongly support a negative answer to this question.

The imposition of the death penalty for the crime of murder has a long history of acceptance both in the United States and in England. The common law rule imposed a mandatory death sentence on all convicted murderers. And the penalty continued to be used into the 20th century by most American States, although the breadth of the common law rule was diminished, initially by narrowing the class of murders to be punished by death and subsequently by widespread adoption of laws expressly granting juries the discretion to recommend mercy.

It is apparent from the text of the Constitution itself that the existence of capital punishment was accepted by the Framers. At the time the Eighth Amendment was ratified, capital punishment was a common sanction in every State. Indeed, the First Congress of the United States enacted legislation providing death as the penalty for specified crimes. The Fifth
Amendment, adopted at the same time as the Eighth, contemplated the continued existence of the capital sanction by imposing certain limits on the prosecution of capital cases:

“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury . . . ; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; ... nor be deprived of life, liberty, or property, without due process of law . . .”

And the Fourteenth Amendment, adopted over three-quarters of a century later, similarly contemplates the existence of the capital sanction in providing that no State shall deprive any person of “life, liberty, or property” without due process of law.

For nearly two centuries, this Court, repeatedly and often expressly, has recognized that capital punishment is not invalid per se. …

The death penalty is said to serve two principal social purposes: retribution and deterrence of capital crimes by prospective offenders.

In part, capital punishment is an expression of society’s moral outrage at particularly offensive conduct. This function may be unappealing to many, but it is essential in an ordered society that asks its citizens to rely on legal processes, rather than self-help, to vindicate their wrongs.

“The instinct for retribution is part of the nature of man, and channeling that instinct in the administration of criminal justice serves an important purpose in promoting the stability of a society governed by law. When people begin to believe that organized society is unwilling or unable to impose upon criminal offenders the punishment they ‘deserve,’ then there are sown the seeds of anarchy—of self-help, vigilante justice, and lynch law.”

“Retribution is no longer the dominant objective of the criminal law,” but neither is it a forbidden objective, nor one inconsistent with our respect for the dignity of men. Indeed, the decision that capital punishment may be the appropriate sanction in extreme cases is an expression of the community’s belief that certain crimes are themselves so grievous an affront to humanity that the only adequate response may be the penalty of death. Statistical attempts to evaluate the worth of the death penalty as a deterrent to crimes by potential offenders have occasioned a great deal of debate. The results simply have been inconclusive. As one opponent of capital punishment has said:

“[A]fter all possible inquiry, including the probing of all possible methods of inquiry, we do not know, and, for systematic and easily visible reasons, cannot know, what the truth about this ‘deterrent’ effect may be . . .”

“The inescapable flaw is ... that social conditions in any state are not constant through time, and that social conditions are not the same in any two states. If an effect were observed (and the observed effects, one way or another, are not large), then one could not at all tell whether any of this effect is attributable to the presence or absence of capital punishment. A ‘scientific’—that is to say, a soundly based—conclusion is simply impossible, and no methodological path out of this tangle suggests itself.”

Although some of the studies suggest that the death penalty may not function as a significantly greater deterrent than lesser penalties, there is no convincing empirical evidence either supporting or refuting this view. We may nevertheless assume safely that there are murderers, such as those who act in passion, for whom the threat of death has little or no deterrent effect.
But for many others, the death penalty undoubtedly is a significant deterrent. There are carefully contemplated murders, such as murder for hire, where the possible penalty of death may well enter into the cold calculus that precedes the decision to act. And there are some categories of murder, such as murder by a life prisoner, where other sanctions may not be adequate.

The value of capital punishment as a deterrent of crime is a complex factual issue the resolution of which properly rests with the legislatures, which can evaluate the results of statistical studies in terms of their own local conditions and with a flexibility of approach that is not available to the courts. Indeed, many of the post-Furman statutes reflect just such a responsible effort to define those crimes and those criminals for which capital punishment is most probably an effective deterrent.

In sum, we cannot say that the judgment of the Georgia Legislature that capital punishment may be necessary in some cases is clearly wrong. Considerations of federalism, as well as respect for the ability of a legislature to evaluate, in terms of its particular State, the moral consensus concerning the death penalty and its social utility as a sanction, require us to conclude, in the absence of more convincing evidence, that the infliction of death as a punishment for murder is not without justification, and thus is not unconstitutionally severe.

Finally, we must consider whether the punishment of death is disproportionate in relation to the crime for which it is imposed. There is no question that death, as a punishment, is unique in its severity and irrevocability. When a defendant’s life is at stake, the Court has been particularly sensitive to insure that every safeguard is observed. But we are concerned here only with the imposition of capital punishment for the crime of murder, and, when a life has been taken deliberately by the offender, we cannot say that the punishment is invariably disproportionate to the crime. It is an extreme sanction, suitable to the most extreme of crimes.

We hold that the death penalty is not a form of punishment that may never be imposed, regardless of the circumstances of the offense, regardless of the character of the offender, and regardless of the procedure followed in reaching the decision to impose it.

IV  B

We now turn to consideration of the constitutionality of Georgia’s capital sentencing procedures. In the wake of Furman, Georgia amended its capital punishment statute, but chose not to narrow the scope of its murder provisions. Thus, now, as before Furman, in Georgia, “[a] person commits murder when he unlawfully and with malice aforethought, either express or implied, causes the death of another human being.” All persons convicted of murder “shall be punished by death or by imprisonment for life.” Georgia did act, however, to narrow the class of murderers subject to capital punishment by specifying 10 statutory aggravating circumstances, one of which must be found by the jury to exist beyond a reasonable doubt before a death sentence can ever be imposed. In addition, the jury is authorized to consider any other appropriate aggravating or mitigating circumstances. The jury is not required to find any mitigating circumstance in order to make a recommendation of mercy that is binding on the trial court, but it must find a statutory aggravating circumstance before recommending a sentence of death.

These procedures require the jury to consider the circumstances of the crime and the criminal before it recommends sentence. No longer can a Georgia jury do as Furman’s jury did: reach a finding of the defendant’s guilt and then, without guidance or direction, decide whether he should live or die. Instead, the jury’s attention is directed to the specific circumstances of the
crime: was it committed in the course of another capital felony? Was it committed for money? Was it committed upon a peace officer or judicial officer? Was it committed in a particularly heinous way, or in a manner that endangered the lives of many persons? In addition, the jury’s attention is focused on the characteristics of the person who committed the crime: does he have a record of prior convictions for capital offenses? Are there any special facts about this defendant that mitigate against imposing capital punishment (e.g., his youth, the extent of his cooperation with the police, his emotional state at the time of the crime). As a result, while some jury discretion still exists, “the discretion to be exercised is controlled by clear and objective standards so as to produce nondiscriminatory application.”

As an important additional safeguard against arbitrariness and caprice, the Georgia statutory scheme provides for automatic appeal of all death sentences to the State’s Supreme Court. That court is required by statute to review each sentence of death and determine whether it was imposed under the influence of passion or prejudice, whether the evidence supports the jury’s finding of a statutory aggravating circumstance, and whether the sentence is disproportionate compared to those sentences imposed in similar cases.

In short, Georgia’s new sentencing procedures require, as a prerequisite to the imposition of the death penalty, specific jury findings as to the circumstances of the crime or the character of the defendant. Moreover, to guard further against a situation comparable to that presented in Furman, the Supreme Court of Georgia compares each death sentence with the sentences imposed on similarly situated defendants to ensure that the sentence of death in a particular case is not disproportionate. On their face, these procedures seem to satisfy the concerns of Furman. No longer should there be "no meaningful basis for distinguishing the few cases in which [the death penalty] is imposed from the many cases in which it is not."

V

The basic concern of Furman centered on those defendants who were being condemned to death capriciously and arbitrarily. Under the procedures before the Court in that case, sentencing authorities were not directed to give attention to the nature or circumstances of the crime committed or to the character or record of the defendant. Left unguided, juries imposed the death sentence in a way that could only be called freakish. The new Georgia sentencing procedures, by contrast, focus the jury’s attention on the particularized nature of the crime and the particularized characteristics of the individual defendant. While the jury is permitted to consider any aggravating or mitigating circumstances, it must find and identify at least one statutory aggravating factor before it may impose a penalty of death. In this way, the jury’s discretion is channeled. No longer can a jury wantonly and freakishly impose the death sentence; it is always circumscribed by the legislative guidelines. In addition, the review function of the Supreme Court of Georgia affords additional assurance that the concerns that prompted our decision in Furman are not present to any significant degree in the Georgia procedure applied here.

For the reasons expressed in this opinion, we hold that the statutory system under which Gregg was sentenced to death does not violate the Constitution. Accordingly, the judgment of the Georgia Supreme Court is affirmed.

* * *
Artistic Funding, Freedom, and Censorship

Should the government fund art? If so, what kind?

Discussions by Jesse Helms, Robert Hughes, Robert Samuelson, and Steven Durland

* * *

Amendment 420: The NEA Should Not Fund Obscenity

By Jesse Helms

U.S. Senate, July 26, 1989

Mr. Jesse Helms is a United States senator from North Carolina. Helms was outraged to learn that taxpayer money was used to support the work of Andres Serrano, Robert Mapplethorpe, and others. Mr. Serrano, for example, had received a grant from the National Endowment for the Arts for a project that consisted of a crucifix placed in a bottle filled with his urine. The following is Helms’s proposal to the U.S. Senate to eliminate government funding for art that is judged to be obscene or indecent.

Amendment No. 420. (Purpose: To prohibit the use of appropriated funds for the dissemination, promotion, or production of obscene or indecent materials or materials denigrating a particular religion.)

None of the funds authorized to be appropriated pursuant to this Act may be used to promote, disseminate, or produce—

1. obscene or indecent materials, including but not limited to depictions of sadomasochism, homoeroticism, the exploitation of children, or individuals engaged in sex acts; or

2. material which denigrates the objects or beliefs of the adherents of a particular religion or nonreligion; or

3. material which denigrates, debases, or revues a person, group or class of citizens on the basis of race, creed, sex, handicap, age, or national origin.

Mr. HELMS. Mr. President, this amendment has been agreed to on both sides, I believe. I very much appreciate it.

Mr. President, I believe we are all aware of the controversy surrounding the use of Federal funds, via the National Endowment for the Arts [NEA], to support so-called works of art by Andres Serrano and Robert Mapplethorpe. My amendment would prevent the NEA from funding such immoral trash in the future. Specifically, my amendment prohibits the use of the NEA’s funds to support obscene or indecent materials, or materials which denigrate the objects or beliefs of a particular religion.

I applaud the efforts of my distinguished colleagues from West Virginia, Mr. BYRD and from Idaho, Mr. McCLURE, to address this issue in both the Appropriations Subcommittee on the Interior, and the full Appropriations Committee. Cutting off funding to the Southeastern Center for Contemporary Art [SECCA] in Winston-Salem and the Institute for Contemporary Art in Philadelphia will certainly prevent them from misusing Federal funds for the next 5 years.
However, as much as I agree with the measures, the committee’s efforts do not go far enough because they will not prevent such blasphemous or immoral behavior by other institutions or artists with Government funds. That is why I have offered my amendment.

Frankly, Mr. President, I have fundamental questions about why the Federal Government is involved in supporting artists that taxpayers have refused to support in the marketplace. My concern in this regard is heightened when I hear the arts community and the media saying that any restriction at all on Federal funding would amount to censorship. What they seem to be saying is that we in Congress must choose between: First, absolutely no Federal presence in the arts; or second, granting artists the absolute freedom to use tax dollars as they wish, regardless of how vulgar, blasphemous, or despicable their works may be.

If we indeed must make this choice, then the Federal Government should get out of the arts. However, I do not believe we are limited to those two choices and my amendment attempts to make a compromise between them. It simply provides for some common sense restrictions on what is and is not an appropriate use of Federal funding for the arts. It does not prevent the production or creation of vulgar works, it merely prevents the use of Federal funds to support them.

Mr. President, I remind my colleagues that the distinguished Senator from New York and I called attention to Mr. Serrano’s so-called work of art which portrays Jesus Christ submerged in a bottle of the artist’s urine, on May 18. We pointed out that the National Endowment for the Arts had not only supported a $15,000 award honoring Mr. Serrano for it, but they also helped promote and exhibit the work as well.

Over 25 Senators—Democrats and Republicans—expressed their outrage that day by cosigning a letter to Hugh Southern, the Endowment’s acting chairman, asking him to review their procedures and to determine what steps are needed to prevent such abuses from recurring in the future. Mr. Southern replied on June 6 that he too was personally offended by Mr. Serrano’s so-called art, but that—as I have heard time after time on this issue—the Endowment is prevented by its authorizing language from promoting or suppressing particular points of view.

Mr. Southern’s letter goes on to endorse the Endowment’s panel review system as a means of ensuring competence and integrity in grant decisions, and he states that the Endowment will review their processes to be sure they are effective and maintain the highest artistic integrity and quality.

However, Mr. President, shortly after receiving Mr. Southern’s response, I became aware of yet another example of the competence, integrity and quality of the Endowment’s panel review system. It is a federally supported exhibit entitled: “Robert Mapplethorpe: The Perfect Moment.” The Corcoran Gallery of Art had planned to open the show here in Washington on July 1, but abruptly canceled it citing the danger the exhibit poses to future Federal funding for the arts. The Washington Project for the Arts subsequently agreed to make their facilities available and opened the show last Friday, July 21.

Mr. President, the Corcoran, and others in the arts community felt the Mapplethorpe exhibit endangered Federal funding for the arts because the patently offensive collection of homoerotic pornography and sexually explicit nudes of children was put together with the help of a $30,000 grant from the Endowment. The exhibit was assembled by the University of Pennsylvania’s Institute for Contemporary Art as a retrospective look at Mr. Mapplethorpe’s work after his
recent death from AIDS. It has already appeared in Philadelphia and Chicago with the
Endowment’s official endorsement.

I have a catalog of the show and Senators need to see it to believe it. However, the catalog is
only a survey, not a complete inventory of what was in the Endowment’s show. If Senators are
interested, I have a list and description of the photographs appearing in the show but not the
catalog because even the catalog’s publishers knew they were too vulgar to be included—as sick
as that book is.

Vanity Fair magazine ran an article on another collection of Mapplethorpe’s works which
appears at the Whitney Museum of Modern Art in New York. This collection included many of
the photographs currently in the NEA funded exhibit. There are unspeakable portrayals which I
cannot describe on the floor of the Senate.

Mr. President, this pornography is sick. But Mapplethorpe’s sick art does not seem to be an
isolated incident. Yet another artist exhibited some of this sickening obscenity in my own State.
The Duke Museum of Art at Duke University had a show deceptively titled “Morality Tales:
History Painting in the 1980’s.” One painting, entitled “First Sex,” depicts a nude woman on
her back, legs open, knees up, and a little boy leaning against her leg looking into her face while
two sexually aroused older boys wait in the back ground. Another work shows a man urinating
on a boy lying in a gutter. Other, more despicable, works were included as well.

I could go on and on, Mr. President, about the sick art that has been displayed around the
country. These shows are outrageous. And, like Serrano’s blasphemy, the most outrageous thing
is that some of the shows like Mapplethorpe’s are financed with our tax dollars. Again, I invite
the Senators to see what taxpayers got for $30,000 dollars.

Mr. President, how did the Endowment’s vaunted panel review system approve a grant for this
pornography? It was approved because the panel only received a description, provided by the
Endowment’s staff, which read as follows:

“To support a mid-career summary of the work of photographer Robert Mapplethorpe.
Although all aspects of the artist’s work—the still-lifes, nudes, and portraits—will be included,
the exhibition will focus on Mapplethorpe’s unique pieces where photographic images interact
with richly textured fabrics within carefully designed frames.”

Mr. President, what a useless and misleading description. No legitimate panel of experts would
know from this description that the collection included explicit homoerotic pornography and
child obscenity. Yet none of the descriptions for other projects funded by the Endowment at
the time were any better. Indeed, Mr. Jack Neusner—who sat on the panel approving the
Mapplethorpe exhibit—was mystified as to how he had approved a show of this character. He
knows now that he was misled.

Mr. President, I was hopeful Washington would be spared this exhibit when the Corcoran
canceled it. I only wish the Corcoran had canceled the show out of a sense of public decency
and not as part of a calculated attempt to shield themselves and the Endowment from criticism
in Congress.

Some accuse us of censorship because we threaten to cut off Federal funding, yet they are the
ones who refuse to share the contents of their exhibits with the taxpayers’ elected
representatives. For example, the Southeastern Center for Contemporary Art in Winston-Salem
refused to send me copies of requested works, despite their earlier promises to the contrary. If
what such institutions promote and exhibit is legitimate art, then why are they afraid for the taxpayers and Congress to see what they do?

Mr. President, there is a fundamental different between Government censorship—the preemption of publication or production—and governmental refusal to pay for such publication and production. Artists have a right, it is said, to express their feelings as they wish; only a philistine would suggest otherwise. Fair enough, but not artist has a preemptive claim on the tax dollars of the American people; time for them, as President Reagan used to say, “to go out and test the magic of the marketplace.”

Congress attaches strings to Federal funds all the time. Churches must follow strict Federal guidelines in order to participate in Federal programs for the poor and needy—even when those guidelines violate their religious tenets. For example, a U.S. District Court in Alabama recently held that a practicing witch employed by the Salvation Army in a women’s shelter could not be fired because the shelter was federally funded.

Mr. President, there have been instances where public outrage has forced artists to remove works from public display. For instance, shortly after Mayor Harold Washington’s death, a work portraying him as a transvestite was forcibly removed from a show in Chicago. Another work on display at Richmond’s airport was voluntarily removed after the night crew complained about a racial epithet which had been inscribed on it. There was little real protest from the arts community in these instances.

Mr. President, at a minimum, we need to prohibit the Endowment from using Federal dollars to fund filth like Mr. Serrano’s and Mr. Mapplethorpe’s. If it does not violate criminal statutes and the private sector is willing to pay for it, fine! However, if Federal funds are used then Congress needs to ensure the sensibilities of all groups—regardless of race, creed, sex, national origin, handicap, or age—are respected.

Federal funding for sadomasochism, homoeroticism, and child pornography is an insult to taxpayers. Americans for the most part are moral, decent people and they have the right not to be denigrated, offended or mocked with their own tax dollars. My amendment would protect that right.

Mr. President, if Senators want the Federal Government funding pornography, sadomasochism, or art for pedophiles, they should vote against my amendment. However, if they think most voters and taxpayers are offended by Federal support for such art, they should vote for my amendment.

* * *

**A Loony Parody of Cultural Democracy**

By Robert Hughes

*Time*, August 14, 1989

Robert Hughes is art critic for *Time* magazine. In the following article, Hughes argues against Jesse Helms’s Amendment 420 and defends government funding for the arts.
Senator Jesse Helms, that noted paleo-conservative, has taken up the cudgels against that most distinguished and useful vehicle of patronage in American cultural life, the National Endowment for the Arts. Neoconservatives want to keep the NEA because they would like to run it. Paleos like Helms don’t greatly care whether it exists or not; if attacking it can serve a larger agenda, fine.

Last year NEA money totaling $45,000 was used by the Corcoran museum for an exhibition by the photographer Robert Mapplethorpe and by an Institution that gave an award to the artist Andres Serrano. One of Serrano’s pieces was a photo of a plastic crucifix immersed in the artist’s urine—a fairly conventional piece of postsurrealist blasphemy, which, though likely to have less effect on established religion than a horsefly on a tank, was bound to irk some people. Mapplethorpe’s show was to contain some icy, polished and (to most straights and one surmises, at least a few Republican gays) deeply repulsive photos of S and M queens doing this and that another.

As soon as the dewlaps of Senator Helms’ patriarchal wrath started shaking at its door, the Corcoran caved in and canceled Mapplethorpe’s show. Unappeased, the ayatollah of North Carolina proposed a measure that would forbid the NEA to give money to “promote, disseminate or produce” anything “obscene or indecent” or derogatory of “the objects or beliefs of the adherents of a particular religion or non-religion” which, taken literally, comprises image or belief of any kind, religious or secular.

In effect, this would make the NEA hostage to every crank, ideologue and God botherer in America. A grant for an exhibition of Gothic ivories could be pulled on the grounds than the material was offensive to Jews (much medieval art is anti-Semitic), to Muslims, (what about those scenes of false prophets in hell with Muhammad?), or, for that matter, to atheists offended by the intrusion of religious propaganda into a museum. A radical feminist could plausibly argue that her “nonreligious” beliefs were offended by the sexism of Rubens’ nudes or Picasso’s Vollard Suite. Doubtless a fire worshiper would claim that the presence of extinguishers in a theater was repugnant to his god.

In short, what the amendment proposes is a loony parody of cultural democracy in which everyone becomes his or her own Censor. Clearly, Jesse Helms has no doubt that the NEA he punished if it strays from what he fancies be the center line of American ethical belief. The truth, of course, that no such line exists—not in a society as vast, various and eclectic as the real America. Helms’ amendment might have played in Papua, where a government spokesperson defended the banning of Martin Scorsese’s The Last Temptation of Christ on the grounds that “our people traditionally set much store on dreams and hallucinations. But in the U.S., no.

The problem is compounded by the fact that the NEA is not a ministry of culture. It does not commission large works to reflect glory on the state, or set firm policy for other institutions. Its $169 million budget is tiny—less than one-third the projected price of one Stealth bomber, or, to put it another way, only ten times the recent cost of a single painting by Jasper Johns. The French government spends three times the
NEA’s budget music theater and dance alone ($560 million in 1989). German
government spending on culture runs at around $4.5 billion, repeat, billion, a year.

The extreme conservative view is that support of the contemporary arts is not the
business of government. Never mind that quite a few people who were not exactly
radicals, from Rameses II to Louis XIV and Urban VIII, thought otherwise and thus
endowed the world with parts of the Egypt, the Paris and the Rome we have today.
New culture is optional—slippery stuff, ambiguous in its meanings, uncertain in its
returns. Away with it! Let the corporations underwrite it!

The fetish of supply-side culture was one of the worst legacies of the Reagan years.
Though the Great Communicator was frustrated in his attempt to abolish the
Endowment in 1981, he made sure that more government money went to military
bands than to the entire budget of the NRA. Oom-pah-pah culture to fit a time of oom-
pa-h-pah politics. After all, who could say that the arts needed support outside the
marketplace at a time when star orchestra conductors were treated like sacred elephants
and the art market was turning into a freakish potlatch for new money?

Conversely, why bother to support what market Darwinism seems to condemn to
obscurity? “I have fundamental questions,” Helms grated, “about why the federal
government is supporting artists the taxpayers have refused to support in the
marketplace.”

But this was exactly what the NEA was created, in 1965, to do—and it was the wisest of
decisions. Lots of admirable art does badly at first its rewards to the patron are not
immediate and may never come. Hence the need for the NEA. It is there to help the
self-realization of culture that is not immediately successful.

Corporate underwriting has produced some magnificent results for American libraries,
museums, ballets, theaters and orchestras—for institutional culture, across the board.
But today it is shrinking badly, and it requires a delicate balance with government
funding to work well. Corporations’ underwriting money comes out of their promotion
budgets and—not unreasonably, since their goal is to make money—they want to be
associated with popular, prestigious events. It’s no trick to get Universal Widget to
underwrite a Renoir show, or one of those PBS nature series (six hours of granola with
bugs copulating to Mozart). But try them with newer, more controversial, or more
demanding work and watch the faces in the boardroom drop. Corporate is nervous
money; it needs the NEA reassurance as a Good Housekeeping Seal of Approval. Our
problem, despite conservative rant, is too little government support for the arts, not too
much. Even if we had a ministry of culture to parade the roosters, we would still need
the NEA to look after the eggs.

* * *
I once suggested that Congress consider creating a National Endowment for Rodeo. The proposal’s point was to show that rodeo subsidies are as worthy as “art” subsidies. Going beyond the irony, I urged abolishing the National Endowment for the Arts (NEA). This prompted the usual fan mail. One reader speculated that my cultural tastes ran to watching women’s mud wrestling. Suppose they did. Should government then subsidize what I consider art?

The recent furor over allegedly obscene art financed by the NEA has only confirmed the wisdom of my view. Genuine art is about self-expression. It flows from individual imagination, ingenuity, joy and rage. By definition, it is undefinable. Standards are always subjective. In a democratic society there is a permanent conflict between artistic freedom and political accountability for “art” supported by public money.

Senator Jesse Helms, Republican of North Carolina, is correct when he says taxpayers shouldn’t have to pay for art that most Americans find offensive or indecent. (The current cause célèbre: a picture of a crucifix floating in urine, funded by an NEA grant.) But Helms’s critics are also correct when they decry censorship and warn against government imposing standards of conformity and respectability. There’s an easy escape from this impasse. Get government out of the arts. Then artists could create without fear, and congressmen would have no cause for complaint.

Now I was not born yesterday. I know that the chance of Congress erasing the NEA is about one in 25,000. But we can at least see it for what it is—highbrow pork barrel. By this I mean that the NEA spends public monies to pay for what are basically private pleasures and pursuits. I do not mean that no good comes from these grants. But the good goes primarily to the individual artists and art groups that receive the grants and to their relatively small audiences. Public benefits are meager.

There’s a serious issue here, as political scientist Edward Banfield has argued. What are the legitimate uses of national government? Our federal government is the mechanism by which we tax ourselves to meet collective national needs. Subsidizing “art” fails this elementary test. It does not meet an important national need. Neither do subsidies for “good” television or the “humanities”: the missions of the Corporation for Public Broadcasting and the National Endowment for the Humanities.

Suppose someone actually proposed a National Endowment for Rodeo with a $169 million budget, which is the 1989 budget for the NEA. Grants would go to individual
rodeo riders (“to foster riding skills”) and to rodeo shows (“to make rodeos more available to public”). Questions would arise. Why do rodeo riders and fans merit special treatment? Do they create some public benefit?

It’s considered uncouth to ask similar questions of public support for opera, sculpture, painting or television. But, of course, the questions apply. Grants from the NEA go mainly to individual artists or arts organizations. In 1998 the New York Philharmonic received $286,000; the San Francisco Opera got $330,000; the Denver Center for Performing Arts got $75,000. There were grants of about $10,000 each to 55 small literary magazines, and 89 sculptors got grants of about $5,000 apiece.

What justifies the subsidies? The idea that our artistic future depends on federal handouts to free artists from commercial pressures falters on two counts. It overlooks the complexity of creative motivation and ignores the corrupting influences of government grantsmanship. Herman Melville did not need an NEA grant to write; Winslow Homer did not need an NEA grant to paint. Art consumers benefit from the NEA, because their ticket prices are indirectly subsidized. But these are mainly higher-income people who deserve no subsidy. In 1987 only a quarter of the public attended opera or musical theater, reports pollster Louis Harris. But half of those with incomes exceeding $50,000 attended. Museum and theater attendance reflect similar income patterns.

Public-television subsidies are also highbrow pork barrel. On average, public TV draws about 4 percent of prime-time viewers. The “MacNeil/Lehrer NewsHour” receives the largest grant from the Corporation for Public Broadcasting (CPB), $4.3 million in 1989. It’s a superb program, but what public purpose does it serve? Can anyone claim there isn’t enough news? My guess is that its audience consists heavily of news junkies, who read newspapers and magazines, and watch CNN. The program doesn’t inform the uniformed but better informs the well-informed.

No great (or even minor) national harm would occur if Congress axed these cultural agencies. Museums wouldn’t vanish; the NEA provides a tiny share of their funds. Neither would public television stations; they rely on the CPB for only about 11 percent of their money. The CPB’s children’s programs with distinct instructional value could be moved to the Department of Education. In any case, “Sesame Street” would survive. Oscar the Grouch and his pals are a tiny industry appearing on toys and clothes.

Some arts groups would retrench, and others would die. Many would find new funding sources; in 1987 private giving for cultural activities totaled $6.4 billion. The great undercurrents of American art would continue undisturbed, because they’re driven by forces—the search to understand self and society, the passion of individual artists—far more powerful than the U.S. Treasury. And the $550 million spent by the three main cultural agencies could be used for more legitimate public needs: for example, reducing the budget deficit or improving Medicaid.

As I said, this won’t happen. The obscenity tempest probably won’t even provoke a serious examination of government and the arts. Arts and public-broadcasting advocates
case any questioning of federal financing as an assault on the Temples of Culture by the Huns. Like all groups feeding at the federal trough, they’ve created a rhetoric equating their self-interest with the national interest.

Most congressmen accept these fictitious claims because Congress enjoys the power and, on occasion, finds the agencies useful whipping boys. It’s a marriage of convenience that, however dishonest, seems fated to endure.

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Censorship, Multiculturalism, and Symbols

Steven Durland

High Performance (Fall 1989)

Steven Durland is editor of High Performance magazine. In this selection, Durland hypothesizes that the controversy over NEA funding is at root an attack on members of minority groups by racist, homophobic, and sexist white males who dominate American society.

Eventually you will have to ask: who is doing the art that’s getting censored? Mapplethorpe was gay, Serrano is Hispanic. Scott Tyler is black. The San Diego billboard group is multicultural, promoting a black cause. While this censorship crisis may be a surprise to many, any multicultural, gay, or feminist artist can give you a litany of examples. Were I to make the charge that these acts of censorship were motivated by racism, homophobia or sexism, I’m sure most of the perpetrators would argue vehemently that such was not the case. And I think they’d honestly believe it when they say it. So what gives?

What gives is that the voice of the dominant, culture has never understood what it actually means when it so graciously legislates racial, sexual and gender equality. Subconsciously, they think they’re giving everyone a chance to be just like them. A chance live like white men. A chance to make art in the great Euro-Western tradition. They’ve failed to realize that few want to be like them. Rather, they want the freedom to be themselves, living their religions, and their own histories, and their own cultures. Just like it says in the Constitution. And that is definitely a threat to a country that, in spite of its “Bill of Rights,” imagines itself to be white, Christian, heterosexual and male.

There are some overriding art world ironies here. For years national, state and local funding agencies have made it a priority assure that at least token funding go to representatives of these groups. You seldom hear of a peer panel review any more doesn’t make a point of noting sex and ethnicity in the distribution of money. What the people at the top have failed to realize, though, is that when you give a voice to people who’ve been denied for long, what you’re going to find out is that these people are pissed* (pun intended) off. No “Thank you, massa” here. They immediately take the opportunity to point out racist governments and sexist religions and Christian hypocrisy. Sure it may be raw. But it’s exercising the same right, used with a much
greater sense of real “American” morality, that the dominant culture has used for so long to keep women in the home, blacks in their place, and gays on their death beds.

It’s a fact that only ten percent of the families in the U.S. are representative of “male provider, woman in the home with the kids.” Perhaps these men with their “women in the homes” have more time to write letters, and that’s why this small population is dominating our cultural debate. I don’t know. They’ve certainly managed a voice that vastly outnumbers their membership. Perhaps, in this particular instance, the art world is to blame for its own problems. Any elected official would recognize in an instant that no matter how much artists protest, when it’s time to go to the polls, Wildmon’s* [*A reference to Donald Wildmon of Mississippi, a leader of the American Family Association, who has been active in opposing works of art deemed obscene or irreligious] supporters are going to make their wives go out and vote, while the poorly networked and apolitical members of the art world are deconstructing sitcoms. A sad thought when you consider that the art world potentially has much more clout. ...

The final, overriding irony in all this is that all parties involved—the artists, the conservative right, the Congress—are in the position of not being able to do anything about the things that are really upsetting them. To compensate, each group, in their own way, is attacking what is perceived to be a symbol of its antagonism. For the artists, those symbols may be the crucifixes of religious zealots, the flags of racist governments, or the sexual mores of oppressive cults. (Excuse me, but why aren’t fanatic Christians who give lots of money to dubious ministers considered cultists? Where are the de-programmers when you need them?) For the conservative right, the art they attack is, for them, symbolic of a general breakdown in moral fiber. For Congress, this is their Grenada: a symbolic show of power directed toward a tiny, defenseless agency in a government over which they’ve lost control.

For the artists, working with symbols is the stock in trade. For the others, it’s a cop out. The artists have done their job. They’ve called attention to some of our social, cultural and political failings. If Helms or Wildmon wants to “kill the messenger,” they’re just not doing their job.

To quote Hilton Kramer, “What we’re being asked to support and embrace in the name of art is an attitude toward life.” He’s right. But unlike Mr. Kramer, I would see it as very positive to support an attitude—even a government supported policy—that champions freedom of expression. Especially when we’re faced with the alternatives—the ones we generally associate with such names as Hitler, Stain, Khomeini and Deng Xiaoping. Need we add Helms to that list?

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