Contents

Clinton: Two Mysteries

Marvin Mandell

All ambitions are lawful except those which climb upward on the miseries or credulities of mankind.
Joseph Conrad
Preface to A Personal Record (1912)

TWO MYSTERIES: (1) Why does the right wing hate Clinton with a greater passion than it had for former Democrat Presidents? and (2) Why do many leading feminists love him so much?

First mystery: Clinton has been a far more effective activist and spokesman for the ruling class in the age of globalization than Lott, Armey, Burton, Gingrich, et. al. He has engineered the triumph of GATT and NAFTA; and, in the Welfare Reform Law, he has helped realization of a plank of the Republican Contract With America, one of the only two planks to date that have been made viable (the other is the balanced budget). And he has masterfully sold both, as well as the balanced budget, to the American people. Gingrich could never have done this.

Moreover, Clinton deflected the movement for a Single Payer Health Insurance Plan with his (and Hillary's) Byzantine scheme that was doomed at the outset. In retrospect, if I were not adverse to conspiracy theories, I would think it conceivable that this was the intention.

And in his balancing the budget, he has continued to veil the fact that the huge Social Security tax revenue has been beefing up the budget, continued, that is, a practice begun by Lyndon Johnson, who attached the Social Security budget in order to hide the costs of the Vietnam War. Clinton was disingenuous in January when he announced that he would protect Social Security by using budget surpluses to shore it up. The surpluses, of course, were Social Security tax revenues! He said nothing about paying back the nearly 1/2 trillion dollars that the federal government has "borrowed" from Social Security and other funds, nor did he propose that the Social Security Fund be returned to its former position independent of the federal budget. (Many state governments are prohibited from touching pension funds, some by law.)

A word more about Social Security, the destruction or partial destruction of which may be Clinton's fourth and perhaps final triumph after the derailing of the Single Payer Health Insurance Plan, NAFTA and GATT, and the Welfare Reform Law. Clinton began by proposing to have a thoroughly democratic process in which forums all over the U.S. would freely debate Social Security is-

MARVIN MANDELL *is professor emeritus at Curry College and a member of the* NEW POLITICS *editorial board.*

sues. Whom did he appoint to organize and conduct them? The Concord Coalition and the American Association of Retired Persons. The former was formed with the purpose of destroying Social Security (that has been its raison d'etre); the latter, a conservative group founded by a private insurance company, adamantly opposes removal of the cap on income taxed by Social Security (currently pegged at $68,400) so that the rich would pay taxes on all their income, as they do now for Medicare. Removal of the cap alone would raise $80 billion annually, more than enough to bring into balance Social Security revenue and payments over the next 75 years or more. I participated in one of those forums and can testify that they were rigged. Clinton's fake democracy will prove far more effective than Lott-Gingrich's heavy-handed autocracy.

HERE ARE A FEW POSSIBLE ANSWERS TO THE FIRST MYSTERY:

(a) The center of power in the ruling class has shifted from manufacturers to financiers. While no one could accuse Henry Ford of liberalism, he wanted the masses to be able to afford his products. Financiers do not. It may be irrelevant to them if millions of "surplus" people, that is, those who don't fit into the hi-tech economy, are employed gainfully or join their brothers and sisters in the burgeoning prison population. (George Soros and a few others are exceptions.) Is this characterization of the new ruling class far-fetched? A few months ago we were treated by one of the television news magazines to the spectacle of a bank employee who, having been fired after a merger, had mixed reactions: as an employee, she regretted losing her job; but as a stockholder, she heartily applauded the downsizing. The new ruling class has been seceding from the rest of the nation, with their own schools, their own clubs, their own police force (private security guards now outnumber public police), their own gated communities, etc. Add to this is the alliance that the new ruling class has made with the religious right. If the right wing that disliked Kennedy or Johnson or Carter was conservative, the current right wing that loathes Clinton is reactionary and cannot abide Clinton's sugared rhetoric even though he does their bidding.

(b) Right wing politicians must feel that Clinton has usurped their program and left them rudderless and hence vulnerable to removal.

(c) Right wing politicians must despise Clinton's successful opportunism. He is the consummate Student Government president, someone who seems unbeatable and who scores with all too many women.

THE OTHER MYSTERY IS EQUALLY DIFFICULT TO FATHOM. Betty Friedan, the doyenne of the feminist movement, says she resents "women being used in an attempt to bring down a president whose policies have been very good for women and families." (*Boston Globe,* 4/23/98) Very good for the welfare mothers who may soon be thrown out onto the streets with their children because they cannot find jobs paying enough for child care and bare essentials? Very good for the working women who lost their jobs after the passage of NAFTA and GATT? Very good for the Mexican and Indonesian women who got those jobs and found themselves working for pittances and living in a noxious environment unprotected by the treaties?

Sadly, many leading feminists have turned their backs on their poor sisters. All white women in the U.S. Senate voted for the new welfare law, as well as 26 out of 31 women Democrats in the House. Not a proud day for Emily's List. And a NOW-Legal Defense and Education Fund (LDEF) appeal for contributions to support an economic justice litigator "aroused so much hate mail that NOW-LDEF stopped doing direct mail on the welfare issue."*

Ellen Goodman, a feminist pundit, said that Clinton's sexual crudity differs from Robert Packwood's or Clarence Thomas' because he respected the woman's "No." This gave material to the conservative cartoonist Bruce Tinsley, who suggested that, just as James Monroe became famous for the Monroe Doctrine, history would remember Clinton as the One Grope President. All are entitled to an infinite number of gropes as long as they do not grope any one target more than once (if she objects).

Let me state here that I do not believe NOW was wrong to back away from the Paula Jones suit. It has been a murky case, since it is difficult to show damages. Some cases of "hostile work environment" do show intolerable behavior and should be prosecuted (e. g. employers demanding sexual favors as a condition of employment or advancement, construction workers or firemen persecuting their female colleagues); others can be quicksand out of which swamp creatures like Kenneth Starr crawl.

WHICH BRINGS US TO THE CURRENT INVESTIGATION. I see four sleazes:

- the Beverley Hills/Hollywood sleaze;
- the Clinton sleaze;
- the media sleaze; and
- the right wing sleaze.

Unquestionably, the last is the most dangerous for all of us. The whole matter of investigating politicians so that you can ferret out those whom you cannot trust reeks of an archaic concept of finding rulers who can rule (over us) peerlessly, like sun kings. Psychobabble aside, the sexual liaisons of Cleveland, Wilson, Roosevelt, Eisenhower, Kennedy, Johnson, Clinton, et. al. tell us nothing about their policies.

From its inception, once it emerged from the student movement of the 60s, the feminist movement has been dominated by middle and upper class women mostly concerned with reproductive rights and career advancement (and, to be fair, violence against women). The title of a recent book by Randy Albelda and Chris Tilly sums it up all too well: *Glass Ceilings and Bottomless Pits* (South End Press, 1997).

The success of any progressive struggle depends, ultimately, on the coalescing of many discrete movements: those of blacks and other racial and ethnic groups, gays and lesbians, workers, unemployed, environmentalists, and feminists. We are a long way from that coalition, but one of our jobs is to point to one of the roadblocks to it: William Jefferson Clinton.

---

* Gwendolyn Mink, "Feminists, Welfare Reform, and Welfare Justice," *Social Justice*, v.25, no. 1. See also Felicia Kornbluh, "Feminists and the Welfare Debate: Too Little? Too Late?" *Dollars and Sense*, Nov.-Dec., 1996, p.25.

The Clinton Affair: Rethinking the Personal as Political

Lynn Chancer

WHEN THE FRONT PAGE OF A MAJOR NEW YORK NEWSPAPER CAN PROCLAIM "Clinton Love Juices on Monica's Dress," readers can perhaps be excused for concluding that the less said (and investigated) about the sexual allegations regarding President Bill Clinton the better. But beneath the salacious headlines are important issues that feminists, and progressives more generally, should not simply ignore.

In attacks by conservatives that reek of hypocrisy, feminists were accused of remaining silent during much of Clinton's early travails. For many years, Republicans have been unrelenting in their opposition to efforts to outlaw workplace sexual harassment, discovering the issue now only because the alleged perpetrator is a Democratic Party president. But conservative hypocrisy does not completely explain the reticence of many feminists about the Jones-Lewinsky-Willey cases. Certainly part of the initial silence was a sensible hesitancy to pronounce judgment before further facts are known, that is, a legal cautiousness. Silence also reflected the awkward political position in which feminism finds itself. After years of arguing in favor of the lesser evil, they and other progressives are now too weak to move Clinton to the left Since his record on abortion and other women's issues is better than the Republicans', many feminists feel compelled to defend Clinton.

I would argue, however, that there is a third source of feminist silence on the White House sex scandals, a problem within feminism that goes well beyond this situation: an often unwitting tendency to think in terms of overly simplified dichotomies.

Like all living movements, feminism is marked by internal debates. This is as it should be. These debates have polarized the movement, leading the contenders to adopt either/or positions where more nuanced theoretical and political approaches would be preferable. Consider, for example, two of the most divisive and rancorous "sex debates" of recent years.

First, the debate over pornography. Women Against Pornography argues vehemently that pornography incarnates the objectification of women in a sexist society. A leading protagonist for the other side, Nadine Strossen, in her recent book, *Defending Pornography,* holds that pornography can be pleasur-

LYNN CHANCER *is an assistant professor of sociology at Barnard College. Her latest book is* Reconcilable Differences: Confronting Beauty, Pornography and the Future of Feminism, *University of California Press, 1998.*

able for women and to censor it would be repressive.

Second, the debate over sadomasochism. As far back as the 1982 Barnard College Scholar and Feminist Conference a number of feminists insisted that sadomasochistic sex was inseparable from a patriarchal society built around relations of dominance and subordination. The other side, no less adamant, as reflected in the writings of Pat Califia, argued that sadomasochistic sexuality between consenting adults was part of sexual freedom, and that its stigmatization would be repressive.

There is some merit on both sides of these debates. Pornography *is* enjoyed by many women and men. For that reason and because we value civil liberties it should not be censored. On the other hand, the ownership and profits from the pornography industry are largely in male hands, leading to unequal control of its imagery. On the second debate, sadomasochistic sex between consenting adults can be seen as part of sexual freedom. On the other hand, this is not to deny that relations based on dominance and subordination are common in contemporary capitalist and patriarchal societies, not only in the bedroom but in all spheres of economic, political and social life.

Feminism needs a theoretical and political approach sufficiently complex to embrace questions of sexual pleasure and of feminist agency at the same time that it indicts ongoing sexist inequities and the abusive exercise of power. Unless false dichotomies are transcended feminists may find themselves more heavily engaged in battling one another than in moving beyond the defensive political position which handicapped them in the 1980s and 1990s. In short, we need a third wave of feminism better able to accommodate differences for the sake of creating a feminist movement as energetic and passionate as the previous wave.

HOW WOULD A MORE COMPLEX FEMINIST ANALYSIS DEAL WITH the Jones-Lewinsky-Willey cases? To answer this we must not only incorporate simultaneous consideration of sex and sexism, but return to the important concept of "the personal as political," as originally conceived by radical feminist thinkers like Kate Millett and Shulamith Firestone. But, as current commentary on the White House sex scandals reveals, there is considerable confusion about exactly what this phrase means.

The early implication of the phrase, so revolutionary in its historical context, was simply that power pervades both realms, the personal and the political. A New Leftist (or Old Leftist for that matter) who demeans, mistreats or physically abuses his wife or lover in his "private life" is engaging in anti-social political behavior that is not mitigated by his theoretical gifts in exposing the contradictions of capitalism or the evils of racism. And by extension, any political movement, no matter how impeccable its ideological credentials, is politically culpable and should be judged accordingly, if it ignores or in any way condones such anti-social acts committed in the presumed sanctity of one's "private life."

But now, nearly 30 years after Millett and Firestone, what does the personal-as-political mean specifically? How does it connect to the relationship between private and public in the explosive Clinton "affair"? Broadly, there are three ways of thinking about the personal-as-political, as it applies to the Lewinsky-Jones-Willey cases.

A first approach, that rejects the personal as political concept implies that Bill Clinton's troubles demonstrate that feminists were wrong to tie the personal so closely to the political. In this view (and the country appears to agree), whatever Bill Clinton does in the "privacy" of his bedroom has nothing whatsoever to do with politics, and feminists should have accepted the notion that sometimes the private is just the private; as Freud said, a cigar is sometimes just a cigar. But this response that cavalierly ignores the charges against Clinton has the potential to undo important gains of the women's movement, to contribute to what Susan Faludi has called a multi-faceted backlash against feminism.

Let us take this argument further. To say that anything Clinton has done or does in private is not of legitimate public concern must have limits. What if he had engaged in domestic violence, or clear-cut sexual harassment, or physical sexual assault? Since most domestic violence and sexual harassment take place behind closed doors, in private, separating the personal from the political in the early feminist sense has its decided dangers. Indeed, after the Lewinsky matter was made public, male French ministers and Russian heads of state cynically and scornfully derided those crazy American feminists who just don't understand that men have always had mistresses, that it is part of ordinary and unobjectionable male behavior. Thus, despite the strength of U.S. feminism as a social movement (compared to those abroad) challenging patriarchal privileges itself becomes perceived as objectionable. This first position is untenable and might be nicknamed "Patriarchs of the World Unite" or the "Sexual Harassers Rejoice: You Don't Have to Worry About Being Sued Anymore" position. In fact, several newspaper reports quoted corporate officials expressing relief that scrutiny of workplace sexual harassment, including harassment precisely defined in law, was likely to diminish in the aftermath of the White House "sex scandals."

The second approach to the personal as political (and the relation between public and private) is the polar opposite of the first. Here, the personal and the political are so completely enmeshed that there is no distinction between them. This too is a problematic concept. If no distinction exists, and the two are symbiotically enmeshed, there can be repressive social consequences. We should keep in mind that the Christian Right also believes that the public and the private are inseparable, but they conclude that, therefore, everyone's private life ought to conform to *their* notion of propriety. The personal-as-entirely-enmeshed-with-the-political could thus be used to justify invading people's freedom to live and love whom they want and how they choose, telling us that we ought to live only as nuclear heterosexual couples, married and/or engaging only in certain kinds of sexual acts. This position is also clearly unsatisfactory and can be dubbed the "Oppressive Family Values" position.

A third approach, which I advocate, could be captioned the "Toward a Feminist Rethinking of the Personal as Political" position which neither renounces all early radical feminist insights into the personal-political connection nor accepts the two dimensions as indivisible. Rather it could be characterized as a less dogmatic version of the radical feminist attitude, recognizing that much of one's personal life is not political but autonomous and entitled to privacy in its fullest sense.

What differentiates my feminist position from the earlier radical feminists' (in such a way that it cannot be coopted or appropriated into Family Values right-wing form) is clearly specifying that connecting the personal and political is not to deny the legitimacy of privacy. This third position would insist on individual freedom in the "personal/private" realm. It is not contradictory to, but consonant with, the feminist belief in the interconnectedness of these two spheres to demand that the state not interfere in people's personal lives, that we resist any and all efforts by government to pressure people to live as straight couples, while penalizing or deriding those who choose to live as gay or lesbian couples. Similarly, feminists must combat legal restrictions and all other pressures to repress sexuality. Feminists believe in promoting sexuality and sexual freedom to enrich people's lives, and reject the conventional notion of the private, isolated nuclear family as the only acceptable and valued model. In brief, this feminist conception proposes "privacy" that is liberatory rather than repressive or smacking of authoritarian controls.

A MORE COMPLEX FEMINIST FRAMEWORK IS THEREFORE NECESSARY for analyzing the Lewinsky-Jones-Willey cases, rethinking not just the personal-as-political (and private/public) dimensions of the case but also questions of sex-and-sexism. I would suggest that "both/and" rather than "either/or" formulations better encompass their multi-faceted nature.

Isn't it possible, on the one hand, to acknowledge, at least in the Lewinsky case, that if there was a sexual relationship, Lewinsky possessed sexual agency in her relationship with Clinton. To deny this autonomous agency is decidedly troublesome from a feminist perspective. Simultaneously, though, the context of that interaction was still one of differential gendered power. In other words, both issues of sexual freedom and structured sexist inequities may have been involved. In that case, isn't it possible to acknowledge that women are not necessarily "pure" or incapable of lying (such an essentialistic view was vividly belied by Linda Tripp's unconscionable betrayal of friendship). But "pure" or not, there was something sexist about the campaign against the various women involved, attacking their credibility in ways reminiscent of the "bad woman" "good woman" dichotomies often used against women in rape cases. Also, shouldn't we acknowledge, on the one hand, that how Bill and Hillary Clinton handle their own relationship is and should be their "private" business (in the best sense of the personal-as-political). On the other hand, shouldn't feminists challenge double standards by calling attention to sexist (and heterosexist) hypocrisy: would the American people have responded so tolerantly if Hillary Clinton's sex life was involved or if Bill Clinton had been accused of sexual involvement with a younger man instead of a younger woman? A consistent feminist position would demand that Hillary be accorded the same sexual freedom her husband has enjoyed.

Regarding the Jones case, it has been made apparent that based on the criterion of sexual harassment law (which feminist legal theorists have contributed to developing) Paula Jones was not a victim of sexual harassment since there was no evidence of damage to her career, or subjection to a hostile work environment. These precise criteria are important to maintain, lest sexual harassment become too wide a category, losing its meaning and legitimacy. On the other hand, this does not mean that there was nothing objectionable about the Jones and Willey cases from a feminist perspective. Given a system of patriarchal privileges from which Clinton's actions as governor and president cannot be extricated, abuses of power seem to have been involved even if these abuses did not constitute sexual harassment in a legal and more egregious sense.

THE SEX SCANDALS MAY MOTIVATE FEMINISTS TO REVIEW EARLIER NOTIONS about the relationship between the public and private, and the political and personal dimensions of our lives. In my view, it is important not only to reconceive the relationship between the personal and the political but, conversely to understand the political in terms of personal ethics; to recognize that politics-as-personal is also a feminist matter. By that criterion, Clinton's performance in the supposedly separate "political" sphere has been extremely harmful to the personal welfare of the vast majority of women, cutting across diverse class, race and ethnic lines. Clinton, stealing Republican thunder, has made deep cuts in welfare victimizing millions of women, men and children. Even after allowing for the fact that Clinton has been strong on the question of women's reproductive rights, clearing the political atmosphere of all the fog generated by the President's rhetoric, it becomes apparent that America is burdened by a nominally Democratic Administration committed to a program similar to the Republican agenda.

For the feminist movement to rally behind Clinton because Gingrich Republicans are even worse than Clinton Democrats is to repeat the fallacy of "the lesser evil." As history has repeatedly revealed, the lesser evil proves to be a slippery slope, not only neutralizing potential opposition from feminists and other progressive movements, but removing obstacles to Clinton's steady drift to the right and shifting the political landscape even further toward conservative and mean-spirited values.

This article is based on a speech given at the 1998 Socialist Scholars Conference.

Free Marketeers Declare Open Season On Open Enrollment at NYC Colleges

Michael Hirsch

HEADLESS SINCE CHANCELLOR W. ANN REYNOLDS WENT SOUTH LAST SEPTEMBER to run the University of Alabama-Birmingham, the 21-campus City University of New York seems directionless, too, and easy prey for right-wing critics who know exactly where they want to take the large, stumbling but still accessible system.

Even after hiring the high-powered executive search firm, Heidrich and Struggles, "it will take from six months to a year for the chancellor's search to be completed," Board of Higher Education spokesperson Rita Rodin said in April. So with Brooklyn College provost and modern German political historian Christoph Kimmich wearing a choke collar and short leash as interim chancellor, CUNY's some 6,000 full-time faculty and more than 200,000 students in degree programs are targets for those, including many on its own board, who want to downsize the system and jack up eligibility standards. That means ending what's left of the system's valued 29-year open-admissions practice at the two-year schools — dead at the senior colleges since the 1970s fiscal crisis — and scrapping remedial classes at the senior colleges while limiting and privatizing them elsewhere. The goal: to force a tighter fit between curriculum and current corporate needs while — despite rhetoric about standards — vaporizing public dollars and making the schools less able to compete with the area's many non-elite and struggling private universities.

While some saw the business-friendly rainmaker and self-promoting Baruch College president Matthew Goldstein as the no-brainer choice to succeed Reynolds, Goldstein took himself out of the running last month when he accepted the long-vacant Adelphi University presidency at a reported $250,000, almost twice his Baruch stipend. An advocate of morphing higher education into more of a corporate utility and less of a liberal arts bastion, he told a right-wing Manhattan Institute gathering in October how CUNY could once again be a place with "a gritty, urban academic rigor: tough to get in; tough to stay in; with few amenities along the way, but a real bargain for those who could stay the course."

But standards, like low bridges, had to be raised. "Every time colleges lower the river, high school students have fewer reasons to learn how to swim," Goldstein said.

Yet if CUNY's micromanaging trustees valued Goldstein's vision and lauded his fundraising flair — in seven years he garnered $63 million in private and public donations for Baruch, including an $18 million pledge the day after his

MICHAEL HIRSCH *is on the editorial board of* NEW POLITICS. *He did not go to City College, but his brother did.*

Adelphi appointment was announced — they dissed the visionary. Insiders say he did not have the support of board chair Anne Paolucci, a Pirandello scholar, wife of state Conservative Party founder Henry Paolucci and a Governor George Pataki appointee, who saw him as too chummy with the former chancellor.

The drum beat to remake CUNY into something corporate New York could prize came clearest from the Manhattan Institute's Heather MacDonald, who did what think-tankers are supposed to do — set the programmatic line for an assault that would seem not only irresistible but inevitable. In the Winter 1998 *City Journal*, a special issue devoted to agenda-setting for the mayor, (a companion article called for a more "civil" New York, something the notoriously ill-tempered Rudolph Giuliani was also quick to embrace), one article advocated closing all remediation programs, firing "theory-besotted post-Marxists," ending the sway of "identity-based 'scholarship,'" and shuttering the law school along with the majority black Medgar Evers and the bi-lingual and overwhelmingly Hispanic Hostos colleges.

The mayor's subsequent State of the City address embraced MacDonald's line. Instead of the expected pastiche of homilies at what in the past was more a celebration than a call to arms, listeners heard CUNY called "this disaster" and slammed for its alleged "destruction of standards" while the mayor lamented how long it took the large number of adult and working students to graduate. Conservative scribbler Maggie Gallagher repeated MacDonald's and the mayor's charges in a February 11 syndicated screed.

Not to be outdone, the *Daily News* variously editorialized about students "ill-qualified at the start and coddled to the end" and railed against "liberal arts academic standards that are virtually irrelevant to [students']needs." A March 6 leader excoriated "limitless tutoring at community colleges, dumbed-down courses at senior colleges and continuing decline in the value of degrees from both."

Among the board members most determined to end remedial programs are Giuliani advisor and former liberal light Herman Badillo (City College class of '51) and Paolucci, though the chairwoman's ongoing failure to cobble a consensus together on exactly how to kill remedial education quickly drew sniping from the governor's staff. Neither attended a series of packed remediations hearings at the board's posh East 80th Street meeting room in March and April, and decisions on exactly what to do with the lumbering beast were repeatedly postponed. (As we go to press in mid-May, no vote on remediation is scheduled, though observers expect one by no later than summer, when lingering faculty and student objections would be more easily contained.)

ENDING REMEDIAL PROGRAMS CONFOUNDS CUNY'S OWN RESEARCH that these reading- writing- and Math-skills courses turn out educated and functioning graduates. Graduate Center sociologist David Lavin, who advises the chancellor on how well open admissions performs, released a report showing that rigorous testing before admission would unnecessarily weed out "most of the eventual graduates" among minorities. Lavin told the board how one particularly harsh proposal, backed by Badillo — read The Mayor — would mean "45 percent of white applicants would be barred from admission. The impact on minority applicants would be even more profound: two-thirds of blacks, Hispanics and

Asian applicants would be denied admission."

In the face of all this pummeling and bad press, CUNY is still respected. Its medical, business, engineering and graduate schools are oversubscribed. The elite Stuyvesant High School, which currently has the most demanding entry requirements of the city's specialized secondary schools, contributes its share to CUNY's senior colleges. Of the 550 graduating seniors answering their school newspaper survey last June (some 80 percent of the total class) 22 said they were attending a CUNY senior college. That number was exceeded only by those choosing NYU, Cornell, Columbia or the diverse SUNY campuses. A total of 113 colleges were listed.

So why the animus for a college doing its job?

"Part of the project of the intellectual conservatives is to build up the private universities at our expense," Graduate Center sociologist Stanley Aronowitz said. "When you look at the Fordhams, the Adelphis, and the Hofstras, they are in competition with us. And at the senior college level, they don't measure up." CUNY attracts top teaching talent by offering relatively high salaries and the chance to teach in the graduate program, Aronowitz said.

CUNY is also not your father's university anymore. Once catering — absent tuition or book fees — to the young and unencumbered (though often the poor and despised) sons of white working class ethnics, today's typical CUNY student is likely to be a woman of color, over 21 and raising a child, who scrounges to pay the more than $3,500 in tuition fees alone.

"These are different students with different needs and quite different interests. They don't finish college in four years, and they frequently do need remedial help," Randy Punter, a financial aid counselor at York College, says.

The remediation brawl has brought the two squabbling factions of the faculty union together, if only briefly. At the recent board hearings, members of the militant New Caucus — who supplied the lion's share of speakers — and elected officials from the Professional Staff Congress (PSC) looked like tag team partners as they ripped board plans as an excuse for downsizing.

Frank Annunziato, PSC executive director, agreed differences between the union's leaders and insurgents are mainly tactical. But sometimes tactics, like timing and location, are everything. While Annunziato stresses how past PSC successes have come from "behind closed doors," the New Caucus's Nancy Romer, a Brooklyn College psychologist, calls it "The Al Shanker approach to losing."

Meanwhile CUNY has real problems that have little to do with remediation or admissions. Tuition covers a larger share of campus costs than at almost any other public university; that proportion is expected to rise. A big majority of the full-time faculty are at retirement age, and CUNY has not hired a significant number of new teachers in a generation. So with today's 6,000 full-time faculty slots a shadow of what the system provided before the 1970s fiscal crisis, part-timers now teach 60 percent of all courses at community colleges, half at the four-year schools. They have, as author and LaGuardia College sociology adjunct Bob Fitch calls it, "the credentials of professors and the incomes of lunchroom attendants."

Unrest and Repression in Argentina

Hernán Camarero, Pablo Pozzi, and Alejandro Schneider

On Monday, February 16, 1998, in Usuhuaia, Argentina's southernmost city in Tierra del Fuego, the courts finally declared the innocence of steelworker leader Oscar Martínez. Accused of "inciting to violence", Martínez had been blamed by the government for the April 1995 repression of a strike that resulted in one steelworker dead and dozens wounded. The prosecution had argued that Martínez was to blame since he called on the strikers to defend themselves from the charging police. In a previous trial, in 1996, Martínez, together with several dozen other union leaders and activists, had been sentenced to two months in prison and payment of the trial costs.

The fact that Martínez was declared innocent was a triumph for the labor movement of Tierra del Fuego. However, this does not cloud the fact that there is something new on the Argentine horizon, as far as repression goes. Over the past two years, labor and left activists in Argentina have discovered that more than one thousand of their comrades are on trial throughout the country. This has several advantages, from the point of view of the government and big business. First, it ties up much-needed resources in the legal defense of activists. Second, it gives repression a legal mantle, thus maintaining the niceties of the formally "democratic" state. And third, it attempts to win the public opinion battle by associating violence with the left in the media. Thus, it is not the police who repress but rather the activists who cause the repression by their reprehensible behavior. In this sense, it was not an accident that Martínez was a labor leader with a following among the rank and file, and a member of the Trotskyist *Movimiento al Socialismo* (MAS).

By 1996 other left labor leaders were affected by this new tactic: Alcides Christiansen, the leader of the construction workers of Neuquén, together with Horacio Panario and Basilio Estrada of the Unemployed Workers Coordinating Committee, went on trial for organizing a demonstration demanding unemployment insurance. A year later, in 1997, in the province of Córdoba, labor leaders Luis Bazán and Angel Tello went on trial. That same year the tactic was broadened from labor to include activists as a whole. Over two hundred people, arrested in demonstrations against President Clinton's visit to Argentina, have been tried during the past six months. Since the beginning of 1998, hundreds of activists have been charged and will be tried for organizing protests, demonstrations, or blockading highways, all constituting "violence" in the government's eyes.

Hernán Camarero, Pablo Pozzi, and Alejandro Schneider are all historians teaching at the University of Buenos Aires.

All of the above has not occurred in a vacuum. The levels of repression in Argentina have increased because social unrest has also increased significantly over the past two years. This all came together early last year. In March 1997, as summer was ending, Argentina exploded in a bout of social conflict and popular upheaval that was unexpected to the average observer and lasted until October. Throughout those six months townships such as Cutral Có and Neuquén in Patagonia, Tartagal and Jujuy in the Northwest rioted, and La Plata and Buenos Aires on the coast. National highways were blockaded by pickets, students demonstrated and confronted the police, workers struck as did farmers, and the colla Amerindian community in Salta province besieged a huge tract of land bought by a U.S. corporation. Incredibly enough, while all of this was going on, foreign capital flow into Argentina was at a record high, and President Carlos Menem spent more time traveling than dealing with social unrest. It was emblematic that, visiting Argentina in October 1997, U.S. President Bill Clinton praised the Menem Administration while, outside, police went on a rampage beating up demonstrators and onlookers alike.

The contradiction is too flagrant to be ignored. Socially Argentina has all the characteristics of an unsafe haven for any kind of investment (whether productive or speculative), and yet it continues to grow. In a transnationalized world, local or even regional social upheaval seems to have little impact on government and investment policy. However, the *puebladas* such as the ones of Cutral Có and of Tartagal had an effect on popular imagination and on the Left, which felt reinvigorated. Each new conflict helped to set off others. Innovations in modes of struggle spread from one to the next, suggesting both informal networks of communication and a willingness to confront neoconservative state policies.

Clearly the social upheavals that began in March 1997 were not the first ones of the new neoconservative Argentina. In 1989 the people in the Patagonian province of Chubut mobilized for a week to get rid of a governor. Later, in June of that year, thousands of people in Buenos Aires and Rosario rioted, sacking supermarkets and grocery stores. Over the next two years neighbors in different cities and towns took to the streets several times: in Venado Tuerto to protest the appointment of a parish priest guilty of human rights violations; in Catamarca to demand justice for a raped and murdered teenager; in the town of Pilar and in Buenos Aires Province to protest police brutality. By 1993 the riots had turned more violent, with people attacking (and burning down) the government house in Northwestern Santiago del Estero province, as well as in Jujuy, La Rioja, Chaco, Tucumán, and Corrientes. The main characteristic of these riots was the unexpectedness, the fact that they happened quickly lasting rarely more than a day, and left no visible forms of organization. In a sense, they were more a catharsis for accumulated anger and frustration than a new form of struggle. Though violent and pervasive, they were relatively easy to control. In all cases the Government attempted to ignore the upheaval, hoping it would die down, and when it didn't its response included repression by security forces. The result has been an increase in collective violence.

THIS LATEST BOUT OF UPHEAVAL, THOUGH IT CLEARLY HAD CONTINUITIES with the ones happening over the past eight years, was also qualitatively different. A good example of this was the conflict in Cutral Có and Plaza Huincul, two townships in the upper Patagonian Neuquén Province, with some 55.000 inhabitants. Both of these townships were built and developed around the petroleum industry. The national petroleum company (Yacimientos Petrolíferos Fiscales:YPF) provided jobs and income in the area for over 50 years. Because of its petroleum fields, Neuquén has been a wealthy province, with high rates of employment and relatively good wages. This had attracted a lot of migrants from other provinces to the area, making the local population fairly young and with links to family networks in other areas of Argentina. YPF was privatized between 1994 and 1995, with over 80 percent of its employees being laid off as a result. By 1996, the townships had a 35.7 percent unemployment rate, and 23,500 persons were below the poverty line (INDEC, 1996). By June 1996, the local governor had failed to sign an agreement with a Canadian corporation to establish a fertilizer plant in the area, and the local population took to the streets. Local shopkeepers closed their doors, and all over the two towns barricades were set up manned by some 5,000 residents. Those people manning the barricades became known as the *piqueteros* (for pickets). Security forces besieged the entrenched townspeople. A week later, on June 26, a compromise had been reached with governor Felipe Sapag who promised to find a speedy solution to the unemployment problem. Over the next nine months a committee of townspeople met with the authorities, while a small subsidy was granted to 1,000 needy families in the area.

BY MARCH 1997, NO SOLUTION HAD BEEN REACHED, when the provincial teachers' union went out on strike over layoffs and salary reductions. The teachers had the support of parents, students, and the local labor movement. Their struggle included demonstrations, petitions, lobbying, and blocking a bridge on highway 22 connecting Rio Negro and Neuquén provinces. The National Gendarmery (militarized police) forcibly opened the bridge to traffic in what turned into a violent confrontation with the teachers. As a result the conflict became nationalized, and the residents of Cutral Có and Plaza Huincul went out once again. Initially they took over the town in support of the teachers, but their demands quickly turned toward solutions to the unemployment problem in the area. Groups of young men from the townships, learning from the teachers, set up barricades on the highways connecting most of the province. To differentiate themselves from the earlier *piqueteros*, who were regarded as having sold out to the provincial governor, they called themselves *fogoneros*, after the fires (*fogones*) set near the barricades. After several days, the governor sent the Gendarmery to clear the highways. The result was a violent battle between 400 Gendarmes and 100 youths armed with slings and sticks, which ended in the death of a woman.

The *fogoneros* were youths between ages14 and 20, who numbered no more than 100. They did not accept a leadership role, and had no easily recognizable ideology beyond repudiating politicians, government functionaries, and trade union leaders. Though they sent representatives to the coordinating committee they rarely participated in town meetings. At the same time, the rest of the population was mobilized through the *asamblea popular* (people's assembly). People participated directly in these asambleas or else through elected representatives. In addition, both town notables and local politicians (councilpersons and legislators) also participated. These meetings voiced the demands of the townspeople. These were: immediate relief for the area through 1,200 new jobs, three year contracts for former employees of the now privatized YPF and of the State Gas Company, a tax moratorium; then, area subsidies from the national government, and tax exemptions to new businesses in the towns; and in the long term, investment in the YPF refinery in the area and a sales tax exemption. The provincial government granted its support for the demands, and on April 19, after several days of tension and violent confrontations, the *asamblea popular* voted to accept the national government's commitment to fulfill the immediate demands and to jointly study all the others. The *fogoneros*, who fully participated in the *asamblea* for the first time opposed the deal on the ground that the government had not kept the promises made in 1996. However, the majority, led by local politicians and town notables, felt that the conflict had reached an impasse and that it was necessary to seek a negotiated solution. By the end of October no definite solution had been found, and the area remained in a state of latent upheaval.

Instead of fragmenting, the community struggled in 1996, and went out again in 1997 in support of the teachers. In spite of widespread poverty and hunger, wider solidarity still existed. But, at the same time, once the 1997 struggle became locally oriented, the people of Cutral Có demanded (among other things) that the provincial Council for Education be moved to their area as a source of jobs, while reducing employment in Neuquén city. Though this demand was finally abandoned, the fact that the townspeople thought about it shows an increase in tension between communities; that it was not upheld seems to demonstrate that, for now, overarching solidarity is still stronger than local interests. In this sense, the Cutral Có and Plaza Huincul conflict have contradictory readings. On the one hand, faced with extreme poverty the townspeople mobilized in order to seek immediate relief. In this sense they were successful since the national government granted 500 jobs through a program called Plan Trabajar, as well as several million dollars in relief funds granted to the area. However, these jobs pay wages of 150 to 200 dollars a month, approximately one-eighth of what official sources estimate is a basic income level for a family of four.

Though the number of jobs granted was less than half of those demanded, at the same time it meant that 500 families had work. This last aspect is important. The unemployed of Cutral Có were vehement in demanding jobs, not charity, linking need with dignity and expressing an interesting level of collective consciousness. In addition, the *asamblea popular* was a form of popular democracy which contrasted favorably with the formal democracy promoted by the government. Still, the control of the *asamblea* was always firmly held in the hands of the elite —both politicians and town notables. Thus, though it carried an implicit questioning of the current political system, it was not a break with the power structure. Though the *fogoneros*, as the most combative sector of the townspeople, had the sympathy (and sometimes the support) of many of their neighbors they did not constitute a political alternative to the traditional leadership. That was because most of them were too young to be family heads, and many were seen as too extremist to be representative. The majority of the townspeople seemed to have been very conscious that, though the power elite was not to be trusted, they had to negotiate since there were slim possibilities that one locality could overturn what was seen as an unfavorable correlation of forces on the national level. Though the residents had enough sympathy with the intransigence of the fogoneros to waver in the asamblea that decided to negotiate, they were also conscious that the goal was immediate relief for the area. In this sense, faced with a political system that has proven impermeable to popular demands the townspeople turned to the streets as the only way to make their needs felt and obtain a response. This type of possibilism is not, in and of itself, wrong. Faced with the lack of alternatives, people search for ways to survive: in other words they struggle to win, not to die.

THIS TYPE OF STRUGGLE, LIMITED AS IT IS, EXPRESSES AND CAUSES CHANGES. The experience of popular participation and power gives a heady feeling and raises new questions and needs in peoples' minds. Perhaps the most noticeable thing that resulted from both, 1996 and 1997, conflicts at Cutral Có is that the experience and forms of struggle quickly spread throughout Argentina. Just as the townspeople learned from the teachers that blockading a highway was an effective means of generating government response, others learned from them. From Buenos Aires, to the North, and to Patagonia, dozens of highways were blockaded by people demanding relief and government attention. A good example of this happened in the town of Rio Cuarto, in Córdoba Province. On May 29, 1997, representatives of the shanty town dwellers met with the Rio Cuarto Unemployed Committee and with the *AsociaciÙn de Trabajadores del Estado* (State Employees Union) to organize a blockade of the main highway into the town. About an hour after the meeting started, the town mayor showed up and offered 200 jobs on the Plan Trabajar on the condition that they would not carry out their plans. Since the goal of the blockade was to elicit government response, the participants accepted and the blockade was not carried out (*El Puntal*, May 30, 1997). It is interesting to note that both members of the Communist Party and of the independent left Patria Libre organization participated in the meeting. However, their role seems to have been as observers while the leadership remained firmly in the hands of the shanty town and unemployed representatives.

One of the main elements that has forced the State to negotiate with rioters and blockaders is their collective willingness to confront security forces. In most upheavals, people, when faced with repression have fought the police instead of backing down. That is why in late March 1997 members of the Rio Negro provincial government were armed by the police to "insure their protection from social danger" (*Clarin*, March 27, 1997). An example of this "social danger" happened across the river from Rio Negro, in the city of Neuquén, on October 9, 1997. That day the provincial legislature voted to reduce the salaries of public employees and provincial teachers. Called by their respective labor unions, 600 demonstrators vented their anger in front of the legislature by throwing stones, breaking a few windows, and shouting epithets. The police intervened to clear the streets and chased the demonstrators into the center of town where they were joined by several hundred persons. Workers and neighbors charged the police. While the battle was going on, groups of unemployed sacked a supermarket and a store owned by Daniel Scioli, a prominent Buenos Aires Peronist politician. The result was over 50 arrests plus a score of wounded policemen (*Clarin*, October 10, 1997).

The rebellions of the 1990s have had their specificity and also their commonality. They were clearly the product of neoconservative market economic policies, and of a limited democracy. Hunger, unemployment, marginality, the impossibility of obtaining redress from elected representatives, the lack of a viable justice system are the most immediate causes. As James Petras pointed out, this does not represent the failure of neoconservative policies, but rather their success: they are a product designed by the ruling class. This is why, though the increase in social conflict was there to be seen, the government chose to increase its security forces, rather than modify any aspect of its social and economic policies. This does not mean that Carlos Menem and his advisors want social conflict, but rather that they believe it is an expression of dysfunctional sectors of society which have been unable to readjust to the new Argentina. In their eyes, the government is carrying out a transformation which is essential; and in all transformations some sacrifices are necessary.

BENEATH THE ORGANIZED LEFT THERE IS A BROAD, but very atomized, resistance movement. The combination of popular expectations in parliamentary politics and the weakness, and confusion, of the Left means that most of these struggles do not come together into anything even remotely resembling a political alternative. However, these movements are slowly and hesitantly developing new forms of organization and struggle. Over the past seven years a myriad of women's groups, unemployed committees, student organizations, and gay groups have either come into being or become more active. It is interesting to note that cultural and sports activities have become transformed as a vehicle for social and political organizing. Local radio and theater groups have served as a channel for community protest or for just keeping people together. A good example are neighborhood football clubs in the working class suburbs of Buenos Aires. Parents organize these clubs in order to keep their children away from drugs and gangs. The clubs quickly develop commissions that are elected by the members whose role is to organize matches, obtain or build a clubhouse, and get rights to a piece of land for a playing field. The commissions serve as a locus of neighborhood organizing and, eventually, for political activity such as petitioning local authorities. Some of these clubs have become increasingly politicized and serve as a basis for organizing the opposition to government policies in the neighborhood.

One of the potentially more interesting forms of organization is the *Congreso de los Trabajadores Argentinos* (Congress of Argentine Workers: CTA). Organized by the State employees (ATE), the teachers' union (CTERA), as well several smaller unions, and other union locals, the CTA is trying to develop a new form of trade unionism, more in tune with what Kim Moody has called "social-movement unionism." Though many of these changes are more discursive than substantial, the main changes applied by the CTA deal with organization. Workers can now affiliate directly with the confederation without belonging to a specific union, or even without being employed. In addition, CTA leaders are elected by the vote of the members, and not of the affiliated union representatives. Finally, the CTA perceives of union activism as something that links both on the job and neighborhood organizing, together with coordination with unions in the nations of Latin America's southern cone. Unfortunately, the CTA has not democratized the structure of its member unions; it has a strong bureaucratic aspect which is the main obstacle to its development as alternative unionism. For example, in CTERA, one of the mainstays of the CTA, rank and file dissidence is heavily repressed, and the union leadership has struck several deals with the Menem government opposed by the membership (for instance, support for the new Education Law that significantly increases the teachers' work load). The CTA links left militants, with rank and file activists, with old fashioned bureaucrats, giving it a fragmented and contradictory existence. In some areas of Argentina the CTA has very hesitantly become an opposition pole to neoconservatism, while in others it is to the right of the CGT unions. Because of its contradictory nature it has not yet become an alternative to the pro-government CGT. Still, for the first time in 30 years there are two clearly defined and legal labor confederations in Argentina. Together with several dissident CGT unions (the steelworkers and the teamster-led MTA grouping (Argentine Workers' Movement), and the small and left-led May 1st Trade Union Coalition, the CTA carried out a general strike on August 14, 1997. In spite of government harassment, and the strict neutrality by the opposition UCR-FREPASO Alliance,* about 40 percent of wage earners supported the strike, definitively breaking the labor monopoly of the CGT. The general strike was particularly strong in the provinces, and less so in Buenos Aires. In addition, more than 20 national highways were blockaded in support of the strike, and there were violent confrontations with the police in cities like La Plata, Rosario, and Cordoba, as well as in Cutral Có.

Another interesting development is the increased organization and participation of Argentina's small native American community. There were several demonstrations by the *mapuche* community between 1992 and 1996 denouncing Amerindian massacres, their exclusion from national history textbooks, and demanding things such as the return of community lands. In the province of Salta, the *colla* community has been carrying on a struggle, over several months, in defense of their lands. These lands had been, finally, granted to the *collas* in 1989 by the provincial governor. However, a few years later, the Seabort Corporation bought, from the former owners, the rights to 79,000 hectares of these lands and applied to the government to expel the *collas*. In late June 1997, the community blockaded the highways and effectively besieged the Seabort employees sent to take over the land. Between July and October the provincial police made several unsuccessful violent efforts to open the highways and expel the *collas*, who resisted (*Clarin*, July 1, 1997). A few months later, the *mapuche* community in Patagonia started a struggle against the Italian Bennetton Corporation; the biggest land-owner in the region. The *mapuches* were denouncing low wages, discrimination, and the abridgment of their ancestral rights by the Italian corporation (*Clarin*, March 14, 1998). The actions by the *mapuches* and the *collas* have surprised the government because of the level of organization and their politicization.

Altogether, between March and December 1997 the Argentine press reported several dozen labor actions, some 50 instances of rioting (albeit some very minor), close to 100 highways being blockaded, two strikes by farmers, two nationwide strikes by teachers, the general strike carried out by the CTA, and 21 cases of violent confrontations between demonstrators and the police and Gendarmery resulting in hundreds of arrests, many wounded and one dead person.

ALL OF THESE ACTIONS ARE A FAR CRY FROM CONSTITUTING an alternative to the present neoconservative policies. However, this resistance is sufficient to worry the government. By the end of May 1997, government officials were asking business to help out with the social situation. But most of the businessmen remained clearly unconcerned; the management of the privatized YPF company said: "unemployment is the government's problem, not ours" (*Clarin*, May 16, 1997). A supermarket chain ratified what YPF said and backed it with actions: it instituted a practice whereby once a week one of their employees was chosen to be laid-off through a lottery (*Clarin*, April 11, 1997). Perhaps because of this, the Catholic Church has sounded the alarm stating that the current social situation is giving rise to violence and the danger of having the state lose its legitimacy. Faced with an increasingly violent social situation, on the one hand, and with employer intransigence, on the other, Menem and Argentina's political leadership have no other recourse than repression. The Left has been accused of trying to destabilize Argentina. Organizations such as *Quebracho, Corriente Patria Libre*, and the *Partido Obrero* have been accused of being behind most riots and blockades (see *Clarin*, May 29, 1997). To accept this notion not only means granting these organizations a size and influence they clearly do not have, but it also implies a level of coordination between different conflicts that has escaped most analysts. But this has been the rationale behind the government's spending increasing amounts of money to improve and enlarge the security forces. According to the daily *Clarin*, by December 1995 the only area of government that had increased its overall number of employees was the security and Armed Forces, which reached a total of 60 percent all state employees (*Clarin*, December 9, 1995). It should be pointed out that this number represents the "public" members of the security forces. If we take into account the numerous members of the intelligence community as well as the undercover security teams and police informers, the overall percentage goes up. The Ministry of Economics, *Informe* (1996: 56) reported that employment in "Public Administration, Defense, and Social Services" had increased 15.5 percent, the second highest after "Agriculture." The Chief of the General Staff, General Martín Balza specified at a conference at the University of Palermo (October 23, 1997) that the "new mission" of the Army included opening blockaded highways, in a clear reference to the continued role of the Armed Forces as an element of social control. In addition, as stated in the beginning of this article, harassment and persecution of Left activists has increased significantly over the past three years, as has government surveillance over the population in general. In addition, the economic program is already showing signs that its transnationalization has made it more, not less, vulnerable to economic cycles. Of course this does not imply that a political alternative will emerge. As stated before the Left is in disarray, while the Right has joined Menemism. What it does mean is that Argentine politics are in a state of flux and transition.

IN THE OCTOBER 1997 BY-ELECTIONS, THE GOVERNMENT WAS SOUNDLY DEFEATED 45.67 percent to 36.15 percent nationally. The UCR-FREPASO Alliance emerged victorious, almost unexpectedly. However, the blank and void ballots were the third largest political choice, accounting for 6 percent of the total, and an estimated 30 percent of the electorate abstained. In Cordoba province over 5,000 votes were cast for “Silvio”, a monkey in the local zoo. Even in the case of Governor Duhalde’s *manzaneras* (paid block activists) the “new” politics has had an impact. Many *manzaneras* in the poorest neighborhoods and shanty towns voted for the opposition. They perceived a shift in both voting trends and the support of the economic power groups away from the governing Peronists: the costs of bucking the government went down while the possible benefit of switching allegiances in time went up. Not only was Menem now perceived as inefficient and corrupt, but also as unable to control social conflict. Is this a measure of success or of failure of Argentina’s newly-found democratic system? Most ballots cast for the opposition were really negative votes, and it is questionable how many people feel represented by the UCR-FREPASO Alliance. Blank ballots and the abstention rate remain high at about 30 percent of the total. Still, voting shows a desire to participate and make one’s voice heard. Riots, blockades, strikes, blank ballots and voting for the opposition all seem to be forms of political participation in the search for a political alternative to neoconservatism. But at the same time transnationalization of the economy has made the bourgeoisie less, not more, responsive to social upheaval. In addition, the changes in the political system reflect these new realities giving birth to an electoral system that is hardly democratic. It is therefore likely that popular political participation in Argentina will increasingly be channeled through many different, and often violent, forms of expression.

1. The main leader of the *Corriente Sindical Primero de Mayo* is Carlos “Perro” Santillán, who heads the public employees union in Jujuy province, and is a member of the Maoist PTP (*Partido del Trabajo y del Pueblo*).

---

*The UCR (Radical Civic Union)) is a center-right group. FREPASO (Front for a Solidarity Country) is a coalition of Peronists, leftists, and several branches of the Socialist Party. They formed an alliance for the 1997 and appear to be continuing that alliance for the 1999 presidential elections

Germany's War Against Aliens

Hanna Behrend

IN A JULY 1997 REPORT, AMNESTY INTERNATIONAL'S INVESTIGATOR in Germany listed 40 new cases of police brutality 95 percent of which involved foreign nationals or German citizens of foreign origin. These were not isolated instances but indicated a pattern of racism which was vigorously denied by German home affairs ministers. The German Federation and the Federal State authorities refused to set up an independent committee of investigation.

Police brutality is not only meted out to aliens suspected of criminal offenses. When 8,000 Berlin metal workers rallied to a legal demonstration to protest cuts in social benefits in June 1996, the police detained one of the speakers, a man of Turkish extraction. Despite his colleagues' protests, the police dragged him away and manhandled some of the protesters, eight women and seven men, all of Turkish extraction, shouting at them: "Have your demos in Turkey, not here!" One of the protestors was detained on a trumped up charge of resisting arrest but was released a few days later. Had he been convicted he would have lost his chance of being naturalized.

In July 1997, alien registration was tightened: aliens could be deported on suspicion of a criminal offense, denying a person the right to be considered innocent unless rightfully convicted of a crime. On June 1, 1997 social security for acknowledged asylum-seekers and refugees from civil war was eliminated. As a result, this disprivileged group thereafter received only food vouchers in place of money, obliging them to do their shopping in special, ill-equipped expensive shops. In the Berlin area there are only three such special shops forcing local authorities to pay refugees' fares, a totally unnecessary public expenditure. Even hospitals participate in the general victimization of aliens. Some have taken to transferring uninsured patients from Eastern European countries to hospitals in their home countries even against their will.

A May 1997, agreement between the Algerian and German governments, which ignores the fact that in the 1990s almost 10,000 people were killed in Algeria by armed bands of various denominations, regulates German-Algerian cooperation on the exchange of data relating to refugees. The Algerian consulates are, thereby, authorized to institute hearings of Algerian asylum-seekers to facilitate their identification and deportation if they are refused legal status in Germany. Since only 1.17 percent of Algerian asylum-seekers obtain recognition as refugees, the basic civil rights of the remaining 8,000 Algerian

HANNA BEHREND, *former senior lecturer at Humboldt University, Berlin writes frequently for* NEW POLITICS *on Germany. Her latest book is* German Unification: The Destruction of an Economy (*Pluto Press).*

asylum-seekers in Germany are seriously jeopardized. A similar agreement promising the Vietnamese Government, which had previously refused to accept the returnees, some financial aid had paved the way for the deportation of the bulk of the Vietnamese "guest workers" in East Germany in 1991.

Another such agreement recently threatens 15,000 stateless Palestinians who were ordered in June 1997 to leave the country when their three month provisional permits expired, failing which they would be deported to the refugee camps they had come from in Lebanon, Jordan or Syria. Bosnian war refugees have suffered similar treatment since the German home ministers' conference in September 1996 agreed to force them to return to the various states of the former Yugoslavia. A special agreement with the present Republic of Yugoslavia (Serbia and Montenegro) provides for the deportation within the next three years of about 135,000 Yugoslavs living in Germany without valid permits. In February 1997, a 35-year old Croat threatened by immediate deportation committed suicide. He left a wife and three children between four and nine years of age. The man had pleaded in vain not to be deported given the insecure conditions in his homeland, Eastern Slovenia.

Throughout 1997, Bosnian refugees were urged to return home or be deported in defiance of the recommendation of the UN High Commissioner for Refugees. The fact that there is hardly enough food or housing for the one and a half million homeless and destitute people in the Bosnian Confederation, that 90 percent of the population still depends on humanitarian aid, that many refugees still live in camps and that the deportees from Germany are certain to increase the country's instability is ignored. While the German Conservatives, Liberals and the Social Democratic Party (SDP) promote the return of these war refugees, cost what it may, the Green Party and the Party for Democratic Socialism (PDS) plead for an end to deportations until returnees can be provided with basic human needs.

WHILE ONLY 39 OF 100,000 ALIENS WERE NATURALIZED IN GERMANY IN 1995, the Netherlands granted naturalization to 473 of 100,000 aliens. Any person born in Britain, whatever the nationality of his/her parents enjoys double nationality. Double nationality is also admissible in the Netherlands, in France and Portugal. Children born to alien parents in Britain, the Netherlands, France, Spain, Portugal are automatically naturalized. In Denmark, Sweden and Finland they may opt for the country of their birth after between five and ten years of residence. Against these far more generous regulations, children of "guest workers" in Germany have had to apply for individual permits since spring 1997 for which they have to pay between 20 and 80DM.

No wonder that Amnesty International considers German legislation on immigrants and asylum-seekers since 1993 "the most restrictive in Europe."

Government-inspired discrimination and harassment is becoming a staple in the mounting war against aliens, whether employed or job-seeking, in Germany today. A decree issued by labor minister Norbert Blum in June 1997 curtailed the rights of recognized asylum-seekers and refugees to employment.

"GERMANY IS NOT A 'NATION OF IMMIGRANTS,'" said former Federal Minister of the Interior Zimmermann in 1984. But this precept is belied by the historical record. One need not go back to the Slavonic and Teutonic tribal migrations. Even in the 18th century, French Huguenot immigrants settled in Prussia at the invitation of King Frederic II and became fully integrated German citizens. At harvest time, German landowners in the Eastern provinces regularly recruited Polish agricultural workers. Polish miners were welcome to work on the Ruhr throughout the 19th and early 20th centuries. Many Polish families settled in the Ruhrgebiet and in East Germany. After the First World War, there was a notable influx of Polish Jews to Berlin. Phone directories reveal a large number of names, clearly of Polish origin, in the German capital.

Nazism, during which able-bodied men and women were transported to Germany from the occupied territories and pressed into slavery manning Nazi war industry, gave way in its defeat to the deportation of German nationals from former German territories in the East and from other parts of Europe. They found homes and were soon integrated both in West and East Germany. Particularly welcome for political reasons were the 2.7 million East Germans who left the Soviet zone of occupation and later the GDR for the West, a migration which only withered when the Wall was put up in 1961. During the 1980s and 90s considerable numbers of people, whose ancestors had migrated from Germany to Russia and other Eastern European countries in the 17th and 18th century, applied for "late repatriation" and were granted permits to settle in Germany.

In the 1950s and 60s, even this tremendous immigration was insufficient to provide the labor needed to cope with the West German "economic miracle," the reconstruction boom unleashed by U.S. Marshall Plan money and the integration of the Federal Republic into the European Community. Since 1955, the Federal German Army has withdrawn an additional 470,000 soldiers and 170,000 in other personnel from the labor market. In 1961, more than half a million jobs in West Germany could not be filled by native labor. This prompted the recruitment of streams of foreign "guest workers." Between 1968 and 1971, the number of foreign workers rose to 2.1 million, constituting 9.8 percent of the national labor force. They were composed largely of Turks, Kurds, Yugoslavs, Italians and Spaniards. Without this foreign labor the high rates of economic growth in West Germany could not have been achieved. Banking, insurance and retail trades profited from this population's spending and savings. From 1970 to 1984 they paid 129 billion DM in insurance contributions while benefits paid to them during that period amounted only to a total of 22 billion DM. The increasing absorption of foreign workers into manual and other low paid jobs provided a boost upward into the salaried classes for nearly one million indigenous workers, most notably through civil service expansion and advancement.

When the boom began to fade, labor recruitment abroad was finally curtailed and by 1973 intensified efforts were made to encourage the repatriation of "guest workers." Legislation and regulations restricting immigration and, in its wake, also the civil and human rights accorded to foreign residents in Germany were accelerated. Measures to insure their integration, on the other hand, were more and more neglected. Alien legislation has been tightened to the disadvantage of the alien workers since the 1980s and, since the 1990s, every effort has been made to restrict the extension of residence permits. Permanent permits have been refused to newcomers. Provisional ones are no longer extended if the alien is unemployed or without other sufficient means for personal or family support, or if the newcomer is consideredundesirable.

The GDR's "Guest Workers"

IN THE 1970S, THE GDR, TOO, STARTED RECRUITING FOREIGN NATIONALS, chiefly from Vietnam, Cuba, Nicaragua, Angola and Mozambique, but also from Poland, Hungary, Czechoslovakia and Rumania. They were offered training in skilled trades which would be useful to them on their return to their home countries. While this was indeed the general practice in the first decade, by the 1980s they were more often than not employed merely as unskilled laborers — their claims to skilled training disregarded.

After the "Wende," particularly after monetary union and unification which set in motion the dismantling of the entire GDR industry, this work force became "superfluous." Every effort was made to deprive them even of the rights "guest workers" had in West Germany and to urge them to return home prior to the expiration of their work permits, regardless of the conditions prevailing in their home country. Only by massive protests on the part of the political opposition, the churches and anti-racist organizations, did the government permit alien workers recruited by the GDR to stay. And only then, provided they had accommodations and were employed or otherwise able to provide for themselves and their dependents. But since unemployment was rife, it was very difficult for this category of aliens to find employment. Labor exchanges had been instructed to issue work permits to such aliens only if no German or European Community (EC) applicants for the job were available. A considerable number of the ex-GDR "guest workers" were therefore obliged to return home if that was at all possible or go underground and hope for the best.

According to the German Constitution of 1949, Germans are those born in Germany of at least one German parent. Also eligible for German citizenship are those of German origin, their spouses and descendants who have sought asylum in the Federal Republic of Germany from political, religious or national persecution in the countries of their birth or who were deported from those countries. Since legislation passed by the Nazis which deprived certain categories of German citizens of their civil rights had been repealed, these once former citizens now had their rights restored. If they lived abroad they could apply for reinstatement provided they had taken on no other nationality, dual nationality being incompatible with German law.

Thus Russian citizens whose forefathers and mothers left Germany two or three centuries ago are considered Germans by right of their ancestry and eligible for "late repatriation" to Germany. Their integration is encouraged by the authorities. This privilege was also accorded to a contingent of Jews from the former USSR. All other residents of non-German origin in the Federal Republic are aliens and come under an intricate and opaque network of confusing legislation and regulation. This legislation stratifies the alien population on the basis of class and ethnicity and grants the better-off Western white foreigners a relative advantage over those who seek asylum from political and other persecution, from civil war, famine or destitution in the Third World who are treated as unwelcome flotsam.

WHILE THE MOTIVES OF IMMIGRANTS OF GERMAN DESCENT, EVEN IF PURELY ECO-

NOMIC, are accepted by the authorities and by the media, to be labeled a "*Wirtschaftsflòchtling*" — an economic immigrant — summarily disqualifies those of non-German ancestry from entering or remaining in Germany. The very word has become an insult. To the mass of "Third World" immigrants, economic motives often simply mean escape from destitution, famine, homelessness and unemployment. These conditions are caused by the "First World" countries' irresponsible cuts in development aid, by civil and other wars, by ecological disasters, and by the policies pursued by the International Monetary Fund.

Aliens are generally considered a safety risk in Germany. The laws regulating their activities are motivated by security considerations. Since the recruitment of "guest workers" was halted, visas permitting non-EC nationals to enter Germany for the purpose of settling there have been rarely granted. There are three basic categories of permits accorded to aliens. Any category of aliens, however, may be deprived of their permits if their presence is considered a threat to public safety or other major interests of the Federal Republic. If the alien then fails to leave the country, he/she is liable to deportation proceedings, pending which the refugee is detained in special deportation prisons for an indefinite period of time.

The most privileged segment of foreign residents in Germany are nationals from EC countries. Their own, their spouses' and dependents' permits are generously extended even if they are unemployed, disabled or employed in another EC member state. Former "guest workers" of long standing and their descendants born in Germany are generally granted permanent permits if they have lived in Germany for at least five years, which is also one of the minimum prerequisites for any application for naturalization.

Aliens in Germany can apply for naturalization if they are legally competent, not liable to deportation, and permanent residents with sufficient means of subsistence for themselves and their dependents. Applicants are, however, not eligible unless they have previously been granted a certificate of permanent alien registration. They are also ineligible if they have been convicted of a criminal offense or if they require social assistance for their own and/or their dependents' maintenance.

The former GDR's "guest workers" are generally less fortunate. They rarely achieve the status of permanent permit holder. Aliens from non-EC countries who wish to stay on after their period of training or studies in Germany or after their employment contracts expire, are increasingly less likely to be permitted to settle in the country regardless of whether they are employed. Even recognized refugees from political or other oppression — war and civil war refugees — are only granted permanent permits in exceptional circumstances. When their permits are not extended, they are urged to leave the country or risk deportation for remaining illegally.

They are also the group of aliens least protected by the law. In 1996, at least eight people died in their attempts to enter Germany illegally, a total of 45 since 1993. Another 45 refugees committed suicide prior to being detained and 14 refugees committed suicide while in German deportation prisons. In December 1997, about a hundred deportees in a Berlin deportation prison went on hunger strike for two days protesting their prolonged detention.

Children under 16 unaccompanied by adults (asylum-seekers over 16 are treated as adults) seeking asylum because of political or ethnic persecution, civil war, forced military recruitment, famine or destitution should — according to German Alien Legislation — be cared for by properly trained personnel in children's homes. Due to lack of funds and suitable accommodation they are often placed in dilapidated boarding houses entirely lacking in trained staff, the likely targets of abuse by criminal elements.

The Plight of Women Immigrants

EVEN TO WELL-MEANING GERMAN OBSERVERS, WOMEN IMMIGRANTS AS A WHOLE are frequently seen as suffering more at the hands of their own menfolk than from oppressive policies originating with the German authorities. Their plight is thus considered more a cultural than a political or socioeconomic phenomenon. The condition of immigrant women is, to the contrary, reinforced and intensified above all by definitive social factors. The only employment available to them is menial and unattractive. As a result, they run a high risk of becoming unemployed and there is little likelihood of their being promoted. Immigrant women are exposed to various forms of discrimination under the prevailing legislation. Socially ostracized, they are therefore in an inferior position compared both to German women and to immigrant males in the housing, education, training, and – above all — labor-markets. Consequently, the proportion of immigrant women dependent on social security is twice as high as that of German women.

They are, it is true, subject to the patriarchal division of labor and to sexist violence both in the family and at work. But the impact of that violence is further compounded by a raft of discriminatory social policies. After the termination of labor recruitment abroad, immigrant women entered Germany chiefly to join their husbands. Their right to stay in Germany is derived from their husbands. If a marriage is dissolved before the couple has spent at least three years in Germany together, the wife's right to remain expires. This also applies to foreign partners of German nationals who are accorded permits only for the duration of the marriage. Even abused and battered foreign wives, e.g. wives forced by their husbands into prostitution, have to tolerate this for at least one year before they may leave their pimp-husbands without losing their provisional right to remain in the country.

German husbands, on the other hand, are entitled to "return" unsatisfactory foreign wives at any time. Even if the battered wife is permitted to leave her husband, she may be deported if she claims social security. Due to the immigrant women's domestic obligations they are also less likely to be granted a work permit than men. Since asylum is only granted to victims of oppression by the state or by organizations tolerated by the state, the specific oppression of women does not entitle them to claim asylum in Germany.

Thus, rape or other violence against women does not perforce make the victims eligible for asylum unless the crime is committed or tolerated by the state. A refugee woman from Afghanistan, a single parent and teacher, was advised by the authorities that the Taliban decrees banning women from employment and confining them to the house unless accompanied by a man does not constitute political persecution. Women are thus trebly oppressed as workers, aliens and women.

Clause 16 of the 1949 German Constitution provided that asylum be granted to the politically persecuted. In 1993, after the media had successfully incited a racist mob mentality, the German parliament, backed by the votes of both the conservative coalition and the SPD, passed an amendment which practically dismantles that clause.* Henceforth, only those politically persecuted people who did not arrive from a "safe third country" would have a claim to asylum in Germany. Since all of Germany's neighbor states were considered "safe third countries," this regulation left asylum-seekers no other option than to arrive directly by air bypassing Germany's neighbors.

The immigrants' eligibility for asylum is then examined at the airport. Should they fail to meet these requirements, they are put on a plane and returned to the immediate country of origin. Refugees not considered eligible for asylum from political persecution by their examiners at the airport are sent back to the country they last reached on their escape route from persecution prior to arriving in Germany. Only there, may a refugee reapply or lodge an appeal. In May of 1996 the German Constitutional Court endorsed this procedure depriving immigrants of even provisional legal protection and curtailing their right to appeal.

The churches in Germany have severely criticized this and other facets of the aliens' policy. They are pleading for a reform of the naturalization law, extending dual nationality to those who would like it and for according German nationality to all children born in Germany regardless of parentage. They want Germany to become once more a "nation of immigrants."

They are also defending the widely exercised practice of church asylum offered to immigrants imperiled by deportation. The threat of some 2,500 immigrant deportations since 1983 was successfully challenged on the grounds that deportation would place the affected immigrants' life and liberty in jeopardy. The present German Minister of Home Affairs, Herr Kanther, incidentally a member of the Christian Democratic Union, however, considers the practice of church asylum a menace to German law and order.

Mob Violence Against Aliens

In 1997, 45 percent of right-wing extremist acts of violence occurred in East Germany. Right-wing extremism had begun to spread among a section of GDR youth and escalated after unification, encouraged by the proliferation of right-wing propaganda and the fact that even acts of right-wing extremist violence were rarely punished. Many young East Germans, often without any training or job perspective, were easily persuaded that they could find jobs and housing at reasonable prices, if only the aliens were expelled. These beliefs have inspired acts of violence against aliens. This problem is, in turn, further compounded by a malevolent collusion of the government and the media. Responsibility must, above all, be borne by the government for turning a blind eye to right-wing outrages committed in the ranks of the army and by the police. But it is also the government's reactionary policies on alien integration and its discrimination against asylum-seekers that has fueled the campaign of media distortion. Consequently, asylum-seekers and aliens are successfully cast either as economic opportunists or criminal predators. That is why atrocities committed by a degraded but vociferous minority are ignored, tolerated or condoned by a broad strata of the German people.

On the other hand, a considerable number of people refuse to tolerate alien-baiting. A small, but growing immigrant solidarity movement assists aliens discriminated against by the authorities or in danger of being deported and has begun to stand up with them against neo-nazi thuggery. These people, however, are rarely mentioned by a media seemingly committed to another agenda which is why mob violence is still rampant most spectacularly in the "new (East) German states," but equally in the West. Its victims are not only aliens but also the elderly, the disabled, and children. But aliens, particularly if they are foreign-looking are at greater risk than others.

The number of acts of violence against aliens, in the state of Brandenburg, alone, particularly from Third World countries, rose from 36 to 50 last year. Raids on asylum-seekers' hostels in East and West Germany since unification have cost the lives of at least 32 refugees.

Although anti-Semitism is also rising, the role of scapegoat hitherto occupied by the Jewish people, is quickly being displaced by the alien and in particular by the "Third World" immigrant. Those who have fled persecution for political, ethnic, national, and religious reasons and, above all, immigrant women — refusing to return to stone age conditions of dependency, or fleeing from war and civil war, famine, homelessness and destitution — increasingly bear the onus for the present state of social decay. Rising unemployment, the fast vanishing social amenities of the welfare state, the dismantling of the universal education and health care systems, the lack of prospects for increasing numbers of young people, the growing violence in Germany — all consequences of the present neoliberal policy — have eroded trust not only in governments and parliaments, but in political parties and leaders of all denominations. Civil commitment, resistance to racist and other violence continues, visions of alternative ways of living, working and communicating are still elaborated and discussed. Yet all these activities seem more fragmented than ever and are only occasionally able to stem the tide of barbarism.

Postscript

On April 27 elections took place in the East German state of Saxony-Anhalt. The results, while confirming the SPD as the strongest party with its 35.9 % of the vote (as against 34.4% in 1994), and the PDS increasing its vote by nearly 60,000 but losing a slight percentage (19.6 as against 19.9% in 1994), revealed the big loss in popularity of the CDU (from 34% to 22%). But the real shock was that 12.9% of the electorate, largely young male working-class and unemployed voters, elected 16 candidates of the fascist German People's Party (*Deutsche Volkspartei* DVU), a creation of Bavarian media czar Herr Frey, to the state parliament. The Green party and the Liberals failed to get a single seat. That the DVU, which stood for election for the first time, was so successful with its racist and anti-Semitic ticket is in no small measure due to the government policy of playing the scapegoat card. Unfortunately, the lesson drawn by the government from its utter defeat in Saxony-Anhalt is: Let's pander even more to the right-wing fringe.

[3] See my articles "Germany. The Stage is Reset" in *New Politics*, Winter 1993 pp. 82-93 and "Racist and Anti-Semitic Violence in Germany" in *New Politics*, Summer 1995, pp.123-131.

New Labor Faces New Left Challenge

John Palmer

BARELY SIX MONTHS AFTER BEING ELECTED WITH A LANDSLIDE PARLIAMENTARY MAJORITY — the largest recorded in any British general election for 150 years — Tony Blair's New Labor government is in trouble. True, New Labor still enjoys a commanding lead in the opinion polls as the opposition Tory party lurches ever further toward the neo-Thatcherite right in splintered impotence. But the Blair leadership's single-minded ideological drive to the right has taken New Labor's core political agenda well outside anything which is recognizable in terms of traditional European social democracy. It has brought the government into collision with important Labor-voting social constituencies, including the trade unions, the disabled, ethnic minorities and important parts of the women's movement.

The combination of New Labor's adoption of Tory policies and its internally authoritarian party regime has not only led to renewed conflict with the party's left wing, but has also triggered significant membership defections. In some areas of Britain, local Labor parties have been expelled or their core activists have resigned. For the first time in many decades there is serious discussion about left forces outside the Labor party mounting an electoral challenge to New Labor possibly in alliance with left factions in the English, Scots and Welsh Green parties.

New Labor has not only explicitly abandoned much of its traditional Labor ideological inheritance, including wealth redistribution and planned public intervention to create jobs and improve social standards. It has also jettisoned any serious commitment to a partnership with the trade unions in favor of an avowed platform of collaboration with business leaders including some, such as the media magnate, Rupert Murdoch, an outspoken admirer of Margaret Thatcher and a bitter enemy of organized labor.

Labor ministers struggle to maintain the crumbling infrastructure of Britain's crisis-ridden welfare services while continuing to insist on a rigid adherence to the budget and public spending limits laid down by the defeated Tory government led by John Major. Following the latest annual budget for 1998 presented by the Chancellor of the Exchequer, Gordon Brown, public spending on social services — such as health and education — will actually fall in real terms during the next 12 months.

This strategy has already led Labor to consider cuts in welfare payments to single mothers and to threaten reductions in benefits paid to the disabled. Meanwhile New Labor imposes higher health and university education charges

JOHN PALMER *is a member of the board of* Red Pepper, *the London-based socialist monthly magazine.*

and refuses to help local Labor authorities maintain public services by freezing state subsidies to local government. Blair and his cabinet colleagues, meanwhile, have refused to honor pledges for the removal of Tory anti-trade union laws and make no secret of their desire to marginalize still further the already much reduced influence of trade unions affiliated to the Labor party itself.

Less surprisingly, New Labor has run a consistently bipartisan foreign and defense policy which has the broad backing of the utterly discredited Tory opposition. This is founded on an unquestioning subservience to Washington on all key foreign and security policy issues. While New Labor cannot find the resources for the poor and disabled it has no problem in finding the money to sustain Britain's increasingly anachronistic so-called independent nuclear "deterrent" or to finance a possible war in partnership with the U.S. on Iraq.

TONY BLAIR'S COMMITMENT TO THE ATLANTIC ALLIANCE WITH THE U.S. is even being pursued at the expense of Britain's responsibilities as a member (indeed currently as the Presidency) of the European Union. Although the Prime Minister makes great play of his "modern and forward looking" attitude to the European Union, in practice he follows many of the same Euro-skeptic policies so ardently espoused by Margaret Thatcher and John Major. This has placed British new Labor well to the right of even many Christian Democratic governments within the spectrum of EU governments on such issues as higher European social standards and labor rights.

While proclaiming his commitment to the modest objectives of the European Union's goal of raising social and labor standards, in practice British ministers have opposed moves by the European Commission to increase the right of trade unions to be consulted about key company decisions such as investment, layoffs and closures. Meanwhile Blair's decision to stay outside of next January's launch of European economic and monetary union risks further decline of Britain's already waning economic and political influence with other European Union governments, which are now also overwhelmingly led by social democrats.

The longer-term strategy of New Labor seems to be based on the goal of establishing the party permanently in the center or rather the center-right of British politics. Indeed Blair has caused offense to the leaders of other European social democratic parties, notably the French, by proposing that the alliance of social democratic parties in the "Socialist International" should be replaced by a new "center/left" international grouping formed with Bill Clinton and the U.S. Democratic Party.

The ultimate justification of the austerity-oriented economic policies being pursued by Blair and his Chancellor of the Exchequer, Gordon Brown, seems to involve keeping public spending down to a level which will allow a financial war chest to be built up to finance big tax cuts for the rich and the middle class before the next UK election — in the period between 1999 and 2001. The idea is that in this way New Labor can more or less permanently displace the divided and seriously weakened Tories as the natural party of government and of the British establishment.

This is not as silly as it may sound. The Conservatives are engaged in a further period of ideological in-fighting. Under their new leader, William Haig, the dominant Tory far right is bent on driving the remnants of what they regard as the old, anti-Thatcher, pro-European "fifth column" out of the party. Meanwhile to consolidate Labor's long term shift to the center right, Blair is actively negotiating a close alliance with the leader of the Liberal Democrats, Paddy Ashdown. Rumors have it that this could lead to Ashdown being given a cabinet post and even result in a longer term coalition or even a merger between Labor and the Liberal Democrats. Ironically, the most immediate threat to this strategy is opposition from rank and file Liberal Democrats — including many of their Parliamentary leaders — who object to too close-links with a party which has moved much too far to the political right.

IN MAKING HIS POLITICAL CALCULATIONS, TONY BLAIR has had little need to take account of the Labor left. Labor's left — primarily organized through the Campaign Group of Labor MPs — has been in precipitate decline since the early 1980s when its standard bearer, Tony Benn, came within an ace of securing election as the party's deputy leader. The mainstream Labor left has also been weakened by the defection of many of its former luminaries who have made peace with New Labor's Blairite establishment. Some have even sought to make their reputation with the new Blairite establishment by outdoing the traditional right in condemnation of anything smacking of radical socialist or working-class values.

Also, the traditional Labor left has not been helped by a refusal of some of its most important leaders to come to terms with the implications of a radical, socialist strategy for dealing with the profound economic and social changes which have occurred within capitalism internationally and within British society in particular. This has even led to some on the old guard Labor party left sharing an almost identical populist and chauvinist opposition to closer European economic and political union as the Thatcherite Euro-skeptics on the right of the Conservative party.

At the same time the once powerful British trade union movement has suffered the inevitable consequences of two decades of industrial restructuring, high unemployment and successive defeats in struggles over defense of jobs and living standards. Trade union membership has declined steadily and with it, the political influence of even the most mainstream trade union leaders within the councils of the Labor party leadership. One of the very few avenues to increased influence for the trade unions is the development of the social and workers' rights program of the European Union. The EU drive for higher minimum labor and social standards was bitterly caricatured by Margaret Thatcher as "an attempt by the European Union to smuggle in by the back door the socialist legislation I have thrown out of the front door." But the Blair government, while signing Britain up to the "social chapter" of the European Union Treaty of Maastricht, still insists that ensuring the global competitiveness of British and European industry must take precedence over the modest social reform priorities of the EU.

Despite this it would be wrong to suggest that the advent of New Labor has not produced any significant reforms. Labor was elected on a program of constitutional reform, including a Freedom of Information Bill, reform of the House of Lords (dominated by hereditary peers) and a new bill incorporating the European Declaration on Human Rights. Many of these measures remain to be put into place and some risk being seriously delayed or diluted. But the implementation by the Blair government of longstanding proposals to give Scotland, Wales and (eventually) the English regions a greater measure of self-government is more important than it might at first appear. Scotland, in particular, where Labor rather than the Conservatives have long formed the political establishment, marches to a different and more radical drum beat than is the case in England.

Secondly, Blair has been obliged to concede an important measure of Proportional Representation for future elections to the new Scots Parliament, to the Welsh Assembly and — critically — to the directly elected European Parliament. At present it is unclear whether or to what extent Blair will be forced to concede some Proportional Representation element in future elections to the Westminster UK national Parliament. But the existence of Proportional Representation in the other elections transforms the prospects for those on the left who want to mount a serious challenge to New Labor at the polls.

The prospect of just such a challenge from the left has now arisen following the expulsion from the European Parliamentary Labor party of two longstanding left wing socialist stalwarts, Ken Coates and Hugh Kerr. Both men have launched an appeal for the creation of an Alternative Labor Network designed to develop an alternative to the rightist policies of New Labor on issues ranging from welfare and trade union rights to foreign and defense policy. They are also actively consulting about the creation of a broad left-wing platform designed to support candidates fighting New Labor in the European, Scottish and Welsh elections which will be held next year.

THERE HAS BEEN A VERY POSITIVE RESPONSE to the Alternative Labor Network (ALN) appeal, not just from the diminished networks of committed Labor left wingers and independent socialist organizations, but from a broader spectrum of Labor party members. Some, who in the past would have been found in the center or "soft left" of the Labor Party have been outraged at the direction by the Blair government. The ALN has the backing of groups of socialists active both outside and inside the Labor Party — notably the Socialist Movement and the Socialist Alliances (which include some local Labor party branches expelled by the leadership) — and a variety of Red/Green networks. Ken Coates and Hugh Kerr have also appealed for a broader unity between independent socialists and left green parties in the European Parliament. Coates, Kerr and their co-thinkers in the European Parliament left support European economic and monetary union as well as a more democratic, federal style, European political union. Together with important left and green groups in the European parliament they have also helped lead an important campaign for full employment which mobilized European-wide demonstrations in favor of jobs and socially useful employment before the Amsterdam European Union summit last year.

It will be no easy matter to convert the undoubted anger at the course and direction of New Labor among important labor movement and social constituencies into a coherent and confident political alternative. Proportional Representation does offer the prospect of the British left mobilizing significant popular support against New Labor. This should help overcome the psychological inheritance of political marginalization which has been the experience of so many militants on the left since the radical movements of the late 1960s and early

1970s. Hopefully this, in turn, will help overcome the influence of political sectarianism, a direct legacy of that marginalization.

The attempt to forge a new left opposition to New Labor comes at a time of growing debate among different socialist traditions, including the green left, about future strategy and policy. The goal is to agree on a socialist politics for the new millenium which openly espouses what is best and most relevant in the socialist tradition while recognizing the profound changes in society and the economy which have occurred in the past three decades. Any such new left alternative in Britain will have to acknowledge the different political environments in England, Scotland and Wales. It remains to be seen whether the diverse and historically fractious elements of the British left can find sufficient common purpose to create a broad enough platform for the European and regional elections next year to attract serious working-class support. But this will only happen through developing careful and sensitive campaign alliances which attract not only the existing left organizations but much wider forces from the trade unions and the new social constituencies, above all those representing the poor.

THE RED/GREEN/INDEPENDENT LABOR CURRENTS IN THE UK are also now beginning to understand the crucial importance of forging real links with similar red/green and other left parties and movements elsewhere in Europe, both east and west. The hesitant moves of the European Union to embrace new members in central and eastern Europe come at a moment when the demand is growing for alternative European economic, social and employment policies. The elections next year to the European Parliament — and to the assemblies in Scotland and Wales — will test the extent to which there is real popular support among at least a significant minority of the working class and socialist voting electorate for a serious challenge to New Labor. Given the scale of disillusion with New Labor some on the British left may find themselves favorably surprised by the response coming from the voters.

Miners and the Market in Vietnam

Gerard Greenfield

THERE ARE TWO RECENT PHENOMENA WHICH EPITOMIZE THE TRANSITION to capitalism in Vietnam. The first is the proliferation of "open-air labor markets" throughout the country, where hundreds of thousands of day laborers gather to wait for work on the outskirts of major towns and cities. Those lucky enough to get a day's work earn less than 20,000 dong (US$1.80), just enough to survive another day. This the ultimate expression of the "labor flexibility" and "responsiveness to market forces" that the Party leadership has sought in the reform process. Even before the first neoliberal "small shock therapy" of 1989, which saw the sacking of a million workers from the state sector and the collapse of rural cooperatives, state enterprise managers turned to hiring casual workers and day laborers in the drive to increase productivity and output, which led to the gradual destruction of workers' job and income security. Combined with the private appropriation of state enterprises and assets by the ruling bureaucratic stratum, the construction of a capitalist labor market has generated mass unemployment totaling more than 10 million workers, leaving open-air labor markets as one of the few "opportunities" left. Of course there is also the possibility of working in one of the 41 Export Processing and Industrial Zones built to attract transnational capital to a passive, "cheap" labor force. Here the preference is for young women workers, and the brutal working conditions have led to widespread strikes and protests in the past year.[1] Next to the open-air labor markets and Zones, sex tourism is the fastest growing alternative to the abyss of unemployment.

The second phenomenon is the introduction of the compulsory labor scheme in July 1997. Under this labor mobilization policy, all male workers between the ages of 18 and 45 are required to "donate" their labor to the construction of roads, highways, bridges and Industrial Zones for the sake of national economic development. They are required to undertake physical labor for several days each year — without pay — in some the country's largest infrastructure projects, which are funded with loans from the World Bank and the Japanese government. Nearly all of these projects are designed primarily to serve the interests of domestic and international capital, with highways and roads leading to foreign-invested industrial areas. Moreover, under this scheme the wealthy are not obliged to donate their labor because they can make a cash

GERARD GREENFIELD *is research coordinator of the Asia Monitor Resource Center in Hong Kong and a corresponding editor of the* Socialist Register. *He has lived and worked in Vietnam, researching the impact of economic reforms on workers and workers' struggles in the coal mines in Quang Ninh Province.*

donation to the state instead. This not only reflects the abandonment of any pretense to egalitarianism (bureaucratic power and privilege meant that it was never an egalitarian system anyway), but demonstrates the way in which the Communist regime is continuing to use the mobilizational politics of the Stalinist strategy of industrialization in combination with a flexible and "free" capitalist labor market.[2]

"Good Revolutionary Traditions"

THE INDUSTRIALIZATION DRIVE IN THE EARLY 1960S RELIED HEAVILY on the political mobilization of labor through both coercion and consent, imposing new and old systems of labor control in the pursuit of the productivist goals of capitalism. In following the Stalinist model of industrialization, a system of technicist-managerialism (Taylorism) which privileged the knowledge and authority of managers and engineers over workers was combined with official discourse on the "model worker," "labor heroes," and of course, "the revolutionary working class." However, much of the official rhetoric on the working class was concerned with the failure of workers to live up to their "historic mission." In 1988, for example, the Vietnamese trade union leadership attributed the crisis in production and distribution to "laziness, indiscipline, violation of socialist property, wastage, shoddy work [and] social vice" as manifestations of workers' "negativism," and the failure to reach maturity as a modern working class.[3] This failure then justified an increase in managers' control over the production process and the formalization of capitalist principles of labor control and discipline. In this sense "managerial autonomy" and other state enterprise reforms were mainly concerned with undercutting workers' collective bargaining power and breaking down their everyday acts of resistance.

This struggle was most intense in the state-owned coal mines in the northern province of Quang Ninh, popularly referred to as vung mo (mining country). On November 12th, 1969, Party leaders were praising the "good revolutionary traditions" of the coal miners, while at the same time accusing them of failing to achieve "consciousness of being masters of the community." Again, this "failure" was used to justify temporary measures such as piece-rate wages and allowing managers to hire and fire workers.[4] In fact, reference to the miners' "good revolutionary traditions" is made every year by the Party elite on November 12th, "Coal Miners' Day", which marks the mass strike action by 30,000 miners at the Hong Gai and Cam Pha mines against the French coal mining companies in 1936. But rather than originating in the self-organization and the collective social and political action of coal miners themselves, their history as "the most militant section of the working class"[5] is represented as a narrow set of nationalist and productivist aspirations derived from the Communist Party and trade union movement which "organized" them from above. Ironically, the notions of industrial discipline and obedience are presented as the essence of these "good revolutionary traditions," portraying resistance and protest against exploitation and domination (the real revolutionary tradition of the 1936 strikes) as a violation of these traditions. In this sense the Party-state uses the miners' radical past to contain workers' radicalism and resistance in the present.

This does not only apply to coal miners. In July and August 1997, several thousand peasants in the northern provinces of Thai Binh and Hoa Binh were involved in mass demonstrations against the illegal appropriation of their land and output by local Party and state officials, as well as excessive taxes and levies imposed by the state. The offices and cars of Party cadres and People's Committee officials were attacked and burned by protestors enraged by their abuse of power and the private wealth they have accumulated in recent years. By early September, the Party's newspaper, *Nhan Dan* (The People), announced that the military had intervened to restore order, arresting the "ringleaders" who had upset the province's "revolutionary tradition."[6] Of course, given the scale of the demonstrations and the very clear set of political and economic demands advanced by the protestors, it would seem that they were in fact living up to this tradition!

Crisis and Reform in "Mining Country"

FROM THE BEGINNING OF THE 1960S, MINERS' SENSE OF ALIENATION and their resistance to bureaucratic control over production was expressed in slowdowns (lan cong) and by deserting the mines to return to their villages (bo ve lang). Desertions in particular presented a problem for the bureaucratic Party-state's control of workers outside of the mines. In response to this "crisis," the Party-state leadership gave managers greater power to restrict the free movement of workers and impose new strategies of discipline and control. Ultimately, the introduction of piece-rate wages and wider wage differentials, greater power over the reallocation of labor at the level of production, and the rationalization of work practices, were integral to the enforcement of capitalist time-work discipline.[7]

Before discussing these changes to the system of labor control, it should be noted that an important reason for the "crisis" in coal production in the early 1980s was that over 3,000 ethnic Chinese (Hoa) miners were forced out of the mines during the Sino-Vietnamese conflict in 1978-79. Labeled saboteurs and spies in the nationalist rhetoric of the Party-state, the most highly-skilled miners were forced to cross the border into China. Ironically, it was the ethnic Chinese miners who organized the first strikes in the 1930s and who established the "good revolutionary traditions" of that era. Replacing them proved impossible. The Ministry of Energy and state mining companies organized labor recruitment campaigns in the neighboring province of Hai Hung, and the provinces of Nghe An, Thanh Hoa and Thai Binh. Flags and slogans in the mobilization campaign urged peasants and workers to go to the Quang Ninh coal mines, promising exemption from military service. People were encouraged to go their with their children, build houses and stay there. But in the end, according to Huynh Thai's account, only about ten thousand were brought to the mines and those that came deserted after only 10 days.[8] The National Union of Energy Workers estimates that more than 20,000 deserted the mines in the 1980s.

The struggle in the coal mines underwent a significant shift with the "experimental" reforms in the Deo Nai and Mao Khe mines in 1980-81, which were later to be generalized and implemented in all state-owned mines by the mid-1980s.[9] This began with the director of Uong Bi Coal Company imposing a "contractual management" system at the Mao Khe mine, with piece-rate wages replacing workers' fixed monthly wages. But just as the miners increased output in an attempt to regain their previous wage levels, the wage cost for a ton of coal was reduced by 15 percent. As a result the miners and their families were forced to take up farming and other jobs to supplement their declining incomes.[10] The incomes of directors and vice directors on the other hand increased rapidly throughout the state-owned mining companies, reaching between four to six times the total income of the workers.[11] Of course this only refers to their official salaries and does not include the extra wealth accumulated through operating illegal private mines within the state-owned mines.

At another state-owned coal enterprise, Thong Nhat Coal Company, the director introduced individual contracts, each with fixed quotas and fines and penalties for failing to meet these quotas. Under the new contracts each coal loader and sifter was paid by weight, and miners at the coal face had to cover a minimum distance each month. After these contracts were enforced, the management announced that the "abuse of working time has been eliminated," referring not only to the practice of slowdowns, but also to the meetings and discussions — once essential for the mobilizational strategies of the Party-state — which were no longer held during working hours.[12]

In 1989, the de facto power of state enterprise directors in all industries was recognized by the Party-state, and under the "small shock therapy" policies of that year they were given the power to cut the workforce by whatever number was necessary to become profitable. In the mining industry workers collectively resisted mass lay-offs, leading to an uneasy compromise in which workers were able to keep their jobs, but were not paid. After three months of unpaid work, miners at one of the state-owned mines in Ha Tu sold everything at the site.[13] In one of the oldest mines, run by the Hong Gai Coal Company, the director insisted that economic rationalization required a reduction of the workforce from 13,500 to 7,000, but it could not be done because of the prospect of a collective protest.[14] The response of state coal company directors was to withdraw from production altogether, focusing on trading and financial activities, while buying coal from the illegal "bandit mines" (tan to phi).

Bandit Capitalism and the Market

THE "BLACK GOLD RUSH" AT THE END OF 1989 SAW THE INFLUX OF 20,000 PEASANTS and agricultural workers from nearby provinces into the bandit mines in Quang Ninh. Most were escaping the poverty and deprivation brought about by the collapse of cooperatives and state farms, and the private appropriation of their land by local Party and state officials. In contrast to the state-owned mines, the labor costs in the bandit mines were a small fraction of the wages of the state sector miners, and the workers would work 12 to 16 hour shifts under any conditions. Hundreds of workers are killed in accidents in the bandit mines every year. According to Huynh Thai, mine owners try to avoid the cost of recovering bodies and "in some cases the employer makes the pit cave in to cover any trace."[15]

Most of the bandit mines I have seen were operated by local officials, army officers and capitalist entrepreneurs from Ha Long City and Hong Gai. These were small underground pits only five or six meters deep, with no supporting beams. The workers were mainly young men and boys from rural areas who lived in make-shift shelters near the pits. Further north there are larger bandit mines, employing dozens of workers who work with picks and spikes in pits 30 to 170 meters deep. Under these conditions, Huynh Thai notes that the film-maker Nguyen Khac Loi — who made a film in 1985 about the 1936 coal miners' strikes against French coal companies — need only have waited a few more years and he would have had a ready-made set for the film. There would have been no need for the made-up extras and the creation of pre-industrial settings which were necessary on the eve of doi moi in 1985.[16]

The extreme violence and exploitation involved in bandit mining is described by To Ngoc Hien, a local writer in Quang Ninh, who went to "a hill with open-cast pits where miners struggle and kill for every inch of what is called 'Him Lam Hill.'" Here he witnessed a raid by a unit of the economic police:

> I stood stunned by the devastation of the Duong Huy basin, with smoke rising from burnt-out tents and camps which in fact were the sweat and effort of tens of thousands. In one camp the attack squad confiscated 40 dynamite fuses, 10 kilograms of explosive, 15 oil lamps, five cans of oil, three jars of alcohol, together with 100 grams of black rice [opium] and ... a prostitute! Once you add up and multiply this by the number of camps, with 300 mines, 130 drivers, over 100 coal dealers and 4,500 exploited laborers, how much and how many mine fuses, explosives, oil and alcohol, black rice and prostitutes are drawn into this abyss each day, each month?

Of course, the raid is only part of a battle for territory since the economic police are also involved in illegal coal mining.[17] As To Ngoc Hien points out, ownership and control is determined by violent struggles between bandit capitalists:

One pit — an open-cast mine — passed through five owners without any certificates or papers at all. That means that all the landlords and pit owners are hidden, and anyone can make a transaction on what doesn't belong to them. So while blood and tears are shed in the pits by those busy with digging out coal, they are cut up and hit all over their bodies, their shoulders and bellies struck with picks and crowbars, as gangs of coal overseers and bosses turn up to claim control of the pits and take up this business made of sweat and blood.[18]

Similar images are conveyed by Huynh Thai, a writer on literature and the arts in mining country, whose commentary on the local political economy in transition links bandit coal mines to state officials and managers, local elites, and powerful interests in Hanoi. The outcome of this transformation is encapsulated in Huynh Thai's conclusion that, "People's lives and labor are being crushed by the new exploiting class."[19]

Clearly this new exploiting class is emerging from within the ranks of the Party-state apparatus. When 18 state-owned mega-corporations were created in the state sector in 1994, a new state conglomerate, Vinacoal, was formed through a merger of the management of the four state coal companies, the export company Coalimex, and local coal enterprises. Although it was claimed that Vinacoal would re-establish state control in the mining industry and bring an end to bandit mining, what in fact happened was that Vinacoal simply centralized the purchase of coal from bandit mines and encouraged their expansion. The reason for this was that nearly all of the directors of state-owned coal companies were operating bandit mines. Two of the largest state corporations under Vinacoal, the Hong Gai Coal Company and Quang Ninh Coal Company, were operating over 300 bandit mines. This allowed the directors and their local political allies to accumulate enormous private wealth while continuing to undercut the collective power of the state sector miners by hollowing-out production. At the time Vinacoal was praised by the central Party-state leadership for doubling coal exports, it only employed 10,000 of the estimated 70-90,000 workers in the industry.[20]

Under these market reforms high-ranking military officers in Quang Ninh also expanded their activities into bandit mining. Over 7,000 soldier-laborers are employed in 20 mines operated by units of the People's Army. Even the mines operated by the "coal militia army corps" which were established in 1968 during the massive U.S. bombing of North Vietnam have been appropriated by high-ranking officers.[21] In 1995, I asked an army general in Hong Gai about the exploitation of militia soldiers as cheap labor and the high rate of accidents and fatalities caused by poor working conditions in the five mines he controls. Predictably, he pointed to his medals then to a faded photo on the wall depicting an anti-aircraft battery, and replied, "See? See this? These are my mines. And I can do what I like with them." (Since then his business activities have expanded into luxury hotels, restaurants, import-export trading, and banking.) His answer epitomized the way in which the symbolic power of the anti-imperialist struggle in the past is used by the ruling bureaucratic elite to legitimate the accumulation of private wealth in the present. While for workers "good revolutionary traditions" means industrial discipline and acquiescence to the ravages of the market.

To Ngoc Hien explicitly links the violence and exploitation of bandit mining to the imposition of market forces under "renovation," seeing it as a consequence of the very logic of the market, rather than an aberration.

Bits of coal no longer mean just tears, sweat and some bread, but alcohol and black rice, drugs and prostitutes. Still, many people protest when it is called bandit coal mining, arguing that it solves the economic problems of some organizations and units ... and it creates employment for a great number of redundant workers out of work in a society under transformation from a centralized subsidy system to a market economy!

Indeed, despite the chaos, disorder and systemic violence involved, the necessity of the market has become the dominant ideology in Vietnam. Nguyen Khac Hien, one of the ruling elite's leading economic advisors, has taken this further, asserting its inevitability: "The market and market economy are the common achievement of human civilization. The market came into existence before capitalism, and continues to exist in and after capitalism."[22] This, according to another leading economist, Tran Phuong, renders all debate over the market economy meaningless. Any attempt at discussing whether the market is "good" or "bad" is mere subjectivism:

Human beings have no right to choose which is better for them — the market economy or the planned economy, like choosing a green shirt or a pink shirt. Only existing objective economic conditions can determine which system is fit for them. This objective necessity explains why slavery once presented a motive force for human society in spite of its inhumanity.[23]

Of course Tran Phuong does not pause to consider the possibility that it is precisely because of its humanity that slavery was overthrown. In fact the new free market orthodoxy has done away with the notion of exploitation altogether.

In legitimizing the concept of a "market economy with a socialist orientation," Le Huu Tang, Vice Director of the Vietnam Center for Social and Human Sciences, asks, "is it possible to come to a conclusion that social equity has been seriously violated, that socialism is being eroded, or that the present society is being divided into two opposite classes: an exploiting class and an exploited class?" His answer is that socialism has not been eroded and that egalitarian goals have been maintained. This conclusion is based on the notion that "polarization between the rich and the poor is not an indicator of inequity, but of equity: those who work hard and well get the most; those who work inefficiently and ineffectively will get the least." Furthermore, since new wealth is not the result of private ownership of the means of production or the exploitation of hired labor, there is "no sign of class stratification."[24]

After a decade of reform, slowdowns and desertion as a form of resistance have been demolished by the imperatives of the market. Rather than deserting, thousands of redundant and unpaid workers in state-run mines are now being transported back to their villages. Under the new coercive regime of the capitalist labor market, "cheaper" labor is drawn to the mines from villages and towns faced with massive unemployment. As Huynh Thai points out there are no longer any campaigns to recruit workers for the mines, and in the absence of flags and slogans tens of thousands go to work there for starvation wages. The fact that migrant workers beg for work in the mines means that wages are negotiated briefly (if at all). As Huynh Thai concludes, "It's easy. Labor is bargained more quickly than any other commodity."[25]

NOTES

1. Gerard Greenfield, "Vietnam: Labor Protests in the Export Processing Zones," *International Viewpoint*, 296, January 1998, pp.25-6. Also see, "Strikes in Vietnam: Between discipline and dignity," *Asian Labor Update*, 19, August-October 1995, pp.25-27.

2. As in the mobilizational strategies used in the 1980s, the ruling elite are also enforcing an invented "tradition" of corvee labor where peasants give their unpaid labor to the state. See Alexander Woodside, "The Asia-Pacific idea as a mobilization myth, in Arif Dirlik (ed.) *What is in a Rim? Critical Perspectives on the Pacific Region Idea*. Boulder: Westview, 1993, p.23.

3. "Report on the Situation and Tasks of the Trade Unions," Presented by Duong Xuan An, General Secretary of the Vietnam General Confederation of Labor at the Sixth National Congress of Vietnamese Trade Unions, October 1988.

4. Speech by Le Dai, Secretary of the Standing Committee of the Quang Ninh Provincial Party Committee. Hanoi Home Service 04.30 GMT November 12, 1969, translated in BBC Summary of World Broadcasts, Far East, FE/W546/A/14-15.

5. Nguyen Khac Vien, "Historical background, in Nguyen Khac Vien and Huu Ngoc (eds), *Vietnamese Literature: Historical Background and Texts*. Hanoi: Red River Foreign Languages Publishing House, 1984, p.160.

6. *Nhan Dan* (The People), September 8, 1997.

7. Gerard Greenfield, "The Development of Capitalism in Vietnam," in Ralph Miliband and Leo Panitch (eds), *Between Globalism and Nationalism: Socialist Register 1994*. London: Merlin Press, 1994, pp.211-18.

8. Huynh Thai, "Than lau (Illegal coal)," *Van Nghe* (Literature and Art), September 19, 1992, p.3.

9. *Quang Ninh*, September 18, 1984; *Quang Ninh*, November 10, 1984; *Nhan Dan* (The People), March 6, 1981.

10. Nguyen Hong, "Mo than Mao Khe (The Mao Khe Coal Mine)," *Quang Ninh*, Sep-

tember 18, 1984.

11. Hong Quang, “Thay gi qua mot cuoc kiem tra (What we can learn from a measure),” *Lao Dong va Cong Doan* (Labor and Trade Union), July 1994, p.16.

12. *Quang Ninh*, March 14, 1985; *Nhan Dan* (The People), April 10, 1987.

13. Minh Tam, “Than phan nguoi tho mo (The fate of miners),” *Lao Dong va Xa Hoi* (Labor and Society), August 5-11, 1994, pp.1-8.

14. Minh Tam, “Than phan nguoi tho mo (The fate of miners),” p.8.

15. Huynh Thai, “Than lau (Illegal coal),” p.3.

16. Huynh Thai, “Than lau (Illegal coal),” p.3.

17. “Lap lai trat tu trong khai thac va kinh doanh than (To restore order in coal exploitation and business),” *Quang Ninh*, July 14, 1994.

18. To Ngoc Hien, “Lai noi ve than ‘tho phi’ (Talking again about ‘bandit’ coal mines),” *Quang Ninh*, May 17, 1994, and May 19, 1994.

19. Huynh Thai, “Than lau (Illegal coal),” pp.15-16.

20. Do Hoang, “Quang Ninh sap xep lai lao dong (Rearrangement of the labor force in Quang Ninh)”, *Lao Dong Xa Hoi* (Labor and Society), October 27-November 2, 1994; “Lap lai trat tu trong khai thac va kinh doanh than (To restore order in coal exploitation and business),” *Quang Ninh*, July 14, 1994.

21. Hoang Tuan Duong, “50 nam — mot chang duong xay dung va chien dau cua tu ve vung than (50 years of construction and fighting by the coal mining militia),” *Nang Luong* (Energy Review), November, 1994, pp.25-31.

22. Nguyen Khac Hien, “On the market economy with socialist orientation,” *Vietnam Social Sciences*, 3 (53), 1996, pp.4-6.

23. Tran Phuong, “Nhung van de kinh te cua thoi dai: Kinh te thi truong vi sao thang te? (Economic issues of the time: Why has the market economy gained ascendancy?),” *Thoi Bao Kinh Te Viet Nam* (Vietnam Economic Times), no.13, March 31-April 6, 1994, p.2.

24. Le Huu Tang, “Polarization between rich and the poor and social equality,” *Vietnam Social Sciences*, 4 (42), 1994, p.11.

25. Huynh Thai, “Than lau (Illegal coal),” p.16.

The Mother of Revolutions

Thomas Harrison

THE BICENTENNIAL OF 1789 OCCASIONED CONSIDERABLE HOOPLA in France and a great deal of attention on this side of the Atlantic too. The anniversary dates marking the fall of the monarchy and the foundation of the First Republic, however, seem to have gone largely unnoticed. The reasons are not hard to find. Perhaps never in the two centuries since the fall of the Bastille has the Revolution's reputation sunk as low as it stands today. The work of an influential school of "revisionist" historians in France, led by the late Francois Furet, as well as the best-selling *Citizens* by the American historian Simon Schama, have lent intellectual respectability to the longstanding popular image of the Revolution, especially in the English-speaking world (one thinks of Dickens' *A Tale of Two Cities*), as predominantly a blood-spattered orgy of mindless violence. And in the current political climate, revolutionary activity of any kind possesses little romance or credibility. The three books under review, each in different ways, remind us that the Mother of Revolutions was a gigantic leap forward for human dignity. The poor were defeated in the end, but not before they had demonstrated a capacity to act in behalf of their own liberation such as history had never seen before.

From 1789 on, the French Revolution contained two currents: the bourgeois leadership, consisting mostly of lawyers, journalists and office-holders, and the popular movement of the poor — wage-earners, artisans, shop-keepers, the so-called sans-culottes. For a time, they marched together, but their objectives were always essentially different. Furet insisted that the emergence of the popular movement as a semi-independent force in 1792-93 brought about a *dérapage* (a sliding or skidding off course) of the Revolution itself, regrettable and unnecessary after the great achievements of 1789 and the moderate compromise of the constitutional monarchy.

But the liberal revolution of 1789 was a failure. The famous night of August 4, 1789, in which aristocratic and clerical members of the Constituent Assembly vied with each other to renounce their ancient "rights" to exploit the peasantry, did not free the peasants from feudal exactions; they were saddled with redemption payments until 1793, when, during Furet's "aberrant" phase of the Revolution, the Convention eliminated them. Under the Constitution of 1791, the King's passive resistance, use of the veto and inept but persistent plotting made government unworkable; after Louis's flight to Varennes, the monarchists in the Legislative Assembly tried to cover up his obvious treason and shield him from popular anger. And finally, in 1792, the Assembly launched

THOMAS HARRISON *is a member of the* NEW POLITICS *editorial board.*

France into a war which it did not know how to win.

On August 10, 1792, those designated as "passive" citizens and denied the vote by the Constitution of 1791, most of them illiterate, many seldom sober, took matters into their own hands by storming the Tuileries palace and literally driving Louis from his throne. That night, the Legislative Assembly reluctantly suspended the monarchy, after which half its members fled Paris. The Assembly's rump dissolved itself and called new elections, by universal male suffrage, to a National Convention. This was no *dérapage*, but the final break with the Old Regime, after three years of delay and compromise. In the process, France briefly achieved the closest thing to a democracy that the world had seen since Periclean Athens — that is, until it was throttled by the dictatorship of Robespierre's Committee of Public Safety.

But if the popular movement was the motor that pulled the Revolution out of the ditch and put it back on course, that road was fraught with danger for the bourgeoisie. While the sans-culottes had only a vague class consciousness, their instincts were anti-bourgeois and their methods and program were antithetical to bourgeois rule. As the crisis of subsistence worsened, their anger focused on the hoarders and speculators who enriched themselves at the expense of the poor, and at the politicians who preached the dogmas of free trade and the inviolability of private property. Their demands for government regulation of the economic system — price controls, for example, and the repression of hoarding — pointed toward nationalization of the trade in grain and other necessities. Moreover, sans-culotte activists, functioning through the sectional assemblies, political clubs and popular societies of Paris, tended to reject representative government and parliamentary sovereignty in favor of the direct rule of a permanently mobilized citizenry.

THE BULK OF MORRIS SLAVIN'S BOOK* IS DEVOTED to a very loosely associated group of sans-culotte spokespersons: the Enragés and the Society of Revolutionary and Republican Women. Slavin has read widely in the French archives, and he has dug especially deeply in the records of the Section Droits de l'Homme in Paris' Marais district. Until the eve of the August 10 insurrection, Droits de l'Homme (then still named Roi de Sicile) seems to have been evenly divided over the question of the monarchy. The section quickly came under radical control, however, after the Duke of Brunswick's threatening manifesto intensified the growing agitation for a republic. The attack on the Tuileries was organized by an extraordinary commission created by the sections, bypassing and eventually replacing the Commune (Paris' municipal government), and once the Convention was elected the leaders of the "popular" sections continued to regard it with suspicion.

For almost a year after the fall of the monarchy, Slavin shows, the Enragés played a critical role in articulating and shaping the demands of the popular movement. Unlike the Jacobins, they were highly critical of parliamentarism and rejected laissez-faire economics. Unlike the Hebértistes, a gang of venal demagogues holding offices in the Commune, whose mouthpiece was Jacques-René Hebért's scurrilous paper, the *Pere Duchesne,* they were not careerists.

Slavin's book contains chapters on each of the Enragé leaders. Jacques Roux, perhaps the most well known, was a "constitutional" priest (he had defied the Church hierarchy by taking the oath required by the Civil Constitution of the Clergy) whose parish was one of the poorest in Paris and a leader of the Gravilliers section. Roux was an outspoken advocate of terror against the bourgeois who speculated in the assignats, France's debased currency, and hoarded foodstuffs while they held out for famine prices. He regularly blasted not only the King and Lafayette and the Girondin leaders Brissot and Roland, but Robespierre too.

Jean Varlet was a street-corner agitator who quit the Jacobin club in 1792, saying it had turned into a debating society, and became active in the sections. He called for a republic based on the *mandat impératif* (specific instructions by electors for their deputies), the right to recall, and direct election of all public functionaries. The central committee of the sections, which began to meet at the Evêché, the former palace of the Archbishop, in October 1792, became almost a rival authority to the Convention and, for Varlet, a prototype of direct democracy. When in March and April 1793 the treason of General Dumouriez prompted widespread demands for a new insurrection, he played a prominent role in the events that eventually culminated on May 31-June 2, when crowds of sans-culottes invaded the Convention and forced the arrest of the Girondins.

Afterward, Varlet insisted that the real program of the Evêché was the dispersal of the Convention as a whole; Slavin is skeptical, however, and believes the claim reflects Varlet's later disillusionment during the dictatorship of the Committee of Public Safety. Certainly, though, the leaders of the Mountain — the radical wing of the Convention — and Robespierre especially, feared precisely this outcome, and they maneuvered frantically to divert the sans-culottes from an attack on the Convention itself toward the demand for a "purge" instead. Convening a rival assembly of the sections at their club, the leaders of the Mountain stacked the insurrectionary committee and took the leadership out of the hands of Varlet and the other sectional activists.

From the Jacobins' point of view, the insurrection of May 31 had been a close call. Almost immediately afterward, they began a campaign to domesticate the sections and crush the Enragés. Roux, in particular, was subjected to a torrent of vilification. He was a leader in the call for a General Maximum, which the Jacobins reluctantly accepted, but he also denounced the Law of Suspects and the Revolutionary Tribunal, which made a mockery of due process. Varlet called the Committee of Public Safety a "Capet of nine heads in place of the one who is no more." In return, Roux was labeled an agent of William Pitt (the British prime minister) and an inciter to pillage and class warfare, not only by Robespierre but also by Marat, which seems to have wounded and bewildered him deeply. After a series of imprisonments and humiliations, he committed suicide. Varlet and the other Enragés, likewise accused of being in the pay of England or Austria, were repeatedly menaced, imprisoned, and systematically driven out of political life. By September, the sections as a whole had been taken in hand — their meetings restricted to five hours, twice a week, they lost the ability to respond quickly to emergencies; a new 40 sous indemnity enabled the Jacobin machine to fill them with paid hand-raisers.

When Pauline Léon and Claire Lacombe founded the Society of Revolutionary Republican Women in May, 1793, they were already well known as fighters for full citizenship rights for women, including the right to bear arms. The Society actively participated in the uprising of May 31-June 2. Once the Maximum became law, its members policed the markets, looking for violations of the price controls. To the Jacobins and Hebértistes, who were, if anything, even more misogynist than the Girondins and moderates, the women's politics of confrontation and surveillance was intolerable. Their opportunity to strike back came in October, when the Society became embroiled in clashes with the market women of Les Halles. When Léon and Lacombe appealed to the Convention, Fabre d'Eglantine denounced them as "emancipated prostitutes" and "amazon she-animals." André Amar declared definitively that women could not exercise political rights or take part in the affairs of government: "Women are disposed by their constitutions to an over-excitation which would be deadly in public affairs" and "are ill-suited for elevated thoughts and serious meditations." The Convention decreed a ban on women's clubs and societies.

FRANCOIS-NOËL BABEUF (he later changed his first name to Gracchus) was before the Revolution a *feudiste*, a keeper of manorial rolls, in Picardy. Babeuf embraced the Revolution whole-heartedly and moved to Paris, but his response to unfolding events was always critical and often uncertain. Ian Birchall shows* how Babeuf developed an increasingly radical definition of democracy as the continuous supervision and accountability of elected officials. He did not join the Jacobins, finding their membership too bourgeois, but nor, curiously, in view of their similiar conceptions of democracy, does he seem to have had anything to do with the Enragés — perhaps because he was already moving beyond their advocacy of controlled private enterprise toward an understanding that democracy can be meaningful only in a society based on collectivized property. With the advent of the Terror, Babeuf became extremely critical of Jacobin authoritarianism and violence; so much so that he initially welcomed Thermidor for ridding France of the tyrant Robespierre.

Babeuf soon went into opposition against the new regime, however. With his most important collaborators, Filippo Buonarroti and Sylvain Maréchal, he set up the Panthéon Club, an organizing center for the overthrow of the Directory and the implementation of the democratic Constitution of 1793 (suspended by the Convention shortly after it was ratified). Driven underground, they formed the Conspiracy of the Equals, a secret group advocating the common ownership of property, and continued to plan a coup d'etat.

Babeuf and his co-conspirators were arrested in May 1796. Their show trial lasted 14 weeks, and was considerably fairer and more lenient than one they would have received under Louis XVI or Robespierre — the defendants were even allowed to sing revolutionary songs in court. Babeuf denied the fact of conspiracy — Birchall claims that he wanted to ensure the survival of as many of the Equals as possible — but in a moving speech that extended over five days he defended the right to revolt against tyranny. Insisting that not only he and his comrades but also the Revolution was on trial, he argued that the true purpose of the Revolution was to abolish inequality and assure "common happiness" (a phrase from the Constitution of 1793). The Revolution had not been completed; the wealthy had diverted it to their own use, while poverty deepened.

Most of the defendants were acquitted, and even Buonarroti escaped the death penalty. But on May 27, 1797, Babeuf went to the guillotine. For all the power of his defense, Babeuf's speech was permeated with pessimism, the realization that the masses were not with him and had even turned to royalism. The idea of revolutionary socialism, of socialism brought about by organized political action, can be said to have been introduced by Babeuf, but it went underground for another 30 years. It was not until Marx and Engels, however, that the socialist idea was linked to the possibility of democratic agency.

IN A VERY INTERESTING AND USEFUL SECTION OF HIS BOOK, Birchall traces the historical interpretations of Babeuf over the past two centuries. The most influential interpreter was undoubtedly Buonarroti, who published his own account in 1828. Having by this time become a fanatical admirer of Robespierre, Buonarroti tried to blur Babeuf's differences with the Jacobin leader, a fact duly noted by Birchall who argues further that Buonarroti gave the conspiracy an overly authoritarian cast, in retrospect. Birchall wants to situate Babeuf firmly within the tradition of "socialism from below," and he takes issue with Hal Draper, who, in "The Two Souls of Socialism" and his multi-volume study of Marxism, assigns Babeuf, rather, to the tradition of Auguste Blanqui and Mikhail Bakunin — a tradition that has eschewed mass democratic struggle in favor of putschist action by dedicated bands of revolutionaries.

How democratic was Babeuf? The Equals promised to convoke the "primary assemblies" called for by the 1793 Constitution, but only after a "transitional period" during which they would be in control and the masses would be "prepared" to exercise their rights. The people were judged, reasonably enough, to be too demoralized, but also too ideologically corrupted, to make their own revolution — not just then, but for the indefinite future. Buonarroti was explicit:

> [A] people whose opinions were formed in a regime of inequality and despotism is quite unsuitable, at the beginning of a regenerative revolution, to indicate by its votes the men who have the responsibility of guiding it and carrying it through. This difficult task can belong only to wise and courageous citizens who...have freed themselves from prejudices and common vices...Perhaps it is necessary, at the birth of a political revolution,...[to make] supreme authority fall into wise and strongly revolutionary hands in a manner that is as little arbitrary as possible.

This was written long after the event, but it seems a fair summary of the Babouvistes' approach. Birchall's efforts to minimize its rather obvious authoritarian content, on the other hand, seem strained. Despite his insistence that the conspirators widely publicized their intentions, and that they counted on the participation of several thousand supporters once the insurrection was launched, it is clear that the Equals expected the masses to play a passive role. It is also clear that most of them were convinced of their right to wield authority: significantly, the "secret directory" rejected a draft manifesto by Márechal because of a sentence that called for the erasure of the distinction "between ruler and ruled."

AFTER YEARS OF TREMENDOUS EFFORTS AND HIGH HOPES, followed by betrayal and repression under the Jacobins, Thermidoreans and the Directory, the sans-culottes were politically prostrate; it would take decades for the masses to recover their nerve and for a new popular movement to emerge. Babeuf cannot be blamed for failing to see that he stood at the beginning of an epoch in which bourgeois society would generate ever greater crises and forces of opposition, that there was no reason for despair. At the same time, he had seen at first hand the creative possibilities of upheaval from below. No more than any sans-culotte was he immune to the "ideologically corrupting" effects of pessimism and political frustration.

By conceiving of a communal society based on abundance, Babeuf had brilliantly surpassed the Enragés, who could only imagine an equality of consumers brought about by price controls and other economic restrictions. Politically, however, the Enragés were closer to authentic democracy: in their vision, popular assemblies would decide everything; officials, leaders, were to be their subordinates, subject to permanent supervision and recall; all discussions and debates would be public, with participation and speaking ones mind a civic duty.

CITY OF DARKNESS, CITY OF LIGHT IS A NOVEL, but it is also an excellent guide to the politics of the Revolution.* Piercy presents the life stories of six historical figures, organized in 3-4-page chronologically overlapping chapters: Maximilien Robespierre, Georges Danton, Manon Roland (née Philipon), Nicolas de Condorcet, Pauline Léon and Claire Lacombe. Basing herself mostly on the historical record, she has also had to fill in her characters' lives by imagining — quite convincingly, I think — what we don't know about them. The narrative often seems too hurried, the dialogue flat and anachronistic, and the characters psychologically sketchy. Still, Piercy has superb political instincts and a deft feel for what really mattered in the Revolution's various complicated and often murky turns and permutations. Moreover, she is obviously determined to see the Revolution "from below," including from the point of view of women, and to make these perspectives central to her novel, despite the paucity of documentary evidence that would enable us to know in any detail what people like Pauline Léon and Claire Lacombe were thinking, feeling and doing. In this, I believe she has largely succeeded; her novel is an impressive feat of political imagination.

Léon and Lacombe, the only ones to survive the Revolution, are clearly the closest to Piercy's heart. The novel opens in Lacombe's wretched village in southwest France with Claire's grandmother praising her for fighting back against an abusive brother: "Always fight hard when you fight. Don't be afraid of hurting the man. He isn't afraid of hurting you." It ends in 1812 with Claire and Pauline, sitting with Claire's lover Victoire, in the courtyard of a farmhouse in Beaujolais, reminiscing: "Still," Pauline says, "I remember and I make sure my daughters know, it was old biddies like we are now and young women who brought the King down. We were the Revolution, ladies, and we carry it in our blood to the future." In between, Piercy not only traces the careers of these two extraordinary women but also highlights the truly decisive role played by many thousands of women in the Revolution, both in the streets and in the salons.

CLAIRE BECOMES AN ACTRESS, A PROFESSION IN WHICH "women got to talk as much as the men." She lives a hardscrabble but free life, choosing her sexual partners and refusing to marry. Pauline runs a chocolate shop in one of Paris' poorest neighborhoods. As a child, she knows hunger, takes part in bread riots and witnesses horrific public executions. (Piercy's graphic descriptions of people tortured, hanged and broken on the wheel serve to remind us of the fantastic cruelty that was official policy and routine occurrence under the Old Regime; they help us understand the retaliatory aspect — and relative mildness — of popular violence during the Revolution, and also why the guillotine could reasonably be seen as a humane reform.) Both women are thoroughly immersed in the sans-culottes world, organizers and leaders, public figures in every sense, supported by networks of friends and comrades — mostly women.

Manon, by contrast, the convent-educated daughter of a master engraver, learns "manners" from her grandmother, a former governess to the children of a boorish aristocrat, whose rudeness when the grandmother takes Manon to meet her is one of the most sharply etched scenes in the novel. Ambitious and suspicious of other women, her goal is to be the wife of an important man and wield power through him. Eventually she marries a dull but talented bureaucrat, Jean Roland; writing his papers and speeches, she is at first content to be a "Rousseau woman," nurturing and modest, but the Revolution enables her to climb, carefully and with discretion, over the walls of her marriage, to make connections with influential politicians, and ultimately to play a leading role in the Girondin inner circle.

The men are no less vividly rendered. Danton, sensual and unprincipled, hungry for money and success, tries to make it as a lawyer in Paris without connections or background; for him the Revolution is an opportunity to make his mark and enrich himself in the process. Condorcet, a marquis and mathematician, one of the last of the *philosophes*, works in the reforming ministry of Turgot, whose failure in the face of the Court's blind conservatism leads him to welcome the Revolution. Robespierre, eldest child of a provincial lawyer who abandoned his family and of a mother who dies in childbirth, grows up with a painful sense of responsibility and marginality. As a young barrister in Arras, he learns: "There was one law for the nobles and the rich and another for the poor. When the poor came into court, punishment was automatic. They would die or go the galleys, for the crime of being accused. It was a matter of making an example of someone who did not count."

MAX, NICOLAS, GEORGES, MANON ALL SYMPATHIZE WITH THE POOR, but from varying degrees of distance. Claire and Pauline *are* the poor. Pauline is with the crowd that attacks the Bastille. Like all the other *journées* depicted in the novel, the event is seen from the crowd's point of view; in this Piercy can be read as a sort of anti-Schama, since *Citizens* consistently treats the same events with unbridled hostility toward the poor, invariably portrayed as bestial louts. For Piercy, the violence of the people is always a response to the violence of the authorities: the Swiss guards at the Bastille shoot down 100 demonstrators trapped in an inner courtyard; they are in turn killed and mutilated by the enraged friends and families of the victims; Schama, characteristically, emphasizes the mutilations but not what provoked them.

Claire and Pauline both take part in the demonstration of June 20, 1792, when crowds of sans-culottes march through the Legislative Assembly and break into the Tuileries palace. Carrying banners, flowers, ears of corn and the boughs of trees, as well as weapons,

> they swept through the streets like a summer wind...People who had spent their whole lives limping from crisis to crisis, just trying to get through another day, to save a sick child or a starving mother, now saw a way forward. For the first time, they were experiencing imagination in their own lives, that all need not continue as it had been. The future had been something only the religious contemplated, death and reward beyond that opaque barrier. The idea of a future that could be shaped was a new intoxication.

For Schama, though, the whole thing was simply anarchic, perverse and grotesque; it ended with the humiliation of the King, who was forced to stand in front of the crowd, don the red cap and drink wine from a goatskin; it is only the monarch's "courage" and "dignity" under these circumstances that Schama finds appealing.

For Piercy, it is the women's experience of community, hope and trust in each other that matters. She does not romanticize political activism or the lives of the poor. Pauline, Claire and the others must endure the tedium of endless meetings, suffer the terrors of repression and the heartbreak of betrayal by political allies, shadowed always by hunger and cold, the sheer physical torments of poverty. But they are the only ones whose personal experience enables them to glimpse the democratic possibilities of ordinary people.

With all its ambiguity, the insurrection of May 31, 1793 — not the official Terror a few months later — marked the high tide of Parisian radicalism, especially for the militant women of the sans-culottes. Thousands of Claire's and Pauline's followers converged on the Convention and forced the delegates to vote the expulsion of 22 Girondins. Within a very short time, however, it became clear, at least to the leaders of the women and the Enragés, that they had been used by the Jacobins, who managed to divert the popular movement toward a mere purge of the Convention. "Giving the people price controls with one hand and taking their power away with the other," says Piercy, Robespierre cut the ground from under the radicals.

WHAT WOULD HAVE HAPPENED IF THE SANS-CULOTTES had dispersed the entire Convention? The question is impossible to answer, of course. The radical republicanism of the Mountain was probably as far as the Revolution could go, given the existing balance of social forces and, fundamentally, the impossibility of eradicating poverty at the end of the 18th century. Perhaps there needn't have been such a shattering break in the development of organization and consciousness. If the Enragés had maintained themselves as a group, if Babeuf had concentrated on creating a center for theoretical and educational work instead of forming a conspiracy to seize state power...

In any case, the popular movement seems to have had a clearer sense of politics as "the art of the possible," that tired old shibboleth, than their opponents. Its leaders were able to gauge the mood of the masses, to rally them for finite gains like the abolition of the monarchy, the vote (for men) and lower bread prices. Some of these gains proved ephemeral, but examples and precedents were set. If Piercy is right, Pauline Léon and Claire Lacombe never tried to preempt the revolutionary process; they knew when they were beaten and tried to make the best of it.

By contrast, the monumentally incompetent Girondins, with their bloody threats against Paris, agitation in the provinces, and furious attempts to undermine the trial and punishment of the King, made government impossible. And while the Mountain understood better than they that compromise with the sans-culottes was unavoidable for a time, under the Terror their leaders too became more and more detached from reality. By the time of their fall, Robespierre and St. Just were living in a fantasy world filled with images from ancient Sparta and the Roman Republic. The French, they believed, could be *forced* to be "virtuous." Not only active resistance but also passivity and non-cooperation were to be punished. Eventually the state, they hoped, would take all children over six away from their parents to be turned into proper citizens. This proto-totalitarianism is no legacy for a democratic and revolutionary left today.

---

*Morris Slavin, *The Left and the French Revolution*, Atlantic Highlands, New Jersey, Humanities Press, 1995.

*Ian H. Birchall, *The Spectre of Babeuf*, New York, St. Martin's Press, 1997.

*Marge Piercy, *City of Darkness, City of Light*, New York, Fawcett Columbine, 1996.

The Strange Career of Randall Kennedy

Derrick Bell

After five years of working across the deep South as a Legal Defense Fund lawyer in the mid-1960s, I accepted what was then considered a relatively high level civil rights position in the federal government. After listening to a speech I presented to a civil rights group explaining why our enforcement strategy was more modest than conditions demanded, a young, NAACP attorney came up and criticized my remarks in one searing sentence: "Well Derrick," she said, "I see you have become a most efficient apologist for the government."

The unnerving comment served as a sharp reminder that while working in government, I was still representing black people whose rights, because of racism, remained rigidly circumscribed. I should not forget, she counseled, that I held quasi-influential positions because of the sacrifices that blacks, particularly those in law, had made over the years. More than 30 years have passed since then, but black people today continue to need advocates in their liberation struggle against racism, not apologists for the system optimistically pointing to the "progress" we have made while ignoring the undeniable fact that, however harmful to blacks, this nation moves to correct even the most serious racial injustices only when reform is clearly in the interests of whites, or some of them.

My militant lawyer friend would have ample reason to label Randall Kennedy's book, *Race, Crime, and the Law**, an apology for the system. Except that Kennedy is not a government official obligated by his position to defend policy decisions he did not make. Rather, he is a tenured, black professor at one of the nation's best-known law schools with all the leeway of statement that academic freedom provides. Surely, he cares about the plight of blacks far less fortunate than himself. They need advocacy on a range of racial issues involving the administration of the criminal law. Why has he turned his back on that role and volunteered to serve as objective moderator in an arena where the whites who dominate policy making are not interested in mediation and welcome his well-intended concessions as arguments against needed reforms?

A Promise Not Yet Fulfilled

In the dozen or so years since joining the Harvard Law School faculty, Randall Kennedy, because of a range of writings in law review journals and lay publications, has become a much-sought-after expert on race whose views are solic-

Derrick Bell, *visiting professor at the NYU Law School, has written widely on race. He is best known for his allegorical stories featuring his fictional heroine, Geneva Crenshaw, the most recent of which is* Afrolantica Legacies, *published in 1998.*

ited on television talk shows, in important periodicals, and at scholarly conferences. A Harvard professorship insures prominence to all those who hold one, but Kennedy has the credentials so valued by law school gate-keepers. He has degrees from Princeton and the Yale Law School, a Rhodes scholarship, a judicial clerkship with the late Associate Justice, Thurgood Marshall, all leading to a tenured position at the Harvard Law School by his mid-30s. These are impressive for anyone and they remain exceptional in the extreme for a black man. And yet, Kennedy, despite his abilities, did not get to Harvard without the struggle of many others who demanded more minority faculty at that august institution.

When in 1986, I returned to Harvard after a five-year stint as dean of the Oregon Law School, Randall Kennedy had accepted an invitation to teach there offered in the wake of student protests demanding that the school hire more black faculty. The protests were sparked when I departed and the school gave visitor status to then Legal Defense Fund, director-counsel, Julius Chambers and board chair, Jack Greenberg to teach one of my courses jointly. Black students boycotted the course, not because Greenberg was white as some media pundits charged, but because students felt the visiting post should go to someone who could be considered for a permanent position. The school certainly and Kennedy, perhaps, would deny any connection between the student protests and his hiring. The reality, of course, is that few institutions — and certainly not Harvard — move toward more racial inclusiveness without pressure sufficient to awaken a tardy recognition that a modicum of diversity can be a valuable addition to a school's reputation.

Randy Kennedy began his teaching career with great promise. He is smart, personable, well-read, and he works very hard. His first few articles were stunning models of racial advocacy.[1] They seemed to foretell that this gifted young man would become a powerful voice for a people whose expectations that the civil rights era would gain its racial justice goals were fading fast. I saw in Kennedy a comrade and an eventual successor in my racial battles with Harvard. In keeping with this expectation, I declined the dean's offer to again teach Race, Racism, and American Law, the civil rights course I had created when I joined the faculty years earlier. Kennedy had been teaching it in my absence. "Let Randy keep it," I told him. "I will teach something else." It was a decision I came to regret. Kennedy retained the course name, but dropped its advocacy orientation. Disgruntled students complained that Kennedy spent more time challenging and even denigrating civil rights positions than he did analyzing the continuing practices and policies of discrimination that made those policies, whatever their shortcomings, necessary.

Over the years, Professor Kennedy has become the impartial, black intellectual, commenting on our still benighted condition and as ready to criticize as commend. As self-appointed monitor of civil rights positions, he stands ever ready to balance even the most heinous racial abuse with criticism of blacks when, in his view, our accusations condemning racism in the criminal justice system go too far and are counter-productive. He interrupts attacks on racist practices by pointing out that blacks, too, sometimes abuse the criminal justice system. When advocates condemn a system that is filling the nation's jails and prisons with legions of young, black men, he responds with the non sequitur that these men are guilty of many of the crimes that lead to their imprisonment.

Kennedy, like Thurgood Marshall, is a contrarian. He loves to argue and play the devil's advocate. This is a useful talent in the classroom and is quite helpful in fine-tuning litigation strategies. Justice Marshall, though, never forgot whose side he was on, particularly in public proclamations as opposed to private discourse. In public, he was the ultimate advocate for the black cause as reflected in his civil rights career and his judicial tenure. Kennedy, on the other hand, is quite willing to take his differences with black people public in ways that — whether intended or not — serve to comfort many whites and distress blacks. It is not that his criticisms are new. White conservatives have made similar arguments and worse.[2] It is that he is relinquishing a much-needed advocacy role and taking positions that render him an apologist on aspects of the criminal justice system that are less overtly racist than in earlier times but no less ominous in the threat they pose for all blacks.

There may have been earlier signs of Kennedy's transformation from advocate to critic of blacks, but his ideological shift crystallized in his major article in the *Harvard Law Review* questioning the need and value of Critical Race Theory (CRT).[3] The name covers a widely varied stream of relatively new legal writing in which mainly minority scholars depart from traditional modes of legal analysis — parsing precedents and critiquing doctrine — none of which seem adequate to delineate the impact and significance of racism in the society and the legal rules generated by the society.[4] Instead, Critical Race Theorists — I among them — use fictional stories and personal experiences as vehicles for understanding and condemning the virulence of racism.

When I read his anti-CRT manuscript, I urged Kennedy not to publish it both because I thought his criticism of the CRT writers was inaccurate and unfair, and because there were a legion of white law teachers who did not like and felt threatened by our writings. They, I cautioned Kennedy, would welcome his article and wield it as a club to denigrate and even deny tenure to young scholars who dared identify with the new movement.

His response to my warning was: "Can't I write what I think?" "Of course, Randy" I agreed, "but whenever a black person is in a position to get his views on race published, he or she should keep in mind that white people who do not like what we are doing, do not play fair." I explained that those with an anti-black axe to grind take our words out of context and use them with what they will claim is black-endowed legitimacy to harm those blacks less well off than we are. My prediction proved accurate. Kennedy's article was hailed by white critics of our work[5] and condemned by most black[6] and some white[7] scholars. In a lengthy article, the *New York Times* quoted an anonymous source who told them minority law teachers were out to lynch Kennedy and were excluding him from our conferences.[8] In a letter to the *Times*, I denied the charges by their anonymous source, adding: "the *Times* story itself shows that the media is ready to accord Kennedy that special celebrity status available to any black willing to speak for whites — like the *Times*' anonymous source — who are unwilling to criticize blacks for the record. The list of blacks who achieve renown by serving as racial apologists is already too long. I regret that, as I predicted, Kennedy's article is read by so many as an audition to play the role of academic minstrel. A person of Professor Kennedy's talents and potential deserves a reputation built on far more honorable ground."[9]

A Racial Contrarian's Career, Well-Launched

KENNEDY'S BOOK EXAMINES MAJOR AREAS of racial discrimination: the composition of juries, the death penalty, and the War on Drugs. He also reviews the inadequacy of law in protecting black rights with special emphasis on the rape and lynching of blacks. In each of these areas, he competently covers material well known to those working in the field. Even as he describes the discriminatory policies that continue to distort the American criminal justice system, his search for the neutral stance causes him to lose sight of how horribly invidious the problem of racism is for black people who disproportionately find themselves at the mercy of a criminal justice system that unapologetically prefers and protects whites.[10]

Kennedy sets the tone of neutral commentator in his opening chapter, titled: "The Race Question in Criminal Law: Changing the Politics of the Conflict." Stylistically, Kennedy uses the first chapter to give a basic overview of what each following chapter holds. He begins by identifying what he believes to be the major camps of thought regarding the race question and crime. Here, he seeks to distinguish the law-and-order zealots who are covertly appealing to anti-Negro prejudice from those who are genuinely concerned about personal safety and safe streets. The latter group, he urges, should give high priority "to correcting and deterring illegitimate racial practices that diminish the reputation of the law enforcement establishment." (p. 4) It is this reputation that contributes to African Americans' distrustful "attitude" toward the criminal justice system. He calls on libertarian conservatives who are dedicated to limiting government power generally to join the effort to eliminate racist practices in the criminal justice system, and points out that those, like Justice Clarence Thomas, who view the Constitution as color-blind should be as opposed to discrimination in criminal justice as they are to affirmative action. Finally, as to racial justice advocates, he urges that we too quickly charge racial bias without bothering to grapple with the evidence and arguments that he suggests rebut our charges. Predictably, as evidence for this statement, he offers the Tawana Brawley controversy; the case that whites have advanced for years as exculpatory proof that black people lie about racism and racial violence.

Kennedy's choice of words, reliance on black stereotypes, and magnanimous viewpoint on sensitive racial issues are disturbing. It is as though he is a visiting scholar from Mars whose report on our criminal justice system is based on interviewing mainly white conservatives on the subject, all of whom acknowledged that racial discrimination existed in the past but gave short shrift to contemporary charges of continued discrimination. Throughout the chapter and the book, Kennedy seems to seize upon the image of blacks as irrational, emotion-driven, attitudinal people. He states that this black "attitude" about racism in criminal law "causes some black attorneys to eschew joining prosecutors' offices" because they don't want to "sell out" or work for the "Man." Further, according to Kennedy, this "attitude" causes blacks to "decline to cooperate with police investigations…be unreasonably skeptical of police testimony…or even refuse to vote for convictions despite proof beyond a reasonable doubt of defendants' guilt."

All of these statements are strictly stereotypes. Blacks are usually very willing to assist police investigations and, when on juries, they are also more prone than whites are to convict. Blacks do question authority because power corrupts, and blacks, who remain the truly disadvantaged in American society, are the first to suffer corruption-bred injury. Kennedy seems to suggest that black people should not question authority by being critical of a system that has historically terrorized and oppressed them.

Kennedy states that in order to alleviate race issues in law enforcement, society needs more "reforms aimed at outlawing *wrongful* or illegal racial discrimination suggesting, perhaps inadvertently, that there might be a *rightful* racial discrimination. He argues that activists who are dedicated to the advancement of blacks "make formulaic allegations of racial misconduct" with the result that the abundance of "poorly conceived allegations of racial misconduct also spread harmful confusion" (p. 8).

While the first chapter is inundated with many more derogatory, stereotypical and inaccurate statements, the section where Kennedy suggests that blacks are exaggerating by claiming "that American drug policy is really genocide," (p. 9), and that blacks misuse terms like "racism, lynching and holocaust" when describing how the American criminal justice system deals with them is especially outrageous. Let's put aside the government's too vigorously denied report about the Central Intelligence Agency's initiative to supply black drug gangs in California with guns and drugs in the 1980's. The appropriateness of the genocide charge can be effectively weighed by imagining the government's response if the devastation of the drug trade was happening in white, middle-class communities.

Analogy, though, is unnecessary to support genocidal fears when reliance can better be placed on statistics that reviewer Paul Butler concludes Kennedy felt were irrelevant because he could not find them in Kennedy's book. Butler reports "half of prison inmates are black; almost half of the women in state prison are black; nationally, nearly one-third of young black men are either in prison, on probation or parole, or awaiting trial; more young black men are in prison than in college."[11] Rather than viewing the disproportionate number of blacks in jails — mostly for drug offenses — as an important component of the black genocide argument, Kennedy argues that their imprisoned presence might not have anything to do with police being racially discriminatory when making arrests. It may, he argues, simply signal that more blacks than whites are committing criminal offenses. This is an argument I have heard from well-meaning but unenlightened whites. I did not expect that it would be raised, even as a debating point, from someone as able as Randall Kennedy.

Given the disparities in the percentages of whites and blacks imprisoned, it is, at the least, an understandable paranoia that would lead some blacks to conclude that the government is out to get us and the criminal justice system is a principle vehicle for our elimination. Disparity in sentencing, as is the case for powder and crack cocaine may harm some blacks, Kennedy concedes, but may help those black communities who are freed of crack dealers. Thus, he urges, courts should "avoid conflating the interests of a subdivision of blacks— black suspects, defendants, or convicts — with the interests of blacks as a whole." (p. 11).

To encourage such distinctions by courts and the society in general, Kennedy urges blacks to adopt a "politics of respectability." Noting that blacks are burdened by the “fears, resentments, and stereotypes generated in part by the misdeeds of black criminals” (p. 17), he reasons that if we define our conduct based on white middle-class normative behavior, black communities will be able to elicit respect from white Americans and can begin to reduce whites’ indifference to racial injustice. One might criticize this approach as harking back to the long-discredited Booker T. Washington theme urging blacks to “prove ourselves worthy.” In fact, though, there is now “a deeply rooted impulse in African-American culture to distinguish sharply between “good” and “bad” Negroes.” (p. 17), all in the hope of attaining an aura of respectability in a society all too ready to judge us all by the worst in our midst.

While it is true that blacks feel the need to emphasize that they are “good” blacks because society makes them feel “tainted” by the misdeeds of black criminals, Kennedy chooses not to discuss why whites are not made to feel the same way about the misdeeds of white criminals. My research assistant, Keisha-Ann Gray, reports that as the only black student in her senior class in high school, she was expected to explain to her white classmates why some black teenagers raped a white woman in Central Park. No white student, on the other hand, was expected to explain why Jeffrey Daumer, a white man, enjoyed eating dead black people. It would have been interesting if Kennedy had looked deeper into this problem, and discussed, or at least articulated the fact that the politics of racial respectability does not affect white people who feel no need to distinguish between “good” and “bad” whites while black people find it necessary to distinguish themselves in this way.

Kennedy ends the opening chapter of his book with more troubling statements. By arguing that blacks “suffer more from the criminal acts of their racial “brothers” and “sisters” than they do from the racist misconduct of white police officers” (p. 20), he seems to be saying that (1) as long as blacks hurt one another, they should not complain when someone outside of the “family” hurts them, and (2) racist police misconduct harms fewer black people than does black on black crime. The first implication is ridiculous on its face. However, the second implication, that racist police conduct is not as bad as black-on-black criminality is inaccurate, dangerous, and warrants some response.

The police force is arguably the most powerful organization in society because officers of all ranks are imbued with the power to infringe upon the liberties of society’s citizens. Therefore, the racist misconduct or power abuse of white police officers entangles their victims in the criminal justice system. Corrupt police conduct has more far-reaching, long-term and life-altering detrimental effects than does black on black criminality because police, not blacks, have immense social and institutional power. While blacks do not hold any significant power in society, Kennedy appears to believe that we do. In the final paragraph of the chapter he writes that “blacks effectively exploit [their] racial power” by “playing the race card” (p. 28). When compared to whites, what “racial power” do blacks possess in American society? The “race card” that blacks play, as Kennedy uses the term, is their refusal to remain silent about the impact of racist policies.

In his chapter on unequal law enforcement, Kennedy provides a worthwhile chronological history of how slaves were raped and killed with virtually no interference by law. Even after the Civil War, the United States government deliberately failed to protect blacks from racist treatment and racial violence perpetrated by whites. This material is informative, interesting and accurate. He provides details of a few of the 3,446 blacks officially recorded as lynched in the period from 1882 to 1968, offering as well the excuse offered by many whites that allegations of a black raping a white woman justified such lawless conduct.

Kennedy is at his finest as he traces the frustrated efforts in Congress to enact anti-lynching laws. Beyond the opponents' assertions that no law would prevent whites from taking vengeance on blacks who raped white women, there was the legal argument that such laws would exceed the national government's powers and trample the principles of federalism established in the Constitution requiring that local crimes be prosecuted by the states where they occurred. The Supreme Court relied on this argument to reverse the few convictions federal authorities were able to obtain under post-Reconstruction civil rights statutes.

Kennedy points out, however, that a dozen years before the defeat of a major, anti-lynching bill, Congress overcame federalism concerns and passed the White Slave Trade Act barring the transportation of women across state lines for purposes of prostitution. Proponents of the measure bolstered their arguments by evoking the specter of white women being taken across state lines to further interracial sex. Similarly, a national narcotics act passed easily, facilitated by testimony that cocaine use increased blacks' propensity for violent crime, particularly the rape of white women. And Southern congressmen who used the shield of federalism to block anti-lynching legislation, supported a measure to bar the interstate transportation of fight films, a measure Kennedy reports that reflected white antipathy to Jack Johnson, the first black heavyweight champion who roundly defeated his white opponents and added insult to injury by marrying a white woman. Regrettably, the willingness to use racism as leverage in achieving policy goals is as present today, albeit on a more subtle level, as it was a century ago.

In his coverage of lynching, Kennedy gives inadequate attention to the fact that alleged rapes were often the cover for the murder of blacks who had the audacity to achieve some economic success. Dozens of so-called race riots were, in fact, massacres or pogroms, including East St. Louis, Rosewood, Tulsa, and Chicago. They were sparked by economic envy rather than sexual retaliation. Government was as ineffective in investigating and prosecuting these mass murders as it was in bringing to justice those who killed blacks one or two at a time.[12]

Even in this grisly recounting, Kennedy strains to balance racist atrocities by whites with what he views as similar conduct by blacks. He relates how during a white rampage in Springfield, Illinois, in 1908, whites placed handkerchiefs outside their residences to distinguish their property from black property and thus avoid the violence of a white mob that killed two innocent blacks, injured scores of people, and burned and looted black-owned homes and businesses. In the very next sentence, Kennedy dilutes the horror of this image by saying that blacks did the same thing by placing "Soul Brother" signs on black-owned property to protect it from black rioters. (p. 48) By choosing to compare what blacks did as an identification practice in ghetto riots aimed at property and often sparked by police brutality with what whites did during a bloody massacre of unarmed blacks to maintain white supremacy through terror and fear, implies that they are comparable.

Later, Kennedy addresses in more detail and in a condescending tone the belief in an anti-black governmental conspiracy theory that many blacks harbor (p. 71). He dismissively states that "much of the conspiracy-minded rhetoric is inflated by paranoia. No one, he claims, has brought forth any substantial proof evidencing "a deliberate governmental effort currently to harm black people, and the plausibility of such a scheme is nil" (p. 72). History, however, has shown that conspiracy is too technical a term to describe a society's almost universal agreement that blacks were to be disenfranchised and subordinated in every aspect of life and that little or no protection would be offered them. This was the prevailing policy in this country for three hundred years. And even after the gains achieved in the last 40 years, there remains plenty of evidence that the commitment to white supremacy remains firmly in place. Thus, a belief in an anti-black conspiracy theory is more a continued certainty than dismissable paranoia. It deserves far more serious attention than Kennedy devotes to it.

HAVING COVERED THE NATION'S FAILURE TO PROVIDE CRIMINAL PROVISIONS to protect blacks against unlawful attacks, Kennedy turns to the history of unequal enforcement of existing laws. Beginning with the laws that criminalized conduct by slaves that was perfectly legal if performed by whites, and continuing with bars limiting the freedom of free blacks both before and after Emancipation, the discrimination against blacks, particularly those charged with crime was outrageous. During the segregation era, there were a few cases in which the Supreme Court reversed convictions of blacks that shocked their consciences and Kennedy covers them well. He also provides a damning review of J. Edgar Hoover's war against black political activists including Marcus Garvey, Martin Luther King, Jr., the Black Panthers, and Malcolm X. His overview of the presence of racism in police conduct and the investigation and adjudication of criminal disputes is painful to read because the record of discrimination in the past is mirrored in recent police killings in which the offending officers either are not prosecuted or acquitted of wrongdoing.

Kennedy pulls no punches in describing this disheartening failure of law enforcement, but in discussing the 1979 police acquittal in the beating and killing of black motorist Arthur McDuffie, and the 1992 police acquittal in the beating of black motorist Rodney King, Kennedy argues that factors other than racism in the jury room might explain why an all-white jury acquitted white police officers in the McDuffie case, and a jury with no black members acquitted white LAPD officers of using excessive force on Rodney King. Both acquittals led to major riots in the black communities of Miami and Los Angeles. Given the impressive evidence of jury reluctance to convict policemen charged with beating or killing blacks both before and since these cases, it is not clear why Kennedy is attempting to offer an alternative to the belief that racism influenced the jurors' decisions that precipitated the Miami and Los Angeles riots.

Kennedy begins a chapter-long discussion of race as a basis for suspicion in law enforcement by asking: "Is it proper to use a person's race as a proxy for an increased likelihood of criminal misconduct?" (p. 137). From the time when even free black persons were presumed to be slaves through World War II when the nation imprisoned all Japanese-Americans based on their race, the law's answer was clearly, yes. Kennedy details how police have continued to use race as a basis of suspicion and how, with few exceptions, courts have approved such presumptions as rational and appropriate. In opposing such policies, he notes that affirmative action is under tremendous pressure politically and legally because whites claim they are innocent victims of policies that penalize them for the misconduct of others who also happen to be white. As a result, the Supreme Court has severely limited those programs by requiring that they meet the exacting standards of strict scrutiny. But the Court has approved race-based police stops with barely a mention of the harm suffered by innocent blacks or Mexican-Americans who look like suspects who also happen to be black or Latino. This inconsistency is not an aberration but part of a long-standing pattern to shape legal standards to protect whites when such protection can be achieved at the expense of blacks. In urging reform that he acknowledges is unlikely to be adopted, Kennedy believes: "the law should authorize police to engage in racially discriminatory investigative conduct only on atypical, indeed extraordinary, occasions in which the social need is absolutely compelling: weighty, immediate, and incapable of being addressed sensibly by any other means."(p. 161) Given the deeply ingrained practices of using race as a synonym for suspicion, Kennedy's suggested standard, without further elaboration, is capitulation to a vicious practice that, like the antebellum, fugitive slave laws, places all blacks at risk of altercations that can lead to arrest, beatings, and death.

Turning to the jury in criminal cases, Kennedy reviews the more than century-long struggle to gain recognition and rejection of the practice of excluding blacks from the jury, either in the composition of the jury panels or in the use of peremptory challenges to remove those blacks who managed to reach the panels from which the jury is selected. Despite the best efforts of reformers, black defendants in cases where the victim is white will usually be tried by all-white juries. The conclusion that race and racism continue to be major influences in the jury selection process and in the outcomes of juries seems beyond doubt, but Kennedy retains his commitment to anti-discrimination as the appropriate standard in jury selection as in all other aspects of the law enforcement process. Rejecting procedures that would insure racial diversity in the jury box, he writes: "We should seek to look beyond looks. We should seek to require not that juries contain certain numbers of people who are white, brown, yellow, red, or black but simply that juries contain conscientious people committed to doing all that they can to bring about that mysterious quality we know as justice. (p. 152)

IN A REMARKABLE ILLUSTRATION OF HIS EVANGELICAL NOTIONS OF RACIAL REFORM, Kennedy deplores racial appeals to the jury whether by prosecutors trying to convict blacks or defense counsel seeking acquittals because, as he puts it, "doing so subverts the goal of the trial process to present a judge or jury relevant evidence and arguments on which to determine fairly the culpability of a defendant." (p. 256-57) He concedes that most such appeals have been by prosecutors in cases involving black defendants and white victims, or by counsel representing whites charged with serious crimes against blacks. Kennedy offers hair-raising examples of the rabid, racial appeals to juries and the refusal of a great many appellate courts to reverse because of them. He discusses the controversy over Johnny Cochran's appeal to race in his summation in the O.J. Simpson case, but notes Cochran's critics might better use their time condemning the many cases where blacks are convicted because their attorneys do virtually nothing to defend them. It is a suggestion that Kennedy could have as easily applied to his earlier biracial condemnation of racial appeals.

Kennedy is clearly unnerved by a *Yale Law Review* article by a black professor, Paul Butler, who suggests nullification by black juries in some cases where blacks are charged with "nonviolent, *malum prohibitum* offenses, including victimless crimes like narcotics offenses." (p.298) He devotes ten pages to ridiculing and rejecting Butler's stance, concluding that it encourages "an ultimately destructive sentiment of racial kinship that prompts individuals of a given race to care more about 'their own' than people of another race." (p. 310) Butler's nullification plan is no more likely to be taken seriously by blacks than Kennedy's call for nonracial jury selection processes will be by most whites. One can only surmise why he takes such umbrage to Butler's scheme while peppering his book with suggestions that race be removed from every aspect of law enforcement.

While his book is filled with a horrendous parade of examples of racial kinship by whites against blacks deemed a threat because of alleged crimes or simply because they are black, Kennedy fears Butler's argument will demolish the moral framework upon which a just system must be built. It is well that Kennedy puts his faith in the New Jerusalem of non-biased law enforcement, but he might be more understanding of less optimistic views that urge nullification and other forms of radical self-help that, while not without risks can, as has happened in so many cases, bring closer the just system he espouses.

The record of racial discrimination in death penalty jurisprudence is so devastating, particularly in interracial rape cases, that Kennedy can do little other than join in condemnation of the racial disparities and those, who, in denying that there is a racist component to the high percentage of blacks on death row, are "willful[ly] blind to invidious racial discrimination in punishment." (p. 348) The unwillingness of modern courts and the Congress to recognize and provide relief in the face of the uneven application of the death penalty is quite like the similar refusal to enact anti-lynching laws earlier in the century when no politician wanted to seem "soft on niggers." Now, the refusal to address the racist components of the death penalty is due to the reluctance of even liberal officials to appear "soft on crime." Kennedy misses the scary similarity of these politically-motivated refusals and the dangers they pose for all black people, not simply those on death row.

There is no sense in which Kennedy perceives he and other blacks are endangered by the waves of racial bias contained in his book. In his vision, the nation, moved by his willingness to stretch and offer a balanced account of the criminal justice system, will come forth, confess its wrongs, and move to remedy them. In his final chapter addressing the War on Drugs, Kennedy prostrates himself on the altar of balanced comment. He spends several pages taking to task a law review article by Professor Dorothy Roberts that severely criticizes the prosecution of mainly black women for fetal abuse who have transmitted their drug addictions to their newborns. Roberts argues that: "Poor Black women have been selected for punishment as a result of an inseparable combination of their gender, race, and economic status."[13] At the conclusion of his lengthy rebuttal, Kennedy claims he is not in favor of prosecuting pregnant drug abusers, but is taking to task those opponents of prosecution because their allegations of unconstitutional racial discrimination, in his view, have not been persuasively substantiated.

Kennedy's insistence that charges of racism should not be made unless they can be proved beyond a shadow of doubt leads him to defend the drug laws which impose penalties 100 times more serious for possession with the intent to distribute crack than powder cocaine. He devotes the balance of the book to challenging critics who argue that the incongruity in crack as opposed to cocaine sentencing is a direct result of racism. He writes, "allegations of racial discrimination have been insufficiently substantiated to delineate a constitutional violation under governing law. Second, these allegations are not only unpersuasive in courts but also counterproductive in legislature. The allegations are counterproductive in that they trigger an especially stubborn defensiveness in support of existing policy from politicians who take umbrage at being accused of having engaged in racial conduct." (p. 352)

Having taken the Supreme Court to task for not acting on a statistical study of the administration of Georgia's death penalty indicating that the odds of being condemned to death were 4.3 times greater for defendants who killed whites than for defendants who killed blacks, Kennedy refuses to recognize the far more obvious statistical disparities supporting the contention that racism is a prominent cause for the harsher sentences doled out to crack offenders, who, in 1992 were 92.6% black and only 4.7% white, as opposed to cocaine offenders, who in 1992 were 45.2% white and only 20.7% black.

While powder cocaine use is still extremely high in America, the current "War on Drugs" campaign is primarily geared toward crack used or sold in the inner city. It is frightening but no less obvious that the criminal justice system has declared war not only on drugs, but also on the inner city and all blacks who reside there. Kennedy claims that the police are protecting black communities from the ravages of crack, but they are losing the war. And neither the Congress nor the President are willing to equalize the penalties for crack and powder cocaine, not because they believe those penalties are either effective or fair, but because they fear their corrective action will be condemned by political opponents as soft on crime. The same can be said for support of the death penalty, the emasculation of habeas corpus, and the filling of prisons with young blacks sentenced for lengthy periods, often for non-violent offenses.

Kennedy, Come Home!

In an Afterword, Kennedy offers a laundry list of reforms officials should make to eliminate discrimination in the criminal law process. Both history and current experience refute any hope that officials and the society they serve will adopt these reforms and abandon the biased policies with which they are currently satisfied. Advocacy of the "color-blind" administration of criminal law as the means to gain equal treatment for all persons regardless of race, sounds noble, but as one of the few critical reviewers of Kennedy's book complains: "this view denies the heterogeneous, cantankerous reality that is American society. Differences in opportunity, education, experience and, yes, even race deeply inform all of our actions. Kennedy's ideal is little more than a banality until our judges, lawyers and police begin to examine more carefully their own biases in the execution of criminal law."[14] He admits that "much remains to be done," but proclaims that "the administration of criminal law has changed substantially for the better over the past half century. . ." (p. 388) And, he condemns as "foolish, counterproductive, and immoral" those who maintain that conditions have not improved and that racism is a permanent and necessary component of American life.

Kennedy's optimism is belied by virtually every page of his book save those in which he is criticizing civil rights advocates for daring to suggest that affirmative action is as needed in the criminal justice system as it is in the workplace. Unsupported optimism will not alter the frightening statistics regarding black infant mortality, education, unemployment, income, wealth, family disorganization, unwed motherhood, and life expectancy. Life under these conditions is the major factor leading one-half of young, black men and an increasing number of black women into paths that lead to long terms in prison or early often violent death. Labeling these blacks "criminals," as Kennedy does, and urging the rest of us to distance ourselves from them, sacrifices them without protecting us from the dire racial conditions that threaten all Americans, white and black.

With the publication of *Race, Crime, and the Law*, Randall Kennedy has had almost a decade to experiment with his Politics of Respectability, reaching out to critical whites through his lectures and writings with the olive branch of sweet reasonableness. In effect, he has been saying: "We blacks have faults as well as rights. I concede the former and hope you will recognize the latter." If he can show that this approach has brought about any significant policy reform in the criminal justice system, perhaps we racial advocates should reconsider our practice of lambasting whites for the society's racism. Our efforts have certainly not slowed the growing opposition to any policies deemed of help to black people. I hope that Kennedy is able to recognize that his approach, while personally satisfying, is not making any difference in the policies and practices that are devastating black people. Indeed, it is time for him to acknowledge that his positions, however honestly held, are a comfort to conservatives and advocates of the status quo.[15] I urge him to return to the hard-hitting writing filled with bite and passion with which he began his career. While those writings will not win him invitations to criticize affirmative action on the NBC's "Nightly News,"[16] he will better serve those, black and white, now seriously disadvantaged by the current enforcement of criminal laws. Come home Randy! We advocates of racial justice need you on our side, not in our way.

My thanks to Keisha Ann Grey, third-year law student, New York University Law School for her valuable research assistance and writing work on an early draft of this essay.

NOTES

1. See, *e.g.*, Randall Kennedy, "Race Relations Law and the Tradition of Celebration: The Case of Professor Schmidt," 86 *Columbia Law Review* 1622, 1622 (1986),(attacking the

practice of hailing the works of Supreme Court justices with little regard to their anti-black decisions); Randall Kennedy, "Persuasion and Distrust: A Comment on the Affirmative Action Debate," 99 *Harvard Law Review* 1327 (1986),(refuting arguments that "affirmative action has not opened opportunities for blue-collar black workers" and disputing that "affirmative action should be provided only to the most deprived strata of the black community"); Randall Kennedy, "McCleskey v. Kemp: Race, Capital Punishment, and the Supreme Court," 101 *Harvard Law Review,* 1388 (1988),(condemning the Supreme Court's requirement of intentional discrimination in capital cases a hopelessly inadequate tool to address modern forms of racial oppression).

2. See, *e.g.,* Stephan Thernstrom & Abigail Thernstrom, *America in Black and White* (Simon & Shuster, 1997), acknowledging the harmfulness of historic racial discrimination but, like Kennedy, predicting a bright future if we will only get rid of all racial preferences.

3. Randall Kennedy, "Racial Critiques of Legal Academia," 102 *Harvard Law Review,* 1745 (1989)

4. See, *e.g., Critical Race Theory: The Key Writings That Formed the Movement* (Kimberle Crenshaw, Neil Gotanda, Gary Peller, Kendall Thomas, eds. (The New Press, New York, 1995); *Critical Theory*: *The Cutting Edge*, Richard Delgado, ed. (Temple University Press, 1995).

5. See, e.g. Lloyd Cohen, "A Different Black Voice in Legal Scholarship," 37 *New York Law School Law Review*, 322 (1992),("Professor Kennedy's thesis or presentation . . . . is merely a very thorough, scholarly, well-argued, and well-written essay. It is written in the only "voice" that ultimately matters in legal literature, that of the reasonable and articulate scholar. That is enough to sharply distinguish it from the works that it criticizes.").

6. Colloquy: Response to Randall Kennedy's Racial Critiques of Legal Academia: Leslie G. Espinoza, Masks and Other Disguises: Exposing Legal Academia, 103 *Harvard Law Review,*1878, 1885-86 (1990),("The strength of Critical Race Scholarship is its identification of the commonality of minority experience. It is a shared courage to be different. . . . Kennedy's call for individualism reinforces exclusion by delegitimating the commonality of the experience of otherness many minorities feel with other minorities and express in their scholarship. Although there is much individual divergence, focusing on the individual before we recapture that which is our shared difference would result in a cacophony of voices unrecognized, indecipherable, and overwhelmed by the dominant discourse.

Richard Delgado, Mindset and Metaphor, 103 *Harvard Law Review,* 1872 (1990),("his deployment of the two approaches — at times scientific, rational, meritocratic, at other times the direct opposite — makes us question his sincerity. Both modes of attack have the same bottom line — the empowered remain empowered, while the disempowered are rendered even more so. . . .The discourse of powerlessness is used against the powerless; that of power, in defense of the powerful. Each approach could be used to attack the status quo (as many critics and some mainstream liberals have done). But when used together to defend the current system, one wonders about the author's objectivity and consistency.")

7. Milner Ball, The Legal Academy and Minority Scholars, 103 *Harvard Law Review,* 1856, 1859 n.30 (1990) ("Stories create worlds, characters, and experiences and invite us to recreate them in good readings.").

8. Charles Rothfeld, "Minority Critic Stirs Debate on Minority Writing," *New York Times*, Jan. 5, 1990, Sec. B; Page 6, Col. 3.

9. Derrick Bell, *New York Times*, Jan. 26, 1990, at A14 (letter to editor).

10. Paul Butler, "(Color) Blind Faith: the Tragedy of Race, Crime, and the Law," 111 *Harvard Law Review,* 1270(1998),(comparing the militant positions Kennedy took in his earlier writing with his apologetic posture on current discrimination issues in his recent book); Kim Taylor-Thompson, "The Politics of Common Ground," 111 *Harvard Law Review,* 1306, 1307-08 (1998),(examining how Kennedy's "politics divorce him from the intricate realities of discrimination and ultimately drive him to conclude that the path to social justice requires minimizing racial differences."). But see, Akhil Reed Amar, "Three Cheers (And Two Quibbles) for Professor Kennedy" 111 *Harvard Law Review,* (1256), (hailing

Kennedy for a "great and wise book" that rhetorically and politically places him mid-way between his mentor, Thurgood Marshall and Marshall's successor, Clarence Thomas).

11. Paul Butler, *supra* note 9 at 1270.

12. A series of these atrocities are summarized in"Nigger Free" in Derrick Bell, *Gospel Choirs*: *Psalms of Survival in an Alien Land Called Home*, 115-140 (Basic Books, 1996).

13. Dorothy Roberts, *Punishing Drug Addicts Who Have Babies: Women of Color, Equality, and the Right to Privacy,* 104 *Harvard Law Review,*1419 (1991).

14. Colin Crawford, "Should Justice Be Color-blind?", *Newsday*, p. G12 (July 27,1997).

15. With only a cursory search, I found two dozen reviews of Kennedy's book, virtually all of them lauding the book as objective, fair-minded, and nuanced. *The New York Times* reviewed the book in both its daily edition, Richard Bernstein, "Trumping the 'Race Card' With Careful Analysis," *NY Times*, Sec, C, p. 17, col. 1 (May 21, 1997),("Kennedy has written a book that is deeply informed, all encompassing in its transracial humanity, and firmly anchored in a kind of impassioned common sense."), and its Sunday Book Review Section, Roger Parloff, Radically Neutral, *NY Times*, Sec. 7, p. 16, col. 2 (June 8, 1997),("This is an admirable, courageous and meticulously fair and honest book.").

16. Tom Brokaw, "Harvard Law Professor and Author Randall Kennedy Discusses His Views on American Race Relations" (June 10, 1997).

---

*Randall Kennedy, *Race, Crime and the Law*, New York, Pantheon Books, 1997-538pp.

Up From Slavery:
The Myth of Black Progress

Stephen Steinberg

I'm delighted to know there've been many fewer lynchings in the year 1963 than there were in the year 1933, but I also have to bear in mind — I have to bear it in mind because my life depends on it — that there are a great many ways to lynch a man.
James Baldwin, 1964

There were still sociologists celebrating the impressive decline in racial prejudice at the very moment that Watts burst into flames.
Robert Blauner, 1972

THINGS HAVE BEEN GETTING BETTER FOR BLACK FOLKS EVER SINCE THEY WERE rescued from an idle life in the bush, and conferred with Christianity and civilization. Or so the apologists of slavery held for over two centuries, thus demonstrating a key feature of the rhetoric of race through the ages: the capacity to find good even in the most manifest evil. There is a methodological correlate to this line of reasoning: the use of past evils as a baseline for measuring "progress."

Nor is this solely a device that whites use to rationalize their guilt for past wrongs, or their responsibility for ongoing injustices. For blacks, history is no mere abstraction, but is replete with deep personal significance. It is always possible, and perhaps tempting, to look back and take comfort in the fact that, whatever the adversities of the moment, they were even worse in times past. The classic instance of this modality of thought is Booker T. Washington's autobiography, significantly entitled *Up From Slavery*. Washington went so far as to find solace in slavery itself. As he wrote: "Notwithstanding the cruel wrongs inflicted upon us, the black man got nearly as much out of slavery as the white man did." Why? Because "the ten million Negroes inhabiting this country, who themselves or whose ancestors went through the school of American slavery, are in a stronger and more hopeful condition, materially, intellectually, morally, and religiously, than is true of an equal number of black people in any other portion of the globe" (p. 13).

In *The End of Racism* Dinesh D'Souza uses precisely this argument to counter the claim that America owes a social debt to African Americans. "If America as a nation owes blacks as a group reparations for slavery," D'Souza reasons, "what do blacks as a group owe America for the abolition of slavery?" (p. 100) (By this reasoning Israel should pay reparations to Germany rather

STEPHEN STEINBERG'S *most recent book* Turning Back: The Retreat from Racial Justice in American Thought and Policy *received the Oliver Cromwell Cox Award for Distinguished Anti-Racist Scholarship.*

than the other way around!) Such is the moral calculus embedded in racial discourse in America.

American social science has also produced a master narrative (the pun is intended) that portrays race in America as a journey of incessant progress. This narrative begins with a blunt description of horrors past, leads to an upbeat assessment of racial progress, and ends with an optimistic prognosis of the racial future. To put it in the vernacular, blacks have been on a roll ever since Middle Passage.

An American Dilemma provides us with a classic example of this mythic tale of progress. Myrdal and his collaborators did their research in the late 1930s, a period when white supremacy was at its zenith. To his credit, Myrdal did not waffle when it came to describing the grisly facts about the caste system and racial violence in the South. Nonetheless, he remained optimistic about the future. In this respect he reflected the evolutionary assumptions that pervaded social science. According to the prevailing wisdom, the march of time — specifically, the transforming effects of industrialization and economic change — would ultimately improve the condition of Southern blacks. To this teleological faith, Myrdal added a reverence for American democracy, and a specific conviction that the Second World War would strengthen the American Creed and lead to racial progress. Thus his 1300 page narrative, although bulging with depressing detail concerning America's racial practices, ends on a hopeful note: "What America is constantly reaching for is democracy at home and abroad. The main trend in its history is the gradual realization of the American Creed" (p. 1021).

Although American social science continues to valorize Myrdal and his "classic," the truth of the matter is that Myrdal had it all wrong. It was not American democracy that liberated the Negro; rather it was the black protest movement that advanced American democracy.

YET MYRDAL REMAINED UNCHASTENED BY HISTORY. In the preface to the Twentieth Anniversary Edition of *An American Dilemma*, he wrote: "As my study dragged me through all the serious imperfections of American life related to the Negro problem, I became ever more hopeful about the future." Myrdal congratulated himself for his prescience, quoting the first edition: "Not since Reconstruction has there been more reason to anticipate fundamental changes in American race relations, changes which will involve a development toward American ideals" (p. xxiii).

Quite a different verdict was reached by historian Carl Degler who, in 1969, wrote a piece for the *New York Times Magazine* under the title: "The Negro in America — Where Myrdal Went Wrong." "Myrdal's optimism," Degler wrote, "is the greatest weakness in his book." By idealizing human nature and American democracy, Myrdal failed to grasp the depth of American racism, or to anticipate the decades of political struggle that lay ahead. In the end, history bore out Myrdal's prognostication. Not, however, because of the inexorable expansion of the American Creed, but rather because of the rise of black insurgency. This political mobilization was totally unanticipated by Myrdal: he saw the Negro masses as irredeemably passive and looked to political elites and the labor movement as instruments of social change.

The Twentieth Anniversary Edition of *An American Dilemma* also included a postscript by Arnold Rose, Myrdal's key collaborator. Rose conceded that "changes have occurred at a considerably more rapid rate" than was anticipated twenty years earlier, but with barely a reference to the civil rights movement, he also struck Myrdal's teleological theme that "changes have occurred without revolution, in harmony with the traditions of the American Creed." Industrialization and technological change were the engines of racial progress, and while he acknowledged that "much of the old segregation and discrimination remained in the Deep South," he contended that "the all-encompassing caste system had been broken everywhere" (note the passive tense that elides agency on the part of the civil rights movement). Convinced that "history" was on the side of justice, Rose ended with this rosy prognosis: "I venture to predict the end of all formal segregation and discrimination within a decade, and the decline of informal segregation and discrimination so that it would be a mere shadow in two decades. The attitude of prejudice might remain indefinitely, but it will be on the minor order of Catholic-Protestant prejudice within three decades" (p. xliv).

Not even the most congenital optimists — we will get to them presently — contend that black-white relations are today on the order of Protestant-Catholic prejudice. Still, Myrdal and Rose were not wrong for assuming that technological and economic change would transform race relations. The problem is with their reified categories, and the assumption that "urbanization" would spontaneously reinvigorate the "American Creed." The story is more complex and more gritty. The mechanization of Southern agriculture — which culminated in the late 1950s with the mass production of the International Harvester's automatic cotton picking machine — obviated the need for much of that black agricultural labor that had sustained the Southern economy ever since slavery. This in turn triggered a mass migration of blacks to cities in the South and the North alike. Insofar as blacks moved out of the poorest and most exploitative sectors of the national economy into labor markets that offered relatively better wages and working conditions, migration signified "progress."

Furthermore, as Frances Fox Piven and Richard Cloward have argued, these economic and demographic changes provided blacks with the occupational and institutional base from which they could stage an assault on the South's outmoded caste system.[1] "America" — its hallowed Creed and democratic institutions — did not release its stranglehold on its black peasantry until the last bit of necessary labor had been wrung out of it, and only then, after a protracted and bloody struggle. This is what today is celebrated as the vindication of American democracy.

The migration of blacks to cities in the North and West during the 1950s and 1960s gave rise to yet another school of optimists who argued that, at long last, blacks would follow in the footsteps of immigrants in a successful pursuit of the American dream. This was the theme of Irving Kristol's 1966 article in the *New York Times Magazine*, entitled "The Negro Today Is Like the Immigrant of Yesterday."

ONCE AGAIN, PROPHESY FAILED. THE "IMMIGRANT ANALOGY" BROKE DOWN for two reasons. First, black migrants encountered endemic racism in northern labor markets, which was the reason that so few blacks moved North during the half-century after slavery. As Herbert Hill and David Roediger have shown, the working class constituted itself as "white," and with the connivance of their unions successfully kept the door of organized labor closed to blacks. When it came to occupational segregation, the North was little better than the South. This point has to be conceded to revisionist historians who complain that all blame for American race problems has been dumped on the South.

The second reason that the "immigrant analogy" broke down is that blacks arrived at a time when the urban economy was undergoing a major restructuring. Deindustrialization wiped out the very jobs that had provided stepping stones of mobility for waves of immigrants from Europe. Blacks found themselves cast to the periphery of the job market, and encapsulated in isolated and depressed urban ghettos. Thus, whatever benefit they derived from escaping the depressed economy of the South was a one-time event. It did not place them on a trajectory of upward mobility that would extend into the future.

To be sure, the passage of the Civil Rights Acts of 1964 and 1965 constituted "progress." Yet it needs to be remembered that this legislation only restored rights that were supposedly guaranteed by the Reconstruction Amendments a century earlier. Vital as this legislation was, it constituted only a necessary first step in the re-construction of race in America. The laws addressed issues of liberty, not equality, and it soon became apparent that merely passing laws would not remedy the deep class divisions between blacks and whites. The optimism of the civil rights era quickly gave way to pessimism, especially among black leaders. Consider this 1972 declaration by Julian Bond.

> We are no longer slaves. Secondly, we can sit at lunch counters, sit downstairs at movie theaters, ride in the front of buses, register, vote, work, and go to school where we once could not. But in a great many ways, we are constantly discovering that things have either not changed at all, or have become much worse (p. 43).

The above passage was quoted as a foil in an article on "Black Progress and Liberal Rhetoric," written by Ben Wattenberg and Richard Scammon and published in *Commentary* in April 1973. The stated purpose of the article was to counter the pessimism of the liberal camp, and to trumpet the enormous strides that blacks had made during the previous decade. Wattenberg and Scammon began on this rhapsodic note:

> A remarkable development has taken place in America over the last dozen years: for the first time in the history of the republic, truly large and growing numbers of American blacks have been moving into the middle class, so that by now these numbers can reasonably be said to add up to a majority of black Americans — a slender majority, but a majority nevertheless (p. 35).

There is, of course, the obligatory caveat that "the economic and social gap separating whites and blacks is still a national disgrace," but this same sentence ends with the declaration that "'middle class' has now become an accurate term to describe the social and economic conditions of somewhat more than half of black Americans" (p. 35). To substantiate this claim, Wattenberg and Scammon produced a litany of statistics showing improved levels of education and income. They exulted in their finding that the incomes of young black males in the North who come from two-parent households (who constitute only a minute fraction of the black population) are 95 percent of the incomes of whites with the same characteristics. ("There is a word to describe that figure: parity.") The Julian Bonds of the world were simply wrong: "For American blacks generally in the 1960's a huge amount of progress was made."

At first blush the Wattenberg-Scammon "line" might appear sympathetic to blacks and celebratory of black progress. There is, however, an insidious political subtext, which becomes obvious when the article is placed in context. The same issue contained an article on the heritability of IQ by Richard Herrnstein, and an article on "The 'Times' Op-Ed Page," in which Carl Gershman criticized the *Times* for offering a venue to political activists and radical professors. By 1973 *Commentary* had long ceased to be a champion of liberal ideas and black interests. Why, then, was Norman Podhoretz, in his lead commentary, extolling "the extraordinary progress blacks have been making since being afforded a greater measure of equality of opportunity"? (p. 7). Because such good news is a cheery cover for the racial status quo, and would counter the pessimists who were proclaiming that liberalism was "bankrupt," and demanding more radical action. This was also the period that affirmative action was taking root as national policy, and Norman Podhoretz was on record, as early as 1965, as opposing any system of compensatory treatment as "radical." Given the radical direction that the civil rights movement was headed, Podhoretz rediscovered the virtues of traditional liberalism.

LET US RETURN BRIEFLY TO THE CLASSICAL OPTIMIST, BOOKER T. WASHINGTON. The 1897 Atlanta Exposition where Washington delivered the oration that catapulted him into national fame included a separate exhibition, later visited by Grover Cleveland, that showcased the progress blacks had made in the New South. What electrified Washington's white audience was his declaration that blacks should forgo politics and instead devote themselves to a humble life of labor. To quote Washington:

> The wisest among my race understand that the agitation on questions of social equality is the extremist folly, and that progress in the enjoyment of all the privileges that will come to us must be the result of severe and constant struggle rather than of artificial forcing.

In 1897 "artificial forcing" meant Reconstruction, which is to say, federal intervention in Southern politics on behalf of blacks. In 1973 "artificial forcing" meant affirmative action — that is, federal mandates to enforce compliance with anti-discriminatory laws.

The first frontal assault against affirmative action came in 1975 from another *Commentary* author: Nathan Glazer. In *Affirmative Discrimination* Glazer insisted that rights belong to individuals not to groups, and accused the proponents of affirmative action of engaging in a racial classification reminiscent of the Nuremberg Laws (forgetting that the Nuremberg laws were themselves modeled after Jim Crow laws in the United States!). For Glazer it was an article of faith that the problems that beset black America could be solved within the same framework of liberal politics that had worked for immigrants.

Yet another assault on anti-racist public policy came from William Julius Wilson, whose 1978 book *The Declining Significance of Race* shifted attention and blame away from racist structures toward the human capital deficits of blacks themselves. Although Wilson considered himself a social democrat who advocated government programs to uplift the poor, there are nevertheless disconcerting parallels with Washington. Both men emphasized that the fundamental challenge for blacks was not confronting white racism, but developing education and skills that would yield economic benefits. Both men explicitly downplayed the significance of racism, as well as the need for anti-racist public policy, although neither did so with unyielding consistency: Washington at times spoke out against disfranchisement; Wilson continued to give verbal support to affirmative action. Yet in the final analysis, the elevation of both men signified, respectively, the end of the first and second Reconstruction, as the national government retreated from erstwhile policies and took race off the national agenda.

It should come as no surprise that racial optimists have always encountered fierce opposition from those who suspected that it signified retreat. Booker T. Washington's most notable critic was W.E.B. DuBois, who repudiated Washington for forsaking political and civil rights. In *The Souls of Black Folks* DuBois warned that "the Negro is in danger of being reduced to semi-slavery." Progress, he recognized, is not a one-way street.

Wilson, too, came under severe attack. In 1978 the Association of Black Sociologists passed a resolution that expressed outrage over "the misrepresentation of the black experience," and worried, prophetically, "over the policy implications that may derive from this work."[2] Another verbal pummeling came from Kenneth Clark who wrote that "the belief that class has now supplanted race in the life chances of American blacks remains a pitiful delusion."[3] In 1984 Alphonso Pinkney took on the "optimists" in a book entitled *The Myth of Black Progress*.[4] Citing Wilson's *The Declining Significance of Race,* Pinkney wrote: "There are so many faulty (even naive) interpretations in this short book that it is an amazing piece of work coming from a black sociologist" (p. 13). Dismissing the optimists en groupe, Pinkney concluded that "black people in the United States face a bleak future" (p. 178). These voices of dissent, however, were no match for the powerful institutions and forces that were determined to extinguish the flames of racial protest and to put race on a back burner. The critics of Washington and Wilson could howl in protest, but both men emerged as the avatars of hegemonic discourse of their respective ages.

1998: Another Banner Year for "Black Progress"

THE TROPE OF "BLACK PROGRESS" HAS RECEIVED NEW ITERATION IN TWO RECENT BOOKS: *America in Black and White* by Stephan and Abigail Thernstrom, and *The Ordeal of Integration* by Orlando Patterson.* It may appear strange that all this "good news on race" comes at a time when affirmative action is being gutted, when black enrollment in major universities and professional schools is plummeting, when school desegregation and racial redistricting have been aborted, and when the 42 percent of black children who live in poverty are being denied housing and food subsidies in the name of "welfare reform." It does not take great political acumen to recognize that all this good news on race, trumpeted in the popular media, is but a smoke screen for the recent onslaught of regressive public policies.

With generous subsidies from the Manhattan Institute and five conservative foundations, Stephan and Abigail Thernstrom embarked on an impossible mission: to explain away the large, persistent and scandalous inequalities between the white and black citizens of our nation.[5] They have employed all of the tools of social science, and a talent for sophistry, to deny the obvious: that our society is still deeply riven by race and that we are currently in the throes of a racial backlash that threatens to wipe out many of the gains extracted from white society through the black protest movement.

There is a not-so-hidden agenda behind the Thernstroms' volume: to attack the logical and empirical premises on which affirmative action policy is based. Since advocates of affirmative action predicate their argument on the idea that racism is still embedded in American society, compounded by deep social class inequalities along racial lines, the Thernstroms are intent on showing otherwise. Thus, the main thrust of their book is to show that affirmative action is 1) unwarranted, because America is no longer the racist society that it once was; 2) unnecessary, because blacks have made enormous strides without affirmative action; and 3) counterproductive, because it violates their "rule of thumb" that anything that is divisive is bad. (Martin Luther King answered that last point in his famous "Letter from a Birmingham Jail" when he berated those who prefer "a negative peace which is the absence of tension to a positive peace which is the presence of justice.")

To build their case against affirmative action, the Thernstroms must mold history to fit their ideological position. Their starting point is a chapter on Jim Crow. Needless to say, by this historical benchmark blacks have made gargantuan strides. To paraphrase James Baldwin, however, we cannot use the crimes of the past to justify the crimes of the present.

Besides, the Thernstroms' own data show that there has been little improvement in the social and economic condition of blacks over the last two decades. The percentage of black families below the poverty line was 30 percent in 1970, 29 percent in 1980, and 26 percent in 1995, hardly the stuff of "progress" (p. 233). By comparison, the poverty rate for whites was 8 percent in 1970 and 1980 and 9 percent in 1995. The Thernstroms also choose to ignore or downplay recent trends — wage polarization between more and less educated workers, the dismantling of affirmative action, the downsizing of government (where three in every ten blacks are employed), and the cutbacks in AFDC, food stamps, and housing subsidies — all of which will impact disproportionately on blacks and widen the racial gap in income and living standards.

In 1973 Wattenberg and Scammon had proclaimed that "somewhat more than half of black Americans" were middle-class, characterizing this as "nothing short of revolutionary." Now, a quarter-of-a-century later, we have the Thernstroms crowing that "one of the best-kept secrets of American life today is that more than four out of ten African-American citizens consider themselves members of the middle class (as compared with nearly two out of three whites" (p. 183). Inflated rhetoric is constant, even as "progress" seems stalled.

To build a case on the fact that 40 percent of blacks consider themselves middle class is preposterous. As is well-known, virtually all Americans, with the exception of those at the very extremes of wealth and poverty, consider themselves "middle class." But this prideful designation obscures massive differences in income and living standards, especially among black families where the median income, as the Thernstroms report elsewhere, is merely $25,970, compared to $42,646 for whites (p. 197).

Given the stigma attached to the term "working class," it is not surprising that so many low-income Americans, black and white alike, prefer to think of themselves as "middle class." Even so, for the sake of argument let us accept the Thernstroms' claim that 40 percent of blacks are middle class. What are we to say of the remaining 60 percent — not to speak of the 42 percent of black children who are growing up in poverty. The Thernstroms want to argue that the glass is half-full, but considering that blacks have toiled on American soil for over two centuries, and sacrificed their sons and daughters in the defense of American democracy, is it "radical" to suggest that the glass is half-empty?

THE THERNSTROMS' TAILORING OF HISTORY TO THEIR IDEOLOGICAL POSITION leads them to argue that "the gains made by African Americans in the affirmative action era have been less impressive than those that occurred before preferential policies" (p. 538). However, it is absurd to suggest that black progress has nothing to do with affirmative action. Rising incomes between 1940 and 1970, as I mentioned earlier, largely reflected one-time gains associated with migration out of the South. Since blacks also encountered racist barriers in labor markets in the North, it was predictable that incomes would stagnate and that the engine of "progress" would grind to a stop.

In declaring that blacks made greater progress before the introduction of affirmative action, the Thernstroms choose to ignore evidence showing that a decade after the passage of the 1964 Civil Rights Act, there were entire industries and whole job sectors where blacks were excluded by an impenetrable color line.[6] Indeed, this is what engendered the political pressures for the Philadelphia Plan and other policy initiatives that came to be known as "affirmative action." The Thernstroms also ignore studies demonstrating that blacks have made the greatest progress in firms and job sectors where affirmative action has been implemented — in government, in major blue-collar industries, and in corporate management and the professions.[7]

Thus to a large extent the black middle class is the product of the very policy that the Thernstroms deplore: affirmative action. The existence of this black middle class does not signify deracialization of labor markets, but on the contrary, the application of affirmative action policies which are necessary to override entrenched racism.

Furthermore, this black middle class is on a very shaky foundation. This is dramatically illustrated by comparisons between blacks and whites who have a college degree. Blacks have a median income of $29,440 (compared to $38,700 for whites). Their net financial assets amount to only $175 (compared to $19,823 for whites). Their net worth, which takes into account the value of their homes, is only $17,437 (compared to $74,922 for whites).[8] In short, much of this black middle class is only a paycheck away from poverty. Roughly two-thirds of them work for government, mainly in social service agencies which are currently being downsized or "outsourced" as part of the current assault on the welfare state. Thus, the future of this much ballyhooed middle class is very much in doubt.

Nor do the Thernstroms seriously confront the issue of racism experienced by middle-class blacks. They dismiss Ellis Cose, author of *The Rage of a Privileged Class* as "an odd sort of journalist – totally credulous" (p. 508), but pass over a study by sociologist Joe Feagin and Melvin Sikes that reached similar conclusions (*Living with Racism: The Black Middle-Class Experience*).

Given the Thernstroms' logic — that racism has waned and blacks are making enormous strides — how do they explain the persistent gaps in living standards between blacks and whites? Here all pretense of scholarly objectivity goes out the window, and in comes unembellished neoconservative cant that, through a series of mental gyrations, reverses cause and effect. Poverty is not the root cause of family instability; rather, broken families produce poverty. Black men do not commit crimes because they are jobless; rather their association with crime deters employers from hiring them. Whites are not racist; rather black immorality and incivility evoke fear and resentment.

All of this specious reasoning and distortion of fact leads to the ultimate fallacy: that after two centuries of slavery and a century of Jim Crow, and persistent racism in job markets everywhere, the nation can retreat behind a facade of color blindness.

"NEARLY HALF A CENTURY AGO," ORLANDO PATTERSON DECLARES IN THE OPENING sentence of his book, "America began seriously to confront the enormity of its 'racial' problem." What a problematic construction to frame a book! "America" is presented as a reified, anthropomorphized entity that thinks and acts as it begins "seriously to confront" its racial problem. (Note that "racial" is placed in quotation marks, signaling a reticence to acknowledge the theoretical independence of race and racism as categories of social action, a strange elision for the author of an erudite book on slavery.) Now, if there is one lesson to be drawn from the history of race in the 20th century, it is that "America" did nothing to confront its racial problem until it was forced to do so by the rise of black insurgency.

The irony of the matter is that Patterson complains throughout his book that social determinists who place undue emphasis on racism deny blacks "agency." But he fails to acknowledge the high point of black agency — the mobilization of a grass roots movement that not only liberated blacks from political oppression, but provided the catalyst for an emancipatory politics that liberated other pariah groups as well. This was something that "America" and its vaunted democratic institutions had proved itself incapable of doing for three centuries.

Nor is this a semantic quibble. The main message in Patterson's book is that race in America has undergone a profound and irreversible transformation. Strangely, however, Patterson lashes out at the very racial politics that produced these changes in the first place. He speaks as though Myrdal's prophesy — the triumph of the American creed — was a matter of self-actualization, and he grumbles that "liberal anti-racists" fail to recognize these profound changes. Like Shelby Steele, he berates us for clinging to the assumptions of a bygone age, instead of recognizing that a new age has dawned where "race" is no longer the menacing force that it was in times past.

Indeed, according to Patterson, much racial conflict that dominates the news — racism on college campuses, for example — actually reflects the painful transition to a more integrated society. With increased contact comes increased possibility for conflict. This is one of several paradoxes that provide the rhetorical motif for Patterson's book.

The mother of all paradoxes is "the paradox of progress." According to Patterson, "for the great majority of Afro-Americans, these are genuinely the best of times, but for a minority they would seem to be, relatively, among the worst, at least since the ending of formal Jim Crow laws" (p. 17). Thus for Patterson, the glass is two-thirds full, and "even in those areas where major problems remain, the long-term trends are in the direction of significant improvements" (p. 48).

Patterson anticipates the counterpunch. He cites the same data I did earlier, indicating that the black middle class is on a "fragile economic base." He also cites Paul Jargowsky's data indicating that about six million blacks lived in ghettos in 1990, a substantial increase since 1980. He acknowledges that the current (and notoriously inaccurate) black unemployment rate of 9.8 percent is "still unacceptably high." These are the things, Patterson concedes, that we can still "complain about." However, he chooses to accent the positive, and to spout the evolutionary faith that "the long term trends are in the direction of significant improvements" (p. 48).

This assumption, however, is inconsistent with Patterson's own premises. Patterson writes without equivocation that affirmative action "has been the single most important factor accounting for the rise of a significant Afro-American middle class" (p. 147). The predictable result of the dismantling of affirmative action is now reaching the front pages of leading newspapers: plummeting enrollments at universities and professional schools, declining contracts channeled to minority employers, erosion of minority hiring in the corporate world. Patterson also concedes that the crisis is deepening for the third of blacks who are still mired in poverty. Thus, what is the basis of his optimism? Progress in closing the racial gap in incomes has been stalled since 1970, and there is a real danger that many of the gains of the post-civil rights era which derive from affirmative action policy will be wiped out.

THERE IS ANOTHER LOGICAL PROBLEM HERE, THAT HAS ITS ORIGINS IN Wilson's *The Declining Significance of Race*. Let us call it "the fallacy of the average." Granted, by all measures blacks are better off today than in times past — on the average. And Patterson is technically correct when he writes that "Afro-Americans, on average, are better off now than at any other time in their history" (p 17). The key question, though, is how the good fortune of the black elite and the black middle class matter for blacks who are utterly denied the basic requirements of life: jobs, income, food, shelter? To assert that blacks "in general" are better off today than in times past is to treat blacks as though they were a single corpus, precisely the kind of race-think that Patterson finds abhorrent. Nor does it follow that the lowering of racist barriers at the upper reaches of society means that racism is not still a major impediment for the blacks at the bottom of the class pyramid. Derrick Bell had it right when he commented that his son could not be hired as a waiter in the same restaurant that accords him red-carpet treatment.

If Patterson's only transgression were that he is too upbeat about black progress, this would hardly justify all this verbal jousting. However, the flip side to Patterson's account of black success, and especially his assumption that racism is of declining significance, is that blacks who have not "made it" are saddled by cultural pathologies that call for, not anti-racist public policy, but cultural redemption. Here it is best to let Patterson speak for himself:

> The one area where things have gotten decidedly worse — the sharp increase in out-of-wedlock births, especially to teenagers — is completely within the power of Afro-Americans to change (p. 49).
>
> Work, then, has not disappeared. Rather, what has vanished — from a small, but significant and increasingly troublesome minority of younger, urban Afro-Americans — is the willingness to accept the labor intensive, "lousy" jobs available to the poorly educated, and the willingness of employers, including Afro-American entrepreneurs, to hire underqualified persons further burdened with poor soft skills. Interestingly, no one has more poignantly documented this dilemma than Wilson himself (p. 35).
>
> This growth in teen births since the seventies has exacerbated what has come to be known as the underclass problem. I mean by the underclass that small but dangerous segment of the Euro-American and Afro-American lower class made up of persons who are either unable or unwilling to live by the norms of working- or middle-class life in their own communities. Instead, they opt out of the labor force . . . (p. 38).
>
> . . . people on welfare have begun to take matters into their own hands and are demonstrating a preference for personal responsibility over chronic dependency. The only people alarmed by this development are middle-class welfare advocates unable or unwilling to believe that the Afro-American poor can choose their own life courses and change their own lives (p. 49).
>
> I am convinced by the sociological evidence, and from my own experience, that any Afro-American family that truly desires to live in an integrated, predominantly Euro-American neighborhood — which is not to say any Euro-American neighborhood — is capable of doing so (p. 47).

Again, Patterson anticipates the rejoinder: that he is "blaming the victim." Placing himself a step ahead of his critics, he lashes out at "the knee-jerk liberal view that there is no deep institutional problem here, that the familial and gender problems are all due to poverty and lack of jobs" (p. 187). He rails against social determinists who deny blacks "agency," and who paternalistically offer "excuses" for the ingrained cultural pathologies that Patterson sees as embedded in the black underclass. Thomas Sowell and Dinesh D'Souza have advanced the same argument. Here is Patterson's version:

> . . . Afro-Americans, like once-oppressed peoples and classes everywhere, were bound to develop strategies of survival and patterns of adaptation to their centuries of discrimination and exclusion that were to become dysfunctional under newer, less constrained circumstances (p. 15).[9]

In short, Patterson is contemptuous of "the bizarre cult of the victim that has become the hallmark of late twentieth-century liberal doctrine" (p. 6).

All of this might suggest that Orlando Patterson has signed on with the neo-conservatives who have produced countless iterations of the formulation, first put forward by Glazer and Moynihan in *Beyond the Melting Pot*, that the problems that beset black America are to be found "in the home, and family, and community." But here we must confront the paradox of Orlando Patterson! After two chapters that flail relentlessly at "liberal anti-racism," Patterson has a chapter on "The Moral Crisis of Conservative Racial Advocacy." Conservatives, Patterson says, commit the opposite error. Instead of an oversocialized point of view that denies blacks agency, they present an undersocialized view that denies the operation of systemic forces that impact deleteriously on the lives of individuals. With equal gusto, he dismisses "the present conservative rhetoric that argues that the poor ought to be abandoned for their own autonomous good" as "hypocritical nonsense" (p. 123).

No doubt sensing that he is verging on self-contradiction, at one point Patterson asserts that "I should clarify how my position differs from that of the Afro-American advocacy leadership criticized in the preceding essay" (p. 123). He allows that Afro-American leaders who take a social determinist stance are correct, until they cross the line of "promoting a highly deterministic ideology of victimhood among their constituents" (p. 123). Alas, finally it is clear what arouses Patterson's ire and animates his polemic. He is tired of people making excuses for "dependency and shiftlessness" (p. 113). He is tired of people whining about "racism." He is fed up with social determinists who "disastrously mislead those who need, above all else, to know and believe that only they can change their own lives" (p. 123). And he is downright apoplectic when it comes to "defenders of underclass criminality and irresponsible parenting" who hide behind the refrain "It's racism that did it" (p. 114).

The trouble with all this is that, except for a single citation to a sappy paragraph in Andrew Hacker's *Two Nations*, Patterson does not identify the writers who purportedly take the positions that he lampoons with such fury. For that matter, there is no evidence to support his premise that blacks commonly engage in this "cult of victimhood," except for two citations to self-serving invocations of "racism" on the part of 1) Mike Tyson, and 2) a black Congressman accused of tax evasion. But who are the liberal advocates who putatively propagate this "ideology of victimhood"? Where are the texts, and the relevant passages, that deny "the fundamental prerequisite of personal responsibility for any intelligible form of human sociality" (p. 114)? Lacking such documentation, we are left to wonder whether this is totally a straw argument or whether Patterson is at war with himself.

IF THERE IS AN ISSUE HERE, IT HAS TO DO WITH OBSERVING THE FINE LINE between social determinism and free will. Take the following proposition, for example: "Chronic poverty and unemployment; overcrowded, ethnically segregated or rural ghettos; and drug-infested, crime-ridden streets all create a chain of degradation with dire consequences for all members of the society." These words are Orlando Patterson's (p. 119). Such an assertion is neither an invitation nor a sanction nor an excuse for individuals engaging in immoral and anti-social acts. To paraphrase Karl Mannheim, the prescriptions that apply to the social order are altogether different from those that apply to individuals in the sphere of personal behavior. Poverty does not give anyone a carte blanche to act immorally. By the same token, we know as sociologists that "chronic poverty and unemployment . . . will create a chain of degradation with dire consequences for all members of society."

Thus it would appear that Patterson is spewing invective at an imaginary adversary. More to the point, he has taken the right-wing caricature of liberal-left positions on race and poverty, and having swallowed the bait, he now steps forward courageously to find a sensible middle ground between these two "extremes." However, this only amounts to the intellectual equivalent of shadow boxing unless Patterson is able to establish that his political adversaries subscribe to the misguided viewpoints that he ascribes to them. Otherwise he should commit his chapter on "The Moral and Intellectual Crisis of Liberal Afro-American Advocacy" to the shredder, and stick with his sage critique of "The Moral Crisis of Conservative 'Racial' Advocacy."

A final comment about race scholarship in relation to the myth of black progress. In *An American Dilemma* Gunnar Myrdal correctly observed that all of race history has observed the pattern of two steps forward and one step back, a formulation that has been embraced by historian George Fredrickson as well. That we are currently in such a period of retrogression, there can be no doubt. However, it is of little help when scholars, especially those ensconced at elite universities, respond by taking comfort in "progress" instead of decrying the reversal of hardwon gains.

NOTES

1.Frances Fox Piven and Richard A. Cloward, *Poor People's Movements* (New York: Vintage Books, 1979).

2. Quoted in Alphonso Pinkney, *The Myth of Black Progress* (New York: Cambridge University Press, 1984), p. 15.

3. Kenneth Clark, "Contemporary Sophisticated Racism," in Joseph R. Washington, Jr., ed., *The Declining Significance of Race? A Dialogue Among Black and White Social Scientists*. University of Pennsylvania Symposium, 1979.

4. Alphonso Pinkney, *The Myth of Black Progress* (New York: Cambridge University Press, 1984).

5. This section expands on a short review of *American in Black and White* that I published in *EXTRA*, Vol. 11 (March/April 1998), p. 15. Also see the companion piece by Norman Soloman on the role that right-wing think tanks play in creating a market for books by conservative authors.

6. For the best single source, see Herbert Hill, "Black Workers, Organized Labor, and Title VII of the 1964 Civil Rights Act: Legislative History and Litigation Record," in Herbert Hill and James E. Jones, Jr., eds., *Race in America: The Struggle for Equality* (Madison: University of Wisconsin Press, 1993), pp. 263-341.

7. For example, Sharon M. Collins, "The Making of the Black Middle Class," *Social Problems* 30 (April 1983), and M. V. Lee Badgett and Heidi Hartmann, "The Effectiveness of Equal Employment Opportunity Policies," in Margaret C. Simms, ed.,*Economic Perspectives on Affirmative Action* (Joint Center for Political and Economic Studies, 1995).

8. Melvin L. Oliver and Thomas M. Shapiro, *Black Wealth / White Wealth* (New York: Routledge, 1995), p. 94.

9. In *Ethnic America* (Basic Books, 1981) Thomas Sowell writes: "With many generations of discouragement of initiative and with little incentive to work any more than necessary to escape punishment, slaves developed foot-dragging, work-evading patterns that were to remain as a cultural legacy long after slavery itself disappeared. Duplicity and theft were also pervasive patterns among antebellum slaves, and these too remained long after slavery ended" (p. 187).

In *The End of Racism* (Free Press, 1995), Dinesh D'Souza writes: "Blacks in America seem to have developed what some scholars term an 'oppositional culture' which is based on a comprehensive rejection of the white man's worldview. . . . Today black culture has become an obstacle because it prevents blacks from taking advantage of rights and opportunities that have multiplied in a new social environment" (p. 484).

---

* Stephan and Abigail Thernstrom, *America in Black and White: One Nation, Indivisible* (New York: Simon & Schuster, 1997). Orlando Patterson, *The Ordeal of Integration: Progress and Resentment in America's "Racial" Crisis* (Washington, D.C.: Civitas, 1997). * Stephan and Abigail Thernstrom, *America in Black and White: One Nation, Indivisible* (New York: Simon & Schuster, 1997). Orlando Patterson, *The Ordeal of Integration: Progress and*

Lichtenstein's Fictions: MEANY, REUTHER AND THE 1964 CIVIL RIGHTS ACT

Herbert Hill

I
Labor and the Legal Prohibitions Against Job Discrimination

A MAJOR DEVELOPMENT IN THE CIVIL RIGHTS STRUGGLES OF THE 1960S was the emergence of a broad national coalition that sponsored the March on Washington of 1963, winning the support of many organizations and reflecting the high point of a brief consensus that was responsible for passage of the Civil Rights Act of 1964, including Title VII, the law prohibiting employment discrimination. Notable for its absence from the list of participants, or even sponsors and supporters of the march was the AFL-CIO. This was no accident or oversight. The executive council of the AFL-CIO, after extensive discussion and debate, refused to give its endorsement or even to recommend that affiliated unions give their support. The best they could do was to leave it to "individual union determination."

On August 12, 1963, George Meany, President of the AFL-CIO, told a news conference, "AFL-CIO is not endorsing the August 28th March . . . ."[1] A. Phillip Randolph and Walter Reuther were the only members of the AFL-CIO executive council who voted against Meany's position and criticized the federation's refusal to endorse the march.[2] Some unions, especially those with large black membership such as the United Auto Workers, did however, actively support and participate in the March on Washington.

On the evening of the march, President Kennedy met with representatives of the Leadership Conference on Civil Rights including Martin Luther King, Jr., A. Philip Randolph, Roy Wilkins, Whitney Young and Walter Reuther among others. George Meany had been invited but was absent since he chose not to be in Washington on the day of the march. The group at the White House urged the President to withdraw his opposition to the inclusion of a fair employment statute in the proposed civil rights act. All of the many organizations belonging to the Leadership Conference on Civil Rights, a broad umbrella group engaged in lobbying for anti-discrimination legislation, supported the inclusion of a prohibition against job discrimination.

HERBERT HILL *is Evjue-Bascom Professor of African-American Studies and Industrial Relations at the University of Wisconsin, Madison. He is the former Labor Secretary of the NAACP and is now writing a study of the legislative history and enforcement of Title VII of the Civil Rights Act.*

Although Meany was absent from the meeting with the President, the AFL-CIO sent a memorandum from Andrew Biemiller, its legislative director, to Kenneth O'Donnell of the President's staff expressing support for the inclusion of a fair employment provision in the proposed legislation. After the usual self-serving comments about how labor unions were unfairly blamed for discrimination, Biemiller, joining the other organizations in the Leadership Conference, urged the administration to change its position.[3] When the Civil Rights Act of 1964 was passed including a fair employment section known as Title VII, Biemuller "informed" the press that George Meany and the AFL-CIO were responsible for the inclusion of the ban on job discrimination in the statute. Thus a myth was born about Meany's role and that of organized labor in the struggle for Title VII, a myth that is frequently repeated by those who ignore the role of the civil rights movement and of the black leadership, especially Wilkins and Randolph, in this history.

Nelson Lichtenstein in his recent biography of Walter Reuther repeats this fabrication as he writes that, "The trade union movement, both the AFL-CIO and the UAW, was primarily responsible for the addition of FEPC, now rechristened the Equal Employment Opportunity Commission (EEOC), to the original Kennedy bill. . . ."[4] The many errors of fact and judgment, regarding organized labor and race in Lichtenstein's book are the consequence of his ideological requirement (as will be shown below) to depict labor unions as a progressive social force whatever the facts. In order to do this Lichtenstein has to engage in evasions, half-truths, omissions and misleading "explanations" for labor's record on racial issues.

An examination of the legislative history of Title VII and the conflicts that developed during the struggle for the 1972 amendments to the statute reveals a history of ambivalence, resistance and finally opposition to Title VII by organized labor, a history very different from Lichtenstein's version. To correct his distortions, a detailed history and analysis (although much abbreviated here because of space limitations) of the role of labor unions in the origin and development of Title VII is required.

IN 1963, DURING A PERIOD OF RACIAL CRISIS and widespread civil rights protest activity, the House Judiciary Subcommittee held public hearings on a bill (H.R. 7152) to prohibit employment discrimination. George Meany was one of over a hundred witnesses to appear before the committee, and he urged passage of the pending bill, which lacked provision for a federal agency to enforce the proposed law.[5]

When Meany was asked what action the AFL-CIO would take against a union that continued to discriminate in violation of the law, he replied, "We operate in a democratic way and we cannot dictate even in a good cause."[6] He said that the federation might "keep up the pressure" but that it would not enforce compliance with the statute through sanctions because "this limits their rights, the rights they would normally have as members."[7] The AFL-CIO's policy of refusing to implement Title VII contradicted the federation's much-publicized support for the law and served to delay delivery of the statute's benefits to victims of discrimination for long periods. Joseph L. Rauh, who was general counsel for the Leadership Conference on Civil Rights and one of the chief lobbyists for the Civil Rights Act, explained that the AFL-CIO "had just been so beaten for their racism that they wanted a bill and then they could blame it all on the bill if it wasn't enforced."[8]

Meany's testimony is also revealing inasmuch as it makes clear that the AFL-CIO leadership was unable to eliminate racial discrimination within the federation's own ranks, not only because they refused to take action on the issue, but also because they failed to understand the nature and widespread extent of racial discrimination. Meany repeatedly emphasized that great progress had been made and that there were only isolated instances of discrimination left within organized labor. Other labor spokesmen often referred to "vestiges of discrimination,"[9] and the AFL-CIO acknowledged only "pockets of discrimination."[10] *

Labor union discrimination is not the result of a few isolated "pockets" of random, individual acts of bigotry. The denial of equal rights to blacks and other nonwhite workers within organized labor is the result of racist practices institutionalized over many decades. But the AFL-CIO and its affiliated unions, in refusing to move systematically against patterns of discrimination, in insisting that each complaint was an *ad hoc* problem to be treated as an aberration, were in fact able to change little or nothing.

It was symbolic of the AFL-CIO's contradictory relationship to civil rights laws that several months after his Congressional testimony, Meany actively supported the refusal of Local 2 of the Plumbers Union in New York City to admit four black and Puerto Rican workers. Local 2 was Meany's "home local" where he had begun his career as a union business agent and where he remained a member until his death in 1980. When members of Local 2 refused to work on a publicly funded construction project with black and Puerto Rican plumbers, Meany came to New York and announced at a press conference, "They walked off the job and as far as I am concerned, they're going to stay off. . . . Union men don't work with non-union people."[11] Meany neglected to observe that the "non-union people" were excluded from membership because his local union did not admit Puerto Ricans and blacks. This union, which had systematically excluded nonwhites for decades, was to become the focus of a drama of great public significance during the 1960s, involving the federal courts, the National Labor Relations Board, civil rights organizations, and state and municipal governments, as it adamantly defied repeated efforts to racially integrate its membership and the labor force in its jurisdiction.[12]

Lyndon Johnson and the Revised Civil Rights Bill

Soon after the conclusion of the 1963 Senate subcommittee hearings, according to Charles and Barbara Whalen in their study of the legislative history of the 1964 Civil Rights Act, "Roy Wilkins, executive secretary of the NAACP, speaking for the Leadership Conference on Civil Rights, said he would like to see the bill strengthened. This plea was echoed by James Roosevelt (D. Calif.), son of the late Franklin D. Roosevelt. He urged the subcommittee to adopt the provisions of H. R. 405, a bill establishing an Equal Employment Opportunity Commission (EEOC) which had been approved earlier in the year by the House Education and Labor Committee. . . ."[13]

The stronger bill, H. R. 405, was languishing in the House Rules Committee when President John F. Kennedy was assassinated. At this critical stage of the legislative struggle for a civil rights act, Randolph and Wilkins were firm in urging President Johnson to incorporate an effective prohibition against job discrimination in the redrafted bill he would send to Congress.[14] Randolph who was leader of the campaign during World War II that culminated in Executive Order 8802 issued by President Franklin D. Roosevelt in 1941 prohibiting job discrimination by government contractors, organized the National Council For a Permanent Fair Employment Practices Committee in 1943. Wilkins, at that time assistant secretary of the NAACP, was involved in the activities of Randolph's March on Washington Movement,[15] and later as NAACP representative worked with the National Council For a Permanent FEPC.[16] For them, this effort in 1963 was the continuation of an old struggle for equal employment opportunity legislation, in contrast to Meany and the American Federation of Labor which had actively opposed such legislation over a period of many years.

In 1944, when a subcommittee of the Senate Committee on Education and Labor held hearings on a pending bill to establish a statutory basis for a permanent fair employment practice commission, the AFL opposed it.[17] William Green, president of the American Federation of Labor, refused to send a representative to the hearings. The federation, whose secretary-treasurer was George Meany, responded to the Senate subcommittee with a letter from W. C. Hushing, its National Legislative Committee chairman. After some generalities about "the democratic principle to which the labor movement is pledged," the statement expressed the opposition of the AFL to the pending bill:

> The executive council does not believe, however, that imposition of any policy, no matter how salutary, through compulsory Government control of freely constituted associations of workers, accords with the basic right of freedom of association among the American people. . . . The executive council takes strong exception to the compulsory imposition upon unions of this or any other policy interfering with the self-government of labor organizations.[18]

AFL representative Boris Shishkin voiced the federation's policy again in November 1944 at a Howard University conference, "The Postwar Industrial Outlook for Negroes," when he stated that "labor would oppose any regulation of unions, even to prevent discrimination." He added that legislation prohibiting racial and religious discrimination by unions "would open the door to much broader regulations of unions and labor spokesmen could not support it."[19] During the postwar period, the AFL continued to oppose federal legislative proposals to prohibit discriminatory practices by labor unions and contributed significantly to the demise of the World War II Fair Employment Practice Committee.* In 1945 the Senate subcommittee had before it two bills proposing a federal fair employment practice law and again the AFL actively contributed to the defeat of the pending legislation.[20] Typical of Meany's continuing opposition to fair employment laws was his intervention in 1957 as president of the AFL-CIO on behalf of Local 8 of the Bricklayers Union in Milwaukee.[21] In this case, as in many others, the labor federation and the parent body of a local union, instead of seeking to bring an intransigent affiliate into compliance with a state anti-discrimination law, interceded on its behalf and tried to prevent enforcement of the statute.[22]

In the course of drafting his bill, President Johnson accepted Wilkins' recommendations to create a federal Equal Employment Opportunity Commission with enforcement power that was incorporated into the proposal sent to Congress. This was a significant advance over the version submitted to Congress by President Kennedy which lacked an employment section. Johnson was now determined to secure the enactment of a comprehensive civil rights law including the provision that would become Title VII, and he pressed Meany and the leadership of organized labor to support his revised and expanded civil rights legislative program. On the morning of December 4, 1963, the president met privately with Meany[23] and later that day he met with 20 members of the AFL-CIO executive council and forcefully argued that the fundamental interests of the nation required that they support his civil rights bill before Congress. He told the assembled labor leaders, "The endless abrasions of delay, neglect and indifference have rubbed raw the national conscience. We have talked too long. We have done too little and all of it has come too late. You must help me make civil rights in America a reality."[24] In the course of later discussions with the president's advisors, Meany and other leaders of organized labor were made aware, at the highest levels of national political power, that failure to give active support to Johnson's civil rights bill would identify the AFL-CIO with blatant southern racism during a period of intense racial conflict and would constitute a most serious defection from the Democratic Party coalition.

The labor federation was willing to support the enactment of a revised and strengthened fair employment bill containing provisions for an agency to enforce the proposed statute, *but only if the law was limited to future discriminatory practices and only if it insulated established union seniority systems.* The AFL-CIO, as a condition of its support, insisted upon the inclusion of Section 703(h) in Title VII, which they believed would protect union seniority systems with a discriminatory effect, for at least a generation. On April 8, 1964, Senator Joseph S. Clark (Democrat of Pennsylvania) and Senator Clifford P. Case (Republican of New Jersey) introduced into the *Congressional Record* an "interpretive memorandum" on Title VII of the House-approved H. R. 7152, for which they were floor managers in the Senate. Among other clarifications and explanations defining various provisions of Title VII as a result of amendments and changes in the pending legislation was the statement that "Title VII would have no effect on established seniority rights. Its effect is prospective and not retrospective."[25]

Their "interpretive memorandum" states: "Title VII would have no effect on seniority rights existing at the time it takes effect. If, for example, a collective bargaining contract provides that in the event of layoffs, those who were hired last must be laid off first, such a provision would not be affected in the least by Title VII. This would be true even where, owing to discrimination prior to the effective date of the title, white workers had more seniority than Negroes."[26]

This interpretation of Title VII was the result of extensive negotiations between representatives of the AFL-CIO and sponsors of the legislation and was frequently invoked by defendant labor unions in later Title VII litigation. Black interest groups reluctantly refrained from public controversy with the labor federation on this issue because AFL-CIO support at that stage was necessary for enactment of the bill and because it was believed that, once adopted into law, Title VII could be strengthened through amendments later. In 1972 the law was amended and in the course of that legislative effort, sharp public disagreement emerged between civil rights groups and the AFL-CIO, which by then was no longer a supporter of Title VII.

Labor's Limited Conception of Title VII

MANY UNIONS AFFILIATED WITH THE AFL-CIO WERE LESS THAN ENTHUSIASTIC about the proposed legislation and repeatedly resisted compliance with the law after its effective date, July 2, 1965. To assure union members that Title VII would not interfere with union-negotiated seniority structures, the AFL-CIO issued a pamphlet entitled *Civil Rights: Fact vs. Fiction*. In this publication and in many other statements by officials of the labor federation, it was clearly stated that Title VII would not be retroactive and would not require unions and employers to make changes in "established" seniority systems.[27]

During the congressional debates on Title VII, the labor federation stated that the proposed law "does not upset seniority rights already obtained by any employee. . . . The AFL-CIO does not believe in righting ancient wrongs by perpetrating new ones. . . . It [Title VII] will take nothing away from the American worker which he has already acquired."[28] The Industrial Union Department of the AFL-CIO, under Reuther's leadership issued a "Legislative Alert" in May of 1964 stating that Title VII "has nothing to do with the day-to-day operation of business firms or unions or with seniority systems."[29] An AFL-CIO press release based on an internal memorandum prepared by Andrew Biemiller, the federation's legislative director, concluded with the statement, "In short, the proposed legislation would not alter a union's present substantive obligations under federal law and under the AFL-CIO policy."[30]

In a letter to Senator Lister Hill released to the press, Reuther wrote, "None of the numerous state FEPC laws and none of the Presidential regulations covering millions of employees, have undermined the rights of organized labor or resulted in the kind of chaos and disruption which you predict as a result of the pending federal law."[31] The legislative history of Title VII suggests that many who supported the proposed legislation took state fair employment practice laws as their model, and there is reason to believe that the AFL-CIO leadership, as well as the leadership of the UAW, regarded Title VII as merely a federal version of the largely ineffective state anti-discrimination laws.* During the congressional arguments on Title VII, proponents of the bill repeatedly invoked state fair employment practice acts as the rationale for the proposed federal law.[32]

Virtually every study of state fair employment practice agencies concluded that they operated on erroneous or inadequate assumptions, were unable to eliminate widespread patterns of job discrimination, and were generally ineffective. In a study of New Jersey's Civil Rights Commission, Alfred W. Blumrosen, professor of law at Rutgers University, wrote that the enforcement procedures of the New Jersey Commission "typified administrative caution and ineptness at every turn; its procedures were incredibly sloppy; it narrowly construed a statute which the courts were prepared to construe broadly; it did not secure relief for the complaints, or for the general class of victims. It was a failure."[33] Blumrosen's work confirmed the judgment of a 1964 study of state fair employment practice agencies made by the Labor Department of the NAACP, which reviewed their "dismal" records, and concluded that "the occupational pattern of Negro labor has not been changed in states with FEPC laws." The report argued that basic changes must be made if they were to become effective, and called for "affirmative action based upon pattern centered approaches instead of the individual complaint procedure."[34]

Given the serious inadequacy of the state laws, it may be assumed that the leaders of organized labor hardly envisioned Title VII as an instrument for major social change. While declaring their support for what later was to become Title VII, the AFL-CIO explicitly argued that the statute should be a federal replica of the typical state fair employment practice law. In his testimony before a congressional committee, George Meany quoted from an AFL-CIO resolution that said, "The fair employment practice law we seek should include the kind of conciliation and enforcement powers that have been tested and proved effective in the 20 states that have already enacted such laws." Meany also requested that the federation's "tabulation of the various state statutes and their provisions. . . be added as an appendix to my testimony."[35]

Although labor unions, both craft and industrial, had been frequently charged with violating state fair employment practice statutes, organized labor had found that in most instances they could defy such laws with impunity or could engage in long drawn-out legal proceedings that postponed compliance interminably, or perhaps "settle" with a minimal token adjustment by "resolving" the complaint of a single individual while leaving the discriminatory pattern intact. By 1964 union officials had come to believe that FEPC laws posed little or no threat to their traditional practices. This was especially true of the leaders of the industrial unions, who failed to anticipate the impact of Title VII upon all sections of organized labor.

An examination of the history of Title VII makes it very clear that Reuther no more understood the potential of Title VII than Meany did, and that neither anticipated how the law would develop once enacted. As the result of a series of amendments and compromises during the legislative debates, the power to enforce the statute was finally given to federal courts and it was the judiciary that gave life and meaning to Title VII.[36] * But this was not what Meany and Reuther intended.

Judicial Enforcement of Title VII and Labor Opposition

IN THE DECADE BEFORE TITLE VII WENT INTO EFFECT ON JULY 2, 1965, the Federation and its affiliated unions had the opportunity to eliminate wide-spread patterns of racial discrimination within labor organizations. They could have taken seriously the complaints filed by black workers and others with anti-discrimination agencies and the reports of civil rights organizations and responded by initiating an effective program of internal reform on racial problems and moving against recalcitrant local unions. But they refused this approach and instead continued to treat the issue merely as a public relations problem. As a result, when Title VII went into effect, labor unions were inundated with lawsuits and repeatedly, over a period of many years, they joined with employers against black workers, often against their own black union members, in an effort to perpetuate discriminatory job practices, even though the federal courts had declared such practices unlawful.

With the increasing judicial enforcement of Title VII, organized labor was transformed from a supporter of the law into an opponent of the law. It must be remembered that the AFL-CIO was willing to support the enactment of Title VII only if the statute insulated established union seniority systems and only if its application were limited to future discriminatory practices. The AFL-CIO, as a condition of its support, insisted upon the inclusion of Section 703(h) in Title VII, which was intended to protect the racial *status quo* of seniority systems. But the EEOC and the federal courts rejected this view. In its *Second Annual Report* the commission stated:

> A seniority system which has the intent or effect of perpetuating past discrimination is not a bona fide seniority system. . . . The fact that a seniority system is the product of collective bargaining does not compel the conclusion that it is a bona fide system. Seniority systems adopted prior to July 2, 1965 (the effective date of the act) may be

found to be discriminatory where the evidence shows that such systems are rooted in practices of discrimination and have the present effect of denying classes of persons protected by the statute equal employment opportunities.[37]

The AFL-CIO sought an agreement from the commission that, based on its interpretation of Section 703(h), the commission would not assert jurisdiction over seniority issues involving labor unions. On May 5, 1966, William Schnitzler, secretary-treasurer of the AFL-CIO, and Thomas E. Harris, its general counsel, together with the representatives of several major unions, met with the EEOC to insist that under Section 703(h) the commission must refrain from acting on complaints involving discriminatory job assignment and promotion procedures based on seniority provisions in union contracts. In response, the commission requested that William B. Gould, a professor of law at Wayne State University, conduct a study and formulate a report on the EEOC's legal authority and responsibility on this issue. Gould concluded that "most seniority arrangements locked blacks into segregated job departments and were, therefore, unlawful under the statute." He also commented, "The AFL-CIO policy of not agreeing to implement Title VII serves to postpone the effectuation of the statute's principles. Assertion of the leadership's innocence is simply the first in an arsenal of arguments that the AFL-CIO and its friends put forward to justify union misbehavior."[38]

As might have been expected from their history, unions in the building trades repeatedly resisted, evaded, and in some instances defied the law, and it is not surprising that the first contempt citation issued by a federal court under Title VII was against a construction labor union, Local 189 of the Plumbers Union in Columbus, Ohio.[39] Local 46 of the Lathers Union and Local 28 of the Sheet Metal Workers, both in New York City,[40] were among other construction unions held in contempt after violating agreements with the government to stop their racist practices.

Many industrial as well as craft unions were also defendants in employment discrimination cases under Title VII. Such litigation involved labor organizations in steel manufacturing, papermaking and communications, in the tobacco and maritime industries, in aircraft and automotive manufacturing (both the United Automobile Workers and the International Association of Machinists), in chemical manufacturing and oil refining, in public utilities and the trucking industry, among others. Quite clearly, the leaders of organized labor did not anticipate the extent to which labor unions would come under attack once Title VII went into effect.[41]

The crucial facts emerging from litigation under Title VII are that, whether as a result of total exclusion by craft unions or as a result of segregated job structures under industrial union contracts, black workers had been removed from competition for jobs reserved exclusively for whites, and that the patterns of racial job segregation had become more rigid under agreements negotiated by industrial unions in many industries.* Numerous industrial union contracts with discriminatory job progression provisions have been used to structure and enforce racial inequality, an issue that has been the subject of extensive litigation since Title VII went into effect.

Labor unions resisted compliance with the law in many ways; by refusing to conciliate valid charges of unlawful discrimination and by violating conciliation agreements and consent decrees, by refusing to comply with Title VII requirements for disclosure of information, by repeatedly defending discriminatory practices even after federal courts had declared such practices to be illegal, and by violating court orders. Furthermore, some labor unions succeeded in delaying delivery of Title VII remedies to women and minority plaintiffs by raising complex challenges of a procedural nature, which often postponed the granting of relief for years. Organized labor's response to Title VII has served in various contexts to limit or to defeat the purposes for which the law was enacted.

The Struggle to Amend Title VII

DURING THE FIRST DECADE OF TITLE VII LITIGATION the AFL-CIO did not hesitate to join with anti-civil rights forces to limit the effectiveness of the law after its adoption. When it became clear during the years 1966-1968 that the private right to sue and the resulting federal court decisions made possible the enforcement of effective legal prohibitions against job discrimination for the first time, organized labor sought to destroy that right.

Since many of the largest and most important labor unions were repeatedly involved as defendants in litigation under Title VII, organized labor found to its dismay that instead of a federal version of the ineffective state fair employment practice laws, Title VII was being interpreted and enforced by federal courts, and these courts were ordering extensive changes in traditional union racial practices. As racial minorities and women began to actively litigate under Title VII, organized labor not only resisted compliance with the law but also opposed new legislative proposals to make it more effective. Beginning in 1966, when bills were first introduced in Congress proposing to amend Title VII by giving the EEOC authority to issue cease-and-desist orders, the AFL-CIO refused to support such measures unless the private right to sue, the major means of enforcing the law, was eliminated from Title VII.

From 1966 to 1968 the Leadership Conference on Civil Rights took no public position on pending legislation to strengthen Title VII because it could not resolve its internal conflict over the private-right-to-sue issue. The NAACP and the other civil rights groups insisted on retaining that right, while the AFL-CIO opposed it. Joseph L. Rauh, counsel for the Leadership Conference, commented on the prolonged struggle:

> We realized, certainly by 1966, that the absence of cease-and-desist powers was hav-

> ing a very bad effect on the enforcement of Title VII. Naturally, the simplest remedy was to restore the cease-and-desist powers that Senator Dirksen had removed as the price of enactment of Title VII. In 1966 Congressman Augustus Hawkins of California put in a bill doing just that. Shortly thereafter the AFL-CIO indicated that they would not support the Hawkins Bill unless the private right of suit was removed from Title VII. . . . Jack Greenberg of the Legal Defense Fund, Clarence Mitchell of the NAACP, Tom Harris of the AFL-CIO and I worked out a rather dubious compromise weakening the right of the individual to sue and making some of the other changes requested by the AFL-CIO. But this compromise got nowhere in Congress in 1967. Then in 1968 Greenberg wrote me a letter withdrawing from the compromise agreement and insisting on retaining the undiluted right of private suit. I really had my back to the wall. Both Greenberg and the NAACP insisted on the private right to sue and the AFL-CIO would not support cease-and-desist with the private right to sue in the legislation.[42]

The Lawyers Constitutional Defense Committee of the American Civil Liberties Union, an agency that conducted much Title VII litigation, also opposed the AFL-CIO on this issue. The committee urged the Leadership Conference on Civil Rights not to accept any proposal that would "deprive private parties of [the right] to seek redress in the Federal Courts for employment discrimination under Title VII. . . it would be extremely detrimental to progress in equal employment if that avenue of litigation were closed off. . . . If parochial and reactionary AFL-CIO interests stand in the way, we should consider this a scandal and another sign that the labor movement's role in our present history is profoundly harmful."[43]

From the legislative history, it is evident that organized labor opposed effective enforcement of Title VII. As a result of opposition by the AFL-CIO, the power to issue cease-and-desist orders was not granted and the Equal Employment Opportunity Commission remains a crippled agency. However, as a result of the 1972 amendments to Title VII, the EEOC was granted the power to initiate litigation in federal courts against respondents in the private sector, and Title VII coverage was expanded to include employees in the public sector where the attorney general was authorized to litigate. Despite organized labor's opposition, the private right to sue was retained intact in the Equal Employment Opportunity Act of 1972.

By the time the amended law went into effect, the AFL-CIO was in open opposition to Title VII. In *United States Postal Service* v. *Aikens*,[44] for example, a case argued before the Supreme Court, the AFL-CIO joined with the Chamber of Commerce and the Reagan Justice Department in attacking the rights of minority workers under Title VII. The labor federation argued for new stringent standards of proof that would make it more difficult for plaintiffs to prove that they were the victims of discrimination. Although no unions were involved in this case, the AFL-CIO sought to undermine the position of black workers and other minorities seeking legal remedies for job discrimination.

The briefs *amicus curiae* filed by the AFL-CIO in *Boston Firefighters Union* v. *Boston Chapter, NAACP*,[45] and in other cases, argued for the elimination of essential Title VII remedies. The retreat of the labor federation was also sharply expressed in its *amicus* brief in *United Airlines, Inc.* v. *Evans*,[46] where, according to one veteran labor attorney, "The AFL-CIO went out of its way — in a case where it was not necessary — to attack one of the most effective remedies the courts have developed in Title VII litigation, to restore blacks and women to the place they would have held had it not been for discriminatory hiring and promotion practices."[47]

Mary Jean Tully, president of the National Organization for Women/Legal Defense and Educational Fund, commented, "The brief *amicus curiae* of the AFL-CIO in *Evans* is not only an attack on women workers and blacks locked into segregated seniority structures, it is also a repudiation of the fundamental premises of Title VII."[48]

A 1973 study sponsored by the EEOC to analyze the response of labor unions to Title VII concluded that the agency was able to obtain settlements involving labor union discrimination "in only a small proportion of these cases. Even in cases where the EEOC succeeded in negotiating agreements with the offending unions. . . the settlements often provided inadequate relief to the workers involved or were not adhered to by the unions."[49]

According to that study of organized labor's response to Title VII:

> union rejection of the EEOC's settlement proposals generally meant continued exclusion of blacks. . . . in human terms these are some of the costs of the Commission's failure to achieve compliance: lower earnings, inferior jobs, limited advancement, a higher risk of layoff and discharge for minority workers. . . . The Commission generally failed to execute settlement agreements. . . . Moreover, the failure to execute an agreement was generally associated with the union's refusal to correct the discriminatory practice.[50]

The 1973 study notes that the AFL-CIO Civil Rights Department (CRD) "has not, as the Commission had expected, been a significant force in promoting the Commission's conciliation efforts," concluding that, "the Civil Rights Department intervened in the conciliation of only a negligible number of cases, and its presence had no apparent impact on the conciliation process. Thus the Commission was no more successful in executing agreements where the CRD intervened than when it did not. Similarly, the international unions frequently supported their affiliated locals' rejection of the Commission's settlement proposals."[51]

Unions in many sectors of the economy had become the institutional expression of white job expectations based upon the systematic subordination of black labor. White workers for generations had taken for granted the prevalence of discriminatory racial norms and bitterly resisted any alteration or deviation. Thus many unions supported the actions of whites against black workers who were challenging discriminatory practices. The extensive record involving unions as defendants in Title VII litigation demonstrates that the compulsion of law was necessary to eliminate the traditional racist practices of numerous labor organizations.

In light of this history, Lichtenstein's account of the legislative development of Title VII is misleading since he gives an inaccurate report of organized labor's role while ignoring the work of Randolph and Wilkins especially during the drafting of Johnson's bill, the bill that became the Civil Rights Act of 1964, and omits any discussion of labor's response to Title VII after it became law.

Lichtenstein writes, "Meany insisted upon an EEOC to give his office a new weapon with which to force integration of literally hundreds of still segregated southern locals."[52] But there is no evidence in the 34 years since Title VII was enacted that Meany or the executive council of the AFL-CIO ever took action against affiliated unions that were violating Title VII. Furthermore, Meany's testimony before the House Judiciary Subcommittee on July 26, 1993 directly contradicts Lichtenstein's assertion since Meany made it clear on that occasion that the AFL-CIO had no intention, much less a plan to implement Title VII.[53]

A major characteristic of this history is the failure of the AFL-CIO and the UAW to initiate change in racial practices, and to voluntarily activate compliance with Title VII as a union responsibility. Instead, there was widespread resistance to compliance by organized labor, and change occurred only as a result of protest actions by black workers and federal court orders.

As we have seen, organized labor moved through a series of changing positions vis-a-vis Title VII; first supporting the proposal before its implications were understood, then insisting upon modifications, then refusing to implement the law after it was enacted and finally opposing and obstructing it after federal courts began to enforce the statute. A close reading of the documentation confirms the conclusion that Lichtenstein's treatment of this history is uninformed and misleading in many crucial aspects.

Part II
Reuther, the UAW and Title VII

LICHTENSTEIN WRITES THAT IN CONTRAST TO MEANY who needed a federal antidiscrimination law ". . . to force the integration of literally hundreds of still segregated southern locals, Reuther did not need such a bludgeon in the far more centralized UAW."[54] But the record shows that Reuther and the UAW leadership did not use their power in "the far more centralized UAW" to eliminate traditional patterns of job discrimination in companies where the UAW held union contracts.

Lichtenstein emphasizes Reuther's role in getting Title VII enacted, but fails to discuss his and the union's response to the law after it went into effect. The Reuther leadership did not initiate action under Title VII to eliminate widespread patterns of discrimination in the auto industry. Instead, like most other unions, they resisted making the changes required by Title VII and continued renegotiating the old contracts.

During the congressional debates on the proposed Civil Rights Act, the Fair Practices Department of the UAW conducted a survey to provide the union "with some impressions of the degree of progress being made with respect to the non-white membership."[55] This survey was provoked in large part by critical reports regarding the status of black workers in unionized automobile manufacturing plants.

According to data presented at hearings of the United States Commission on Civil Rights in 1960, black workers constituted 0.7 percent of the skilled labor force in Detroit auto plants, while 42.3 percent of the laborers and 18.3 percent of the production workers were black.[56] In 1961, the commission, in a survey of black employment in the automotive industry, reported on manufacturing operations in plants where the UAW was the collective bargaining agent:

> In Detroit Negroes constituted a substantial proportion — from 20 to 30 percent — of the total work force, but their representation in "nontraditional" jobs was slight. . . . In Baltimore, each of the companies employed Negroes only in production work and not above the semiskilled level. . . in Atlanta, the two automobile assembly plants em-

> ployed no Negroes in assembly operations. Except for one driver of an inside power truck, all Negro employees observed were engaged in janitorial work — sweeping, mopping, or carrying away trash. Lack of qualified applicants cannot account for the absence of Negroes from automotive assembly jobs in Atlanta.[57]

A report of the Negro American Labor Council dated November 30,1963, on the racial pattern in UAW plants in several cities provided further documentation and confirmed the conclusion of the commission.[58]

The union's own report showed that within the UAW, while 12.9 percent of production workers surveyed were non-white, only 1.4 percent of the workers in skilled trades were non-white. Out of 29 states responding to the survey, only 8 had a few non-white apprentices in training, and 20 did not have a single non-white apprentice. Of all workers enrolled in either employee-in-training programs or employee-upgrading programs, 94.5 percent were white. Furthermore, the union's survey found only 54 non-white apprentices out of a total of 1,958 participating in the UAW's joint labor-management training programs.[59] The union's Skilled Trades Department, which for years had operated with an unstated but effective policy of excluding non-whites from jobs in its jurisdiction, was known among black workers as "the deep-south of the UAW." William B. Gould, who had been a member of the union's legal staff (now chairman of the National Labor Relations Board), concluded that on the issue of the UAW's racial practices "the late Walter Reuther's rhetoric did not comport with reality. . . ." He reported that, "at the very time of the 1963 March on Washington, of which Reuther was a leader, hardly any black UAW members were to be found in the high-paying and prestigious skilled-trades jobs."[60]

Despite this record and the increasing discontent of its black membership, the UAW leadership apparently believed that Title VII would have little applicability to their union, which did not engage in the blatant racist practices of the "lily-white" craft unions in the building trades, or maintain racially segregated locals as did, for example, the International Longshoremen's Association. In responding to a proposal from the union's Fair Practices Department that the UAW develop a relationship with anti-discrimination agencies to handle complaints under Title VII, Emil Mazey, secretary-treasurer of the union, wrote, "I don't agree that we ought to waste time meeting with state agencies to work out agreements in view of the fact that we have so few complaints on fair employment practices in plants under our jurisdiction. I believe we can handle each case on an *ad hoc* basis without the necessity of formal agreements with anyone."[61]

In the two years after Title VII went into effect on July 2, 1965, the United Auto Workers experienced a 300 percent increase in the number of complaints its members brought to the Fair Practices Department of the union.[62] In the first nine years of Title VII, 1,335 formal charges against the union were filed with the EEOC by members of the UAW,[63] and throughout the 1970s and since then, the UAW continued to be a defendant in Title VII litigation.

Typical of these cases was the lawsuit black UAW members in Indianapolis filed against General Motors and both the UAW international union and its Local 933, charging the employer and the union with violating Title VII in regard to race and sex discrimination.[64] In another case, the EEOC named the UAW as codefendant with the FMS Corporation (John Bean Division), a manufacturer of agricultural equipment in Florida, in a suit charging discrimination "against blacks in recruiting, hiring, race segregated job classifications and departments, discharge, training, promotion, terms and conditions of employment and failure to institute affirmative action programs."[65]

The UAW had requested that the EEOC delay action on complaints filed by members of the union until after they had first exhausted the union's protracted internal grievance procedure, arguing that its constitution as well as its collective bargaining agreements required that union members file an internal grievance before filing charges with the EEOC.[66] In 1969, however, after the commission firmly rejected that argument, on the grounds that it had a legal obligation to proceed forthwith in implementing the law, the union finally eliminated this requirement from its constitution.[67]

UAW Resistance to Change

LICHTENSTEIN WRITES THAT IN 1960 ". . . the UAW began a more vigorous effort to desegregate southern and border-state UAW organized factories and upgrade black workers out of janitorial ranks."[68] Lichtenstein offers no evidence for this statement and in fact, there was no such "vigorous effort." All the data, including the findings of federal courts in Title VII litigation years later, confirm the conclusion that the traditional discriminatory pattern in many UAW plants as described in the 1961 report of the U. S. Commission on Civil Rights remained intact after Title VII went into effect.

One significant example was the case of *United States* v. *Hayes International Corp.*, in Birmingham, where a federal appellate court found that under a 1965 UAW contract "black employees performed the lowest paid, unskilled jobs. . . . This condition remained substantially unchanged even after the effective date of Title VII of the Civil Rights Act of 1964. The black employees were segregated in their jobs in a manner which deprived them of the opportunity for advancement that white employees enjoyed."[69] In this case as in so many others, the UAW violated its own formal civil rights policy, acting on behalf of whites in maintaining their privileged position in the factories. In 1957 the NAACP, assisting black UAW members, filed charges against Hayes International and the union with federal agencies seeking cancellation of government contracts because of the discriminatory racial pattern. During the eight year period between this action and July 2, 1965, the effective date of Title VII, the UAW, fully aware of the complaints filed, had ample opportunity to eliminate the system of racial job segregation codified in the union contract at Hayes and at other companies. Not only did it fail to do so, but it repeatedly renegotiated union contracts containing discriminatory seniority and job promotion provisions even after the Civil Rights Act became law. The Department of Justice, acting on charges filed by the NAACP on behalf of black workers, initiated a Title VII lawsuit against the employer and the union. Both were found to be in violation of the statute.

The unlawful racial pattern found by the circuit court of appeals in *United States* v. *Hayes International Corp.*, was not an isolated or unusual condition in manufacturing plants operating under UAW contracts. In 1961 the NAACP filed charges with federal agencies asking that government contracts with the General Motors Corporation be canceled because the corporation's racial employment practices in Atlanta, Kansas City and elsewhere violated federal executive order prohibiting employment discrimination. This was a continuation of previous actions taken by the Association involving General Motors operations in St. Louis where systemic discriminatory practices had been under attack by local civil rights groups for many years.

In 1957, in a memorandum to the director of the UAW General Motors Department, the NAACP described the racial employment pattern at General Motors' extensive manufacturing facilities in St. Louis, which had been operating under UAW contracts for many years. Black workers were employed "exclusively in menial jobs such as porter, sweeper and material handler. . . . Investigation at the Chevrolet Division reveals that Negro workers are permitted to work exclusively in three departments. . . . White workers hold seniority rights in operations which permit promotion and the development of skills in a significant number of job classifications."[70] The memorandum pointed out the consequences of "the Non-Interchangeable Occupational Group Seniority Plan" in the agreement between the UAW and the Chevrolet-St. Louis Division of the General Motors Corporation, "This seniority problem as it is enforced constitutes in essence a separate line of progression for white and Negro workers. . . . The solution is to be found in an arrangement whereby employees could have both horizontal and vertical job mobility. This could probably be best obtained by the operations of a plant-wide seniority agreement."[71] After the NAACP filed complaints with the federal government against General Motors and the UAW seeking contract cancellation, the company and the union promoted a small number of black workers into some few job classifications formerly reserved for whites, but the discriminatory seniority structure remained intact.[72] Compliance review reports from federal agencies revealed that the racial employment pattern at Ford plants organized by the UAW were similar to the pattern described here at General Motors facilities.[73]

In January 1962 a congressional committee heard testimony on the need for fair employment practices legislation from the author who, at that time, was Labor Secretary of the NAACP. In the course of that testimony I reported that in "General Motors plants in Atlanta, Memphis and Doraville, Georgia, and Ford Motor Company plants in Atlanta, Memphis, Norfolk and Dallas. . . Negroes are exclusively employed as sweepers, janitors or toilet attendants. . . The Fisher Body plant of the General Motors Corporation in Atlanta is totally 'lily-white' and plant security guards prevent Negroes from even entering the hiring office to file applications for employment. The United Auto Workers holds union contracts at each of these plants."[74]

Later in 1962 an eight page memorandum from the UAW Fair Practices Department to Reuther revealed that the UAW leadership was fully aware of the discriminatory seniority provisions in its collective bargaining agreements covering General Motors plants in Atlanta and elsewhere, but its major concern was that public exposure would embarrass the UAW. The memorandum stated that "the contract language. . . constitutes a glaring inequity and could cause embarrassment to the Union as well as the Corporation in the present climate." It acknowledges that black employees did not have the same departmental rights "as set forth in the local Seniority Agreement for white employees."[75]

What is significant in this history is that in the years between 1957, when the effort to obtain cancellation of government contracts in the auto industry was begun, and 1965, when Title VII went into effect, the UAW continued to negotiate contracts that were blatantly discriminatory. This practice continued after 1965, even though such contracts were in clear violation of the law. This was also the crucial period when black auto workers would no longer accept the shoddy compromises of the past and a new black militancy emerged in the UAW.*

Not a word about how the UAW negotiated contracts that perpetuated discriminatory practices in violation of Title VII is to be found in Lichtenstein's book. It was not that he did not have this information, on the contrary, as an intrepid researcher he knew all of this and more. He also knew that in order to make his rationalizations and excuses for Reuther's record on race seem credible, it was necessary to omit much relevant material. On June 18 and 19, 1987, the author was interviewed by Lichtenstein in Madison, Wisconsin. These two days and nights of intense discussion were followed by meetings in Washington, D. C. and an exchange of correspondence over a six year period.[76] Extensive files were made available to Lichtenstein who xeroxed massive quantities of primary documentation including NAACP reports to government agencies regarding racial employment patterns in UAW-organized plants, correspondence with black auto workers and with union officials and company representatives, reports from the EEOC and other government agencies on Title VII litigation in the auto industry and much more.

Of special relevance were the files containing detailed information on the status of black workers in specific UAW-organized plants such as General Motors in St. Louis, together with the union's response to requests for help from minority workers. With the exception of some background information, not a word of this material found its way into Lichtenstein's book.* Furthermore, he demonstrated a complete disregard for accuracy when he wrote that "Hill's 1961 NAACP report, 'Racism Within Organized Labor: A Report of Five Years of the AFL-CIO' included a blistering exposure of institutionalized discrimination in the industrial unions, especially the ILGWU. . . ."[77] But there is no such criticism, "blistering" or otherwise of the ILGWU in the report, on the contrary, the only mention of that union is complimentary, describing how, with the assistance of the Association, it integrated its Atlanta units. This report was originally published in 1961 as an NAACP document and later reprinted in *The Journal of Negro Education*.[78] (It should be noted that at his request a copy of the original document was made for Lichtenstein.)

Lichtenstein, while acknowledging discrimination in the UAW does not, with but two exceptions, discuss the response of the Reuther leadership to racist practices by local unions although they were widespread. His selection is interesting and deserves examination. According to Lichtenstein, in 1945, Reuther ". . . had flown to Atlanta to demand that Fisher Body Local 34 admit black sweepers to membership and upgrade them to production jobs," and that after "a packed meeting that lasted five hours. . . 120 black sweepers were formally enrolled in the local, but none won production jobs."[79]

What Lichtenstein fails to mention is that 30 years later, with but one exception, blacks employed at this plant were still janitors, locked in a labor classification in the union contract that limited them to work only as janitors, with no possibility of promotion into jobs reserved exclusively for whites.[80] Furthermore, this was the pattern in many UAW organized plants in the South and border states.*

Lichtenstein writes that in 1960, ". . . the UAW executive board finally took decisive action against the segregationists in control of the Memphis Harvester Local. Local 988 was put into an administratorship."[81] The UAW leadership acted on internal racial problems only after they had become crisis situations, or when Reuther was publicly embarrassed by exposure of the UAW's responsibility for discriminatory treatment of its non-white members. A highly publicized and potentially very damaging series of events occurred in 1960 when Local 988 in Memphis defied the Reuther leadership and insisted on maintaining segregated facilities in the union headquarters. After much delay and repeated protests from black workers, the UAW suspended its officers and placed the local union under trusteeship.[82] This was a rare action in the UAW, not to be repeated again in a racial context.

In the UAW, local unions were disciplined for violating organizational policy on a variety of issues, especially "unauthorized" work stoppages, but not when the most blatant violations of the union's formal anti-discrimination policy occurred. The message was widely understood throughout the UAW: that the union's civil rights stance could be violated with impunity and that regional directors were never challenged by the Reuther leadership on this issue. It is therefore interesting to note that Lichtenstein describes the rare exception in the union's history while ignoring the many other circumstances where it failed to act. Here, as in other instances, Lichtenstein works from the exception and ignores the pattern.

The enactment of Title VII and the innovative interpretation and enforcement of the law by federal courts after 1965, together with the emergence of militant black protest movements within the UAW, provided Reuther with a great opportunity. He could have demanded that corporations comply with Title VII and that broad compliance by employers would become part of the union's bargaining demands. He could have told his regional directors and white union members that a major change was taking place and that the UAW would no longer be a party to discriminatory racial practices. Reuther could have informed minority workers and women that the UAW welcomed the new law and that the union would file Title VII complaints against employers on their behalf with the Equal Employment Opportunity Commission. (Title VII is not self-enforcing. An aggrieved worker must first file a complaint to set the administrative process in motion.) Reuther could have made the UAW the champion of Title VII within the labor movement and used the law to attack the old patterns of institutionalized discrimination wherever the UAW represented workers.

But he did none of these. Lichtenstein informs the reader that Reuther "made an impassioned plea" for FEPC legislation,[83] but he does not tell the reader that once the law was passed, Reuther did nothing to make it effective; on the contrary, the UAW together with other labor unions resisted change. When Reuther finally had the opportunity to directly alter the racial employment pattern in auto manufacturing and in other industries where the UAW held contracts, he failed to attack the racial *status quo* where it mattered greatly, and where he had the power to do so.

Lichtenstein's Reuther: A Failure of Perspective

THE FAILURE OF LICHTENSTEIN'S PERSPECTIVE ON REUTHER IS EXPRESSED in many ways including his treatment of the union leader and money. Lichtenstein reminds the reader with some frequency of Reuther's financial support for civil rights causes as proof of his devotion to the movement. For example, on page 316 he writes that the UAW "contributed more funds to the national NAACP than did all other trade unions combined,"* and on page 370 he tells the reader that ". . . the UAW had put more money and muscle behind the civil rights revolution than had any other trade union." On page 394, Lichtenstein writes that "Reuther reminded Martin Luther King of how much money the UAW had provided his organization."

It is a matter of some sadness that at this late date in our history, Lichtenstein does not understand the implications of Reuther's use of union money. George Lipsitz has addressed this issue with insight and because of its importance what he says deserves to be quoted here *in extenso*:

> I know that defenders of the AFL-CIO will point to their support for civil rights legislation as proof that they fought for social justice rather than for social peace. But when one looks closely at their role in the civil rights movement a different picture emerges. Walter Reuther paid for the sound system for the 1963 March on Washington, but then used his influence to censor John Lewis's speech. Social democrats like Joseph Rauh and Allard Lowenstein channeled civil rights workers within the Democratic Party, urging acceptance of the decision to seat the segregationist Mississippi delegation at the 1964 convention instead of the integrated Mississippi Freedom Democratic party. In these instances and others, union leaders tried to do with the civil rights movement what they had done with the labor insurgencies of the thirties and forties — take power away from the rank and file and delegate power to leaders making deals with corporations and political parties. In both cases, in my judgment, the rank and file lost far more than it gained.[84]

Lichtenstein does not share Lipsitz's view. On the contrary, he repeatedly emphasizes labor union financial support for civil rights activities without understanding its consequences. It is evident that a major ideological purpose of Lichtenstein's book is to "prove," that despite some limitations, on the whole, organized labor fulfilled its innate socially progressive role in the struggle for racial justice. This position, to which Lichtenstein is committed, not only prevents him from giving a balanced, accurate account of labor's response to black struggles, but also prevents him from examining this important subject in a disciplined, scholarly manner, free of the need to justify an ideological position. This is a major failing of Lichtenstein's book.

For Reuther and the other UAW leaders, blacks in the union had always been a "troublesome presence," but after a new black militancy emerged in the UAW as in the rest of society in the 1960s, Reuther found that the bureaucratic power he had used in the past to control black discontent no longer worked. His efforts to control all activity critical of the union by black workers and their allies in the civil rights movement, were increasingly ineffective, as witness his futile attempts to control the work of the NAACP Labor Department.[85] For Reuther, the need to control movements of black workers was essential to prevent blacks from becoming an independent political force within the UAW and to insure that they engaged only in "acceptable" activity that would not unduly disturb whites in Reuther's support base. When he could not be in control he became resentful and fearful of black groups and vigorously opposed their activities.

Lichtenstein acknowledges that during the 1940s "Privately and sometimes in public, Reuther questioned whether any blacks were 'qualified' to fill high UAW posts,"[86] and in 1959, Reuther condescendingly told black unionists protesting "the lily-white character of their own international executive board,"[87] that "There will come a time when a Negro will be qualified and. . . at such a time a Negro will be placed on the board."[88] In 1962 when Reuther finally found it necessary to place a black on the executive board, he chose not one of the highly qualified candidates, but a bureaucrat of limited competence, Nelson Jack Edwards, who would be a safe token black member. In retrospect it is evident that much of the public image of the UAW as an example of interracial unionism was based on its support for civil rights causes far removed from the factories where its members worked and far from the union itself.

Lichtenstein has not written a critical study of Reuther whom he perceives as a working-class visionary struggling mightily against powerful corporations. Although he acknowledges that Reuther had some defects, he minimizes them and frequently supplies a dubious defense. Lichtenstein's basic explanation for Reuther's behavior, as when he admits that the UAW, in refusing to integrate its executive board, by 1959 lagged behind other industrial unions, is that "On this issue as on so many others, Reuther had become a prisoner of the institution he did so much to construct."[89] Lichtenstein offers this impoverished formulation as a catch-all excuse for Reuther's deplorable positions on racial and other issues and he fails to acknowledge that Reuther had options and made choices, such as his decision to support the war in Vietnam* (Emil Mazey, Secretary-Treasurer of the UAW, publicly and vigorously denounced the war), or when he chose to be a shameless toady for Lyndon Johnson at the 1964 Democratic Party Convention, or when he told veteran black unionists that as a racial group they were not qualified to be members of the union's executive board. The list of such choices is long; they were Reuther's decisions and in the accounting of history they are his responsibility. He built his own cages and chose to remain in them.

Lichtenstein has produced an informative narrative about Reuther's early years, including the period he worked as a machinist in the Soviet Union that readers will find of interest, but he has failed to provide an understanding of a career that might have told us much about the nature of radical movements, labor unions and civil rights struggles in our time. Students of labor and civil rights history will have to wait for the accurate and rigorously analytic study of Reuther and the UAW that has yet to appear.

NOTES

1. Quoted in "AFL-CIO Adopts Hands Off Policy on Washington Civil Rights Demonstration," *Daily Labor Report*, August 13, 1963, Bureau of National Affairs, Washington, D.C., p. A ll.

2. John D. Pomfret, "AFL-CIO Aloof on Capital March," *The New York Times*, August 14, 1963, p. 21.

3. Hugh Davis Graham, *The Civil Rights Era* (New York, Oxford University Press, 1990), p. 82.

4. Nelson Lichtenstein, *The Most Dangerous Man in Detroit, Walter Reuther and the Fate of American Labor* (New York, Basic Books, 1995), pp. 387-388.

5. *Civil Rights, Hearing Before Subcommittee No. 5, House Committee on the Judiciary*, 88th Congress, 1st Session, serials 1-4, July 26, 1963 (Statement of George Meany).

6. Ibid., p. 1791.

7. Ibid., p. 1792.

8. Quoted in Helene Slessarev, "Organized Labor and the Civil Rights Movement in the Fight for Employment Policy," paper delivered at the 87th Annual Meeting of the American Political Science Association, Chicago, September 3-7, 1987, p. 5.

9. Bayard Rustin, "Blacks and Unions," *Harpers Magazine*, May 1971, p. 80.

10. See the Civil Rights Resolution adopted by the Eighth AFL-CIO Convention, October, 1969 (Publication No. 8F; Washington, D. C., 1969).

11. Quoted in the *New York Post*, May 16, 1964, p. 3.

12. See *Official Report of Proceedings before the Trial Examiner of the National Labor Relations Board, Local Union No. 2 of the United Association, AFL-CIO and Astrove Plumbing and Heating Corp.* (Case No. 2-CB4024); *NLRB* v. *Local 2 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of United States and Canada, AFL-CIO*, 360 F.2d 428 (2d Cir. 1966). See also *The New York Times*, May 1, 1964, p. 3; "The White Supremacy Plumbers," editorial, *New York Post*, May 3, 1964, p. 32, and *The New York Times*, May 2, 1964, p. 1. For a detailed history and discussion see Herbert Hill, "The New York City Terminal Market Controversy: A Case Study of Race, Labor and Power," *Humanities in Society* 6.4 (Fall 1983), pp. 351-91 (Reprint No. 255, Industrial Relations Research Institute, University of Wisconsin-Madison). This case involved the Bronx Terminal Market Construction project.

13. Charles Whalen and Barbara Whalen, *The Longest Debate: A Legislative History of the 1964 Civil Rights Act*, (Cabin John, MD, Seven Locks Press, 1985), p. 22.

14. Author's Interview with Roy Wilkins, February 2, 1973, New York, New York, and interview with Joseph L. Rauh, January 4, 1973, Washington, D. C.

15. Herbert Garfinkel, *When Negroes March*, (New York, Free Press, 1959), erroneously interpreted as hostile the response of the NAACP to Randolph and the March on Washington Movement of 1941. Later research has corrected Garfinkel's interpretation. See John H. Bracey Jr. and August Meier, "Allies or Adversaries?: The NAACP, A. Philip Randolph and the 1941 March on Washington," *The Georgia Historical Quarterly*, Spring 1991, pp. 1-17.

16. Records of the National Council For a Permanent Fair Employment Practices Committee are to be found in the NAACP Papers, Group II, Boxes A 351, 353 and 186, Manuscript Division, Library of Congress, Washington, D. C.

17. *Hearings Before a Subcommittee of the Committee on Education and Labor, United States Senate, S. 2048 — A Bill to Prohibit Discrimination in Employment Because of Race, Creed, Color, National Origin or Ancestry*, 78th Congress, 2d Session, August 30, 31 and September 6, 7, 8, 1944.

18. Ibid., pp. 194-95.

19. Quoted in *Michigan Chronicle*, November 11, 1944, p. 1.

20. *Hearings Before a Subcommittee on Education and Labor, United States Senate, S. 10 — A Bill to Prohibit Discrimination in Employment Because of Race, Color, National Origin or Ancestry, and S 459 — A Bill to Establish a Fair Employment Practice Commission and the Aid in Eliminating Discrimination in Employment because of Race, Creed or Color*, 79th Congress, 1st Session, March 12, 13, 14, 1945.

21. *Ross* v. *Ebert*, 275 Wis. 223 (1975). At issue was the refusal of the Milwaukee Bricklayers Union, Local 8, to admit two fully qualified black workers in defiance of the state Fair Employment Practices Law. This conflict which came before the Supreme Court of Wisconsin received national attention and resulted in the legislature amending the statue.

22. Letter from George Meany, President, AFL-CIO to Virginia Huebner, Fair Employment Practices Division, April 26, 1957, (Industrial Commission of Wisconsin, Case Files 1945-1974, Series 1744, Box 4, Folder 16, Manuscript Division, State Historical Society of Wisconsin, Madison), and letter from William R. Conners, 5th Vice President, Bricklayers, Masons and Plasterers International Union, to Reuben G. Knutson, Industrial Commissioner, State of Wisconsin, January 25, 1954 (Fair Employment Practices Division, Industrial Commission of Wisconsin, Case Files 1945-1974, Box 4, Folder 16, Manuscript Division, SHSW, Madison).

23. Supra, note 13, pp. 82-83.

24. Ibid.

25. 110 *Congressional Record*, p. 7213 (1964).

26. Ibid., p. 7207.

27. AFL-CIO, *Civil Rights: Fact vs. Fiction* (Washington, D. C., 1964).

28. AFL-CIO Department of Legislation, "AFL-CIO Comments on Lister Hill's Criticisms," January 31, 1964, Department of Legislation Files, Box 009, Folder 13, George Meany Memorial Archives, Silver Spring, MD.

29. AFL-CIO Industrial Union Department, "Legislative Alert," May 1964, Washington, D. C.

30. AFL-CIO Press Release, January 31, 1964, Washington, D. C.

31. Walter P. Reuther, Reply to Senator Lister Hill, February 11, 1964, Box 90, Folder 12, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI.

32. See for example statement of Senator Leverett Saltonstall (Republican of Massachusetts) 110 *Congressional Record*, pp. 14, 191 (1964), reported in United States Equal Employment Opportunity Commission, *Legislative History of Title VII* (Washington, D. C., n. d.) p. 3311. See also statement of Congressman Ogden R. Reid (Democrat of New York), 110 *Congressional Record*, p. 1635 (1964), reported in EEOC, *Legislative History of Title VII*, p. 3346.

33. Alfred W. Blumrosen, *Black Employment and the Law*, (New Brunswick, NJ, Rutgers University Press, 1971), pp. 53-54.

34. Herbert Hill, "Twenty Years of State Fair Employment Practice Commissions: A Critical Analysis with Recommendations," *Buffalo Law Review*, Vol. 14, No. 1, Fall 1964, pp. 22-69. Among other studies that reached similar conclusions were: Robert A. Girard and Louis L. Jaffe, "Some General Observations on Administration of State Fair Employment Practice Laws," *Buffalo Law Review* 14.1 (Fall 1964), pp. 114-20; Michael A. Bamberger and Nathan Lewin, "The Right to Equal Treatment: Administrative Enforcement of Antidiscrimination Legislation," *Harvard Law Review* 74.2 (1961), pp. 526, 531; Leon H. Mayhew, *Law and Equal Opportunity, A Study of the Massachusetts Commission Against Discrimination* (Cambridge, Mass.: Harvard University Press, 1968), pp. 294, ii; and J. P. Witherspoon, "Civil Rights Policy in the Federal System: Proposals for a Better Use of Administrative Process," *Yale Law Journal* 74.7 (1965), pp. 1171-92.

35. *Equal Employment Opportunity, Hearings Before the Special Subcommittee on Labor of the Committee on Education and Labor, United States House of Representatives, on Proposed Federal Legislation to Prohibit Discrimination in Employment*, 87th Congress, 2d Session, Part 2, pp. 986-87, Statement of George Meany, January 24, 1962.

36. The literature on Title VII is extensive. For information on the origin and development of the law and how it was interpreted and defined by federal courts see, *Legislative History of Title VII and XI of the Civil Rights Act of 1964*, EEOC, 1966, *Legislative History of the Equal Employment Opportunity Act of 1972*, Committee on Labor and Public Welfare, U. S. Senate, 1972, Herbert Hill, "The New Judicial Perception of Employment Discrimination: Litigation Under Title VII of the Civil Rights Act of 1964," *Colorado Law Review*, Vol. 43, No. 3, March 1972, pp. 243-268, Herbert Hill, "The Equal Employment Opportunity Acts of 1964 and 1972: A Critical Analysis of the Legislative History and Administration of the Law," *Industrial Relations Law Journal*, Vol. 2, No. 1, Spring 1977, pp. 1-96, Herbert Hill, "The National Labor Relations Act and the Emergence of Civil Rights Law: A New Priority in Federal Labor Policy," *Harvard Civil Rights-Civil Liberties Law Review*, Vol. 11, No. 2, Spring 1976, pp. 299-360, Alfred W. Blumrosen, *Modern Law, The Law Transmission System and Equal Employment Opportunity* (Madison, University of Wisconsin Press, 1993).

37. United States Equal Employment Opportunity Commission, *Second Annual Report* (Washington, D. C., 1968), pp. 43-44.

38. William B. Gould, *Black Workers in White Unions* (Ithaca, Cornell University Press,

1977), pp. 72, 21.

39. *EEOC* v. *United Association of Journeymen and Apprentices of Plumbing and Pipefitting Industry of United States and Canada, Local Union No. 189*, 311 F. Supp. 464 (S. D. Ohio, 1970).

40. *United States* v. *Wood, Wire and Metal Lathers International Union, Local Union 46*, 328 F. Supp. 429 (S. D. New York, 1971), *cert. denied*, 412 U.S. 939 (1973), and *EEOC* v. *Local 638 . . . Local 28 of the Sheet Metal Workers' Association and Local 28 Joint Apprenticeship Committee*, 565 F. 2d 32 (2d Cir. 1972).

41. The literature on the racial practices of labor unions is extensive. Among these are W. E. B. DuBois, *The Negro Artisan* (Atlanta, University Press, 1902), Charles H. Wesley, *Negro Labor in the United States* (New York, Vanguard, 1927), Sterling D. Spero and Abram L. Harris, *The Black Worker* (New York, Columbia University Press, 1931), Herbert R. Northrup, *Organized Labor and the Negro* (New York, Harper & Brothers, 1944), *The Negro and the American Labor Movement*, edited by Julius Jacobson (Garden City, Anchor Books, 1968), Philip S. Foner, *Organized Labor and the Black Worker* (New York Praeger, 1974), William B. Gould, *Black Workers in White Unions* (Ithaca, Cornell University Press, 1977) and Herbert Hill, *Black Labor and the American Legal System*, (Madison, University of Wisconsin Press, 1985).

42. Author's interview with Joseph L. Rauh, January 4, 1973, Washington, D. C.

43. Henry Schwarzschild, executive director, Lawyers Constitutional Defense Committee. Roger Baldwin Foundation of the ACLU Inc., to Joseph Rauh, general counsel, Leadership Conference on Civil Rights, March 11, 1968 (copy in author's files).

44. 460 U. S. 711 (1983). Brief *amicus curiae* of the AFL-CIO.

45. 679 F. 2d 965 (1st Cir. 1982). Brief *amicus curiae* of the AFL-CIO.

46. 431 U. S. 553 (1977). Brief *amicus curiae* of the AFL-CIO.

47. Interview by author with Ruth Weyand, associate general counsel, International Union of Electrical, Radio, and Machine Workers, AFL-CIO, March 3, 1977, Washington, D.C.

48. Statement of Mary Jean Tully, president, National Organization of Women/Legal Defense and Educational Fund, March 8, 1977, New York.

49. Benjamin W. Wolkinson, *Blacks, Unions and the EEOC: A Study of Administrative Futility* (Lexington, Mass., Lexington Books, 1971) p. XV.

50. Ibid., pp. 94-95.

51. Ibid., p. 142.

52. Lichtenstein, pp. 387-388.

53. Supra, Note 5.

54. Lichtenstein, p. 388.

55. Memorandum from William H. Oliver to Walter P. Reuther, "UAW Fair Practices Survey — 1963," January 16, 1964, Box 90, Folder 12, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI.

56. *Hearings Before the United States Commission on Civil Rights*, Detroit, MI, December 14-15, 1960 (Washington, D. C., 1961), p. 87.

57. United States Commission on Civil Rights, *Employment*, Report No. 3 (Washington, D. C., 1961), p. 65.

58. Report of the Negro American Labor Council, November 30, 1963. Data given in Herman D. Bloch, *The Circle of Discrimination* (New York: New York University Press, 1969), p. 53.

59. See Note 55, above. The survey purports to have results from 29 states, but tabulates them for only 28.

60. William B. Gould, *Black Workers in White Unions* (Ithaca, New York, Cornell University Press, 1979), pp. 21, 371-372. For much relevant information not in Lichtenstein's book together with an informed discussion of the discriminatory pattern in UAW-organized plants see Kevin Boyle, *The UAW and the Heyday of American Liberalism: 1945-1968* (Ithaca, New York, Cornell University Press, 1995), especially pp. 123-131, and pp. 162-167.

61. Memorandum from Emil Mazey to William H. Oliver, March 9, 1966, Box 90, Folder 14, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI.

62. Memorandum from William H. Oliver to Walter P. Reuther, December 30, 1968, Box 91, Folder 9, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI. See also Minutes of UAW National Advisory Council on Anti-Discrimination, Detroit, MI, June 27-28, 1969 (copy in author's files).

63. UAW Fair Practices and Anti-Discrimination Department, *Twenty-seven Years of Civil Rights: 1947-1974*. (Detroit, MI, May 1976), p. 205 (copy in author's files).

64. *Movement for Opportunity and Equality* v. *General Motors Corp., Detroit Diesel Allison Division; United Automobile, Aerospace and Agricultural Implement Workers of America, International Union, Local 933*, CA No. 1P 73-C-412 (D. C. S. Ind. Indianapolis Division, August 23, 1973).

65. Report of Atlanta Regional Litigation Center, United States Equal Employment Opportunity Commission, *EEOC News* (Washington, D. C., July 11, 1975), p. 8.

66. Memorandum from William H. Oliver to Walter P. Reuther, "Proposed Procedures for Handling of Title VII Cases," April 1, 1969, Box 91, Folder 12, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI.

67. UAW Administrative Letter, Vol. 22, March 19, 1970, Letter No. 6. See also memorandum from William H. Oliver to Irving Bluestone, March 15, 1966, Box 92, Folder 9, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI.

68. Lichtenstein, p. 378.

69. *United States* v. *Hayes International Corp.*, 415 F. 2d 1038 (5th Cir. 1969). Among the relevant documents in this case are: letter from Jacob Seidenberg, Executive Director, President's Committee on Government Contracts, to Herbert Hill, Labor Secretary, NAACP, July 2, 1959, re: Investigation of Hayes Aircraft Birmingham; letter from Irving Bluestone, Administrative Assistant to Leonard Woodcock, Vice President, UAW, to Herbert Hill, August 4, 1957, re: Hayes Aircraft Corp.; letter from Jacob Seidenberg to Frank Hunter, October 19, 1959, re: Complaint filed against Hayes Aircraft Corp., (copies in author's files).

70. Memorandum from Herbert Hill, Labor Secretary, NAACP, to Leonard Woodcock, Director, General Motors Department, UAW, June 3, 1957, re: "Status of Negro Workers, General Motor Corporation, St. Louis, Missouri" (copy in author's files).

71. Ibid.

72. Letter from William H. Oliver, Co-Director, Fair Practices Department, UAW, to Herbert Hill, Labor Secretary, NAACP, December 31, 1957, and letter from Leonard Woodcock to Herbert Hill, January 31, 1958 (copies in author's files).

73. Memorandum from Jacob Seidenberg, Executive Director, President's Committee on Government Contracts, Subject: "Compliance Review Reports, Ford Assembly Plants, Atlanta, Dallas, Memphis, Chicago, Kansas City, Norfolk-Portsmouth, and Long Beach, California," April 22, 1957 (copy in author's files).

74. *Equal Employment Opportunity, Hearings Before the Special Subcommittee on Labor of the Committee on Education and Labor, United States House of Representatives, on Proposed Federal Legislation to Prohibit Discrimination in Employment*, 87th Congress, 2d Session, Part 2, p. 720 (statement of Herbert Hill, Labor Secretary, NAACP, January 15, 1962).

75. Memorandum from William H. Oliver to Walter P. Reuther, November 1, 1962, Box 90, Folder 10, Reuther Collection; also William H. Oliver to Leonard Woodcock, "Suggested Proposals for the Elimination of Practices of Promotional Discrimination in GM Southern Plants," July 6, 1961, Box 102, Folder 6, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI.

76. The correspondence includes Lichtenstein to Hill, December 22, 1988, Hill to Lichtenstein, December 19, 1989, Hill to Lichtenstein, December 30, 1990, Lichtenstein to Hill, October 11, 1994, Hill to Lichtenstein, October 27, 1994 (originals and copies in author's

files).

77. Lichtenstein, p. 379.

78. Herbert Hill, "Racism Within Organized Labor: A Report of Five Years of the AFL-CIO, 1955-1960," NAACP, New York, 1961, reprinted *The Journal of Negro Education*, Spring, 1961, pp. 109-118.

79. Lichtenstein, p. 373.

80. Information from Atlanta Regional Litigation Center, U. S. Equal Employment Opportunity Commission.

81. Lichtenstein, p. 378.

82. UAW International Executive Board Minutes, January 19, 1960, pp. 257-67, transcript in Box 22, UAW Region 9A Collection, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI; Paul Molloy, "UAW Local, Detroit Clash on Race Issue," *Memphis Commercial Appeal*, March 3, 1956; Clark Porteous, "International Takes Over Local 988," *Memphis Press Scimitar*, February 10, 1960; "Statement to all members of Local 988 UAW" from the Board of Administration, Pat Greathouse, Chairman, Vice President, UAW, Robert Johnson, International Executive Board member, UAW, Douglas Fraser, International Executive Board member, UAW, May 2, 1960; "Statement to all members of Local 988, UAW, from the Board of Administration," June 3, 1960; letter from John L. Holcombe, Commissioner, Bureau of Labor Management Reports, United States Department of Labor, to Walter P. Reuther, President, International Unions, UAW-CIO, May 23, 1960, together with substance of action by the Bureau dismissing complaint filed against trusteeship imposed upon Local 988; letter from William J. Beckham, Administrative Assistant to the President, UAW, to Herbert Hill, Labor Secretary, NAACP, July 25, 1960; interviews by author with George Holloway, member of shop committee, Local 988, UAW in Memphis, May 26, 1961, in Atlantic City, March 21, 1964, and in Baltimore, November 3, 1967; interviews by author with Carl Shier, International Representative, UAW, member of National Harvester Council-UAW, in Chicago, November 27, 1966 (copies in author's files).

83. Lichtenstein, p. 382.

84. George Lipsitz, *Rainbow At Midnight, Labor and Culture in the 1940s* (Urbana, University of Illinois Press, 1994), p. 347.

85. A partial record of the history of this matter is found in the following: letter from William H. Oliver, Co-Director, Fair Practices and Anti-Discrimination Department, UAW, to Herbert Hill, Labor Secretary, NAACP, March 12, 1957, Box 503, Folder 27, Reuther Collection, Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI; letter from William H. Oliver to Roy Wilkins, Executive Secretary, NAACP, June 3, 1959, Box 503, Folder 27, Reuther Collection, Archives of Labor History and Urban Affairs; letter from Roy Wilkins to William H. Oliver, June 19, 1959, Box 503, Folder 27, Reuther Collection, Archives of Labor History and Urban Affairs; letter from William H. Oliver to Walter P. Reuther, November 1, 1962, Box 90, Folder 10, Reuther Collection, Archives of Labor History and Urban Affairs; letter from Walter P. Reuther to Louis Stulberg, General Secretary-Treasurer, ILGWU, October 26, 1962, Box 504, Folder 1, Reuther Collection, Archives of Labor History and Urban Affairs; letter from David Dubinsky, President, ILGWU to Walter P. Reuther, October 26, 1962, Box 504, Folder 1, Reuther Collection, Archives of Labor History and Urban Affairs.

86. Lichtenstein, p. 210.

87. Lichtenstein, p. 376.

88. Lichtenstein, p. 378.

89. Lichtenstein, p. 375.

---

*After his testimony, Meany sent a letter to James Roosevelt, chairman of the congressional subcommittee, in which he wrote "We strongly urge you not to include a prohibition of discrimination based on sex in the proposed equal employment opportunities bill." Meany requested that his letter also be made part of the record of his testimony. *Equal Employment Opportunity, Hearings Before the Special Subcommittee on Labor of the Committee on Education and Labor, United States House of Representatives on Proposed Federal Legislation to Prohibit Discrimination in Employment*, 87th Congress, 2d Session, Part 2, pp. 1007-8. Statement of George Meany, January 24, 1962.

The Resurrection of Che Guevara

Samuel Farber

THIRTY YEARS AFTER HIS SUMMARY EXECUTION BY THE BOLIVIAN ARMY in which the C.I.A. was complicitous, Che Guevara has once more captured public attention. His image has been reproduced over and over again by a strange combination of people and institutions ranging from Argentina's right-wing President, Carlos Menem, who issued a commemorative stamp through the Cuban government, to advertising agencies selling trendy goods to Yuppies which led a cartoonist for the left-wing Mexican daily *La Jornada* to draw the image of Che Guevara with a Nike logo on his beret. This resurrection has been accompanied and in part caused by the publication of a number of books widely reviewed in newspapers and political and intellectual journals.*

Mystified and mythified since he was executed, Che has become a source of political inspiration for many who have only a vague notion of his political activities and ideas. With that in mind, this essay aims to reconstruct a political portrait of Che Guevara, drawing on the invaluable materials provided by these three works. I will rely primarily on Castañeda's book, the most politically astute and perhaps most widely reviewed of the three, with occasional references to Anderson's and Taibo's biographies.

Jorge G. Castañeda is a prominent Mexican writer with deep roots in his country's political Establishment (his recently deceased father was a one-time cabinet member). A former Communist of Althusserian persuasion, he has recently become well known for his advocacy of a social democratic political program for Latin America and a concomitant rejection of a revolutionary road for the region. This book, however, cannot be considered generally hostile to Che Guevara. As for the claim made by some reviewers that Castañeda accuses Fidel Castro of having abandoned Che Guevara to die in Bolivia, Castañeda is actually far more tentative. He suggests that as one hypothesis and, even while entertaining such a possibility, he explores in detail the powerful Soviet pressures curtailing Castro's freedom of action at the time.

Castañeda's critical tone is primarily directed to the revolutionary in Che. Thus, in the Prologue he comments on Che's "eternal refusal of ambivalence," and the tendency of the 60s generation to which he belonged to engage in "a wholesale rejection of life's contradictions," and to exclude in themselves the

SAMUEL FARBER *was born and raised in Cuba and has written extensively on that country. His book,* Revolution and Reaction in Cuba (1933-1960), *was published by Wesleyan University Press.*

"very principles of contradictory feelings, of conflicting desires, of mutually incompatible political goals," in an era that was "writ in black and white." (pp.xv-xvi) Given these underlying assumptions and tone, it would be very difficult for the general reader to make a distinction between the generally justifiable criticisms that Castañeda makes of guerrilla warfare as a general revolutionary strategy, and such specific applications of it as in the Congo and Bolivia, on the one hand, and Marxist revolutionary politics and strategy in general terms, on the other. The reader is thus left with the implication, at least by default, that reform rather than revolution is the only viable, sensible alternative.

II.

ERNESTO GUEVARA DE LA SERNA WAS BORN IN 1928 IN ARGENTINA, then not only the richest nation in Latin America but among the more affluent countries in the world. But his elite family was no stranger to financial difficulties due to Guevara senior's business failures. While no doubt assimilating the general political values of a left-wing household strongly affected by the Spanish Civil War, Guevara was not particularly political during his teenage years and early twenties. He was then more bohemian than leftist, a phenomenon most common at the time in the relatively affluent, European ambiance of Che's Argentina than in most other Latin American countries including Cuba. This early bohemianism was not entirely abandoned when Guevara became thoroughly politicized as he traveled through Latin America in the 50s. Significant traces of it remained that would color his subsequent political development.

By the time he left Guatemala in 1954 in the aftermath of the overthrow of the constitutional government of Jacobo Arbenz orchestrated by U.S. imperialism, Guevara was thoroughly politicized, accepting a Stalinist view of the world. This was true in both the generic sense that he had become a staunch supporter of the political model represented by the USSR of a repressive one-party state owning and controlling the economy without any democratic popular controls, independent unions, workers' or civil liberties, as well as in the narrow literal sense of his great admiration for Joseph Stalin. Thus even before his Guatemalan experience, when Guevara traveled through Costa Rica and witnessed first-hand the awesome and terrible power of the United Fruit company, he wrote to his aunt Beatriz telling her that he had sworn "before a picture of our, old much lamented comrade Stalin that I will not rest until I see these capitalist octopuses annihilated." Another letter to the same aunt was signed with the words "Stalin II." (p.62 and Anderson, p.167) More important was the fact that when Guevara visited the USSR in his capacity as one of the most important leaders of the victorious Cuban revolution in November of 1960, he insisted on depositing a floral tribute at Stalin's tomb even against the advice of the Cuban ambassador to the USSR.(p. 181) It is important to remember that this was more than four years after Khrushchev's revelations of Stalin's crimes.

While much of the Left associates Stalinism with its Popular Front period, Guevara's Stalinism was of a different kind, much closer to the more aggressive, collectivizing variety of the late 20s and early 30s. It is very revealing that Guevara strongly criticized Lenin for having introduced some capitalist forms of competition into the USSR in the 20s (the New Economic Policy).(Anderson, p.697) In this spirit, Guevara's collectivism was pure, unadulterated Stalinism. In March of 1960, he declared that "one has to constantly think on behalf of masses and not on behalf of individuals...It's criminal to think of individuals because the needs of the individual become completely weakened in the face of the needs of the human conglomeration." In August of 1964, Che postulated that the individual, "becomes happy to feel himself a cog in the wheel, a cog that has its own characteristics and is necessary though not indispensable, to the production process, a conscious cog, a cog that has its own motor, and that consciously tries to push itself harder and harder to carry to a happy conclusion one of the premises of the construction of socialism — creating a sufficient quantity of consumer goods for the entire population."(Anderson, pp.470, 605)

Guevara's standards for what constituted a "sufficient quantity of consumer goods for the entire population" were plainly ascetic, consistent with his own exacting standards for himself and his family. This in turn was related to his puritanism whose effects could be checked and even reversed before the establishment of Cuba's one party state. Thus during the armed struggle against Batista, Che tried to regulate sexual relations among the men and women within his column, until he was forced to reconsider. Similarly, when his troops occupied the town of Sancti Spiritus in central Cuba in late 1958, he tried to ban alcohol and the lottery, but gave up in the face of the townspeople's resistance.(p.132) His was a Spartan view of the desirable collectivity, an egalitarian society led by the one-party state's dedicated and selfless revolutionaries with no place for democracy, individuality or material abundance which helps explain why the notion of moral incentives played such a key role in Guevara's social and political vision. Collective selflessness, sacrifice and dedication were his alternative to politically conscious, independent-minded, rational individuals who hammer out collective goals and programs through *democratic* discussion and voting; that is, majority rule with minority rights.

Guevara's personal and political asceticism necessarily led him to indifference, even contempt for the material needs and preoccupations of ordinary people. When he sharply criticized what he saw as the bourgeoisification of the Soviet bloc in the post-Stalin period, he didn't consider the degree to which the political and economic changes implemented by Khrushchev and his East European equivalents improved the daily lives of people precisely because those regimes were compelled to pay significantly more attention to the production and distribution of consumer goods than did his hero Stalin. Paco Ignacio Taibo's biography reveals that Guevara was much influenced by Gandhi's ideas before he adopted the Stalinist version of Marxism. This is highly suggestive and calls our attention to the elective affinity between Guevara's early Gandhiism and bohemianism, contemptuous of the "bourgeois" comforts and advances of modern civilization, and the particular form of ascetic Stalinism that he would later endorse and contribute to in his own right.*

GUEVARA'S STALINISM WAS ALSO MARKED BY A STRONG VOLUNTARISM so that his politics overlapped with the Maoist variety of Stalinism. Classical Marxism contains a virtual state of tension between the role of objective and subjective factors in historical development as in the well-known formulation in *The Eighteenth Brumaire of Louis Bonaparte* that "men make their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly found, given and transmitted by the past." This objective-subjective tension in Marx was abandoned by later tendencies claiming to be Marxist. For example, German Social Democracy elaborated a mechanical objectivism which minimized the subjective active element in history. At the other extreme, Maoism and Guevaraism have been notorious for their even more extreme voluntarism completely ignoring objective reality. Thus Guevara's economic program for Cuba involved highly centralized planning eliminating all market mechanisms and again principally relying on moral incentives, with no thought of workers' control (as distinct from participation controlled from above). None of this took any account of the specific characteristics of a Cuban economy which, although relatively advanced in comparison to the rest of Latin America, was still very far from a fully developed industrial economy. The existence of a considerable degree of petty trade was, in the last analysis, not a matter of a voluntaristic choice of governmental policy. Instead, a certain degree of mercantile activity was a reflection of material reality, i.e., a backward development of the still non-collective, petty commodity means of production, and similarly of the means of distribution. Marx and Engels had assumed that the abolition of the market as a principal regulator of economic activity would take place in the context of an extended factory system where production was already conducted on a social rather than an individual basis.

Guevara's strong voluntarism was also expressed in his emphasis on guerrilla warfare as the sole revolutionary strategy for Latin America. Interestingly, the early formulations of his guerrilla theory cautioned against attempting guerrilla warfare in Latin American countries with elected constitutional governments, no doubt in recognition of the Cuban experience where the guerrillas succeeded, in large measure, because they opposed an illegitimate government that had come to power through a military coup d'état carried out shortly before a general election that Batista was expected to lose. Che later dropped this qualification when he insisted that conditions were equally ripe for guerrilla warfare throughout Latin America. This was remarkably consistent with his inability to recognize specific political textures and historical conjunctures, evident early on in Cuba during the period of armed struggle against the Batista dictatorship. He could not understand, for example, and opposed Castro's very effective tactic of returning prisoners (minus their weapons) to the enemy,(p. 103) a tactic which made a great deal of sense when facing a mercenary and demoralized army with no social or political support in the population at large. Even more striking was Guevara's colossal political error proposing that the rebels rob banks to finance their operations. When that proposal was resisted by the urban leadership of the 26th of July Movement, Guevara took it as a sign of their social conservatism. (Castañeda, p. 129, Anderson, p.347) What he apparently did not realize (nor do any of his biographers) is that in the late 40s, not quite ten years earlier, Cuba had gone through a period of political gangsterism when many of the revolutionaries of another era had degenerated into plain gangsters, carrying out violent activities including bank robberies. Any involvement of the 50s revolutionaries in such activities would have brought back memories of that dark period and would have been extremely politically damaging, particularly since Fidel Castro himself had been associated with those groups in his student days thereby making it easy for the Batista-controlled press to argue that the revolutionaries were just bringing back the bad old days of political gangsterism.

III

DURING THE 50S GUEVARA SHARED THE GENERAL WORLDVIEW OF THE TRADITIONAL, pro-Moscow Latin American Communist parties but he never became a party member. Guevara was not partial to the Popular Front strategy and the devious political maneuvering it entailed and given his independent personality, he was not the type to be reduced to a cog in a bureaucratic party apparatus. However, as we shall see, Guevara did grow very close to the old Cuban Communists (Popular Socialist Party) once it changed its political line and decided to support the guerrillas in the Sierra Maestra in 1957. This closeness to the old Cuban Communists (and indirectly to Moscow) lasted through the early fateful years of the Cuban Revolution.

No topic has been subject to greater obfuscation and distortion than Guevara's break with the USSR in the mid-60s. The first inkling of his dissatisfaction with the USSR appeared during his previously cited visit to that country in November 1960. While that visit did not affect his overall admiration for the Soviet system, he was disturbed by the inequalities he witnessed in Moscow between the living standards of the leadership of the country and the rest of the population. Despite that, he rejected the critical remarks of some Cuban leaders who had also visited the USSR and Eastern Europe at the time.(pp, 180-181) It was between 1963 and 1965 that Che distanced himself from the USSR. Even in late 1962, he shared the Cuban leadership's disapproval of the way Khrushchev settled the October 1962 missile crisis without consulting Fidel Castro and his associates. A year later, on October 12, 1963, Che spoke at a meeting at his Ministry of Industries that went unreported in the Cuban press, possibly because of the harsh nature of his remarks. There, he analyzed the agricultural crisis in the USSR and squarely blamed it on the existence of private plots, decentralization, material incentives, and financial self-management.(p. 255) It is not known whether Guevara was then aware of the fairly well known fact that private plots had much greater productivity than collective or state farms. (Why people working in collective and state farms in an authoritarian Party/State were at best apathetic, and how democracy and workers' control could have resolved the problem of low productivity was a question Che could not address given his Stalinist ideology.)

During the next 18 months, as Che was increasingly involved in assisting revolutionary movements throughout the world, he became more critical of the USSR's subordination of those movements to other foreign policy concerns, including its détente with the U.S. By 1964, it had also become clear that the USSR was, with some success, pressuring the Cuban government to reduce its support of revolutionary movements, particularly in Latin America, and to concentrate on the production of sugar, thereby fulfilling its contemplated role in the "socialist" bloc's division of labor. After prolonged negotiations, Cuba and the USSR signed a long-term economic agreement on February 17, 1965. The Cubans were particularly unhappy with the high prices the Russians charged them for Soviet machinery and equipment. A week later, Che made a speech in Algiers that marked a definitive break with the USSR. As he then put it:

> The development of those countries now entering the path of liberation must be paid for by the Socialist countries....We must not talk any more of a mutually advantageous trade based on prices which the law of value...imposes on backward countries. What is the meaning of "mutual advantage" when [some countries] sell at world prices the raw materials that cost backward countries infinite sweat and suffering, while they buy at world market prices the machines produced in large, mechanized factories...? If we establish this sort of relations between the two groups of nations, we must agree that the Socialist countries are, to a certain extent, accomplices of imperial exploitation...and of the immoral nature of this exchange. The Socialist countries have a moral duty to cease their tacit complicity with the exploiting countries of the West.(p. 291)

With this speech, Guevara not only burned his bridges with the USSR, but also called into question his leadership role in Cuba. It was now inevitable that Che would resign from the Cuban government and would dedicate himself to fomenting guerrilla warfare abroad, albeit with Fidel's material support. His future political course would further distance him from the USSR and the pro-Moscow Communist parties in Latin America.

While Guevara's critique represented a sharp break with the USSR and its supporting parties, there is absolutely nothing here that suggests a break with his ideologically well-entrenched Stalinism. Nothing in Che's writings, actions or speeches suggests that he ever questioned or criticized the one-party state and the complete absence of democracy in any Communist country; nor can one find anything reflective of regret or self-doubt about his own role in stamping out even early residual forms of democracy within the Cuban revolutionary process. In light of this, it is perverse to argue that one should applaud Guevara's more vigorous and militant politics, when his efforts were directed to the establishment of a system completely opposed to democracy and consequently to popular rule.

IV

THE RECENT CHE GUEVARA HISTORIOGRAPHY HAS GREATLY ILLUMINATED HIS ROLE in the Cuban revolutionary process, including his record in power. As noted earlier, Che Guevara was a close ally of the old Cuban Communists (Popular Socialist Party) during the crucial years of the development and consolidation of Cuba's Communist system. As Castañeda aptly points out in describing Che's relations with the PSP, "he shared their views completely for almost four years."(p. 154) This relationship went back to the Sierra Maestra days. Soon after the PSP decided to support the guerrilla insurgency in 1957, it established a close relationship with Che so that when he founded his first school for the political instruction of cadres in the Sierra Maestra, Che asked the PSP to send him its first instructor. The PSP complied and sent him Pablo Ribalta, a young but experienced black Cuban party militant who would, years later, become Cuba's Ambassador to Tanzania and thus Che's principal conduit to Havana when Guevara was engaged in guerrilla warfare in the Congo.(pp. 116-117, Anderson, pp. 296-297)

Che's connection with Ribalta was an early instance of what would soon become a pro-PSP and pro-Soviet camp within the 26th of July Movement. This wing was led by Che Guevara and Fidel Castro's younger brother Raul, a former member of the PSP's youth wing in the 50s. Beginning in 1957, this pro-Communist wing would repeatedly clash with other political tendencies within the 26th of July Movement and with other revolutionary groups. Paco Ignacio Taibo's book is the only one that faithfully and accurately conveys the nature of the contending forces within the revolutionary camp. Influenced by his own political past, Castañeda fails to take proper note of the role played by non-Communist revolutionaries. Anderson's treatment is nothing short of disgraceful. He depicts all revolutionaries unsympathetic to the Communists as right-wingers, leading to the absurdity of describing radio commentator Jose Pardo Llada as a rightist at the time he accompanied Che on a world tour in the summer of 1959.(Anderson, p.426) Pardo Llada was then an unconditional supporter of the Castro government and had been a left-wing, Peronista-type nationalist for a long time.

Taibo describes three tendencies within the camp of the Revolution a hundred days after the overthrow of Batista's government. A right wing reinforced by the moderate sectors of the government, in some cases connected with sectors of the agrarian oligarchy; a self-proclaimed socialist wing led by Raul Castro and Che Guevara sympathetic to the PSP; and a third left-wing sector represented by the mostly urban leading cadres such as Carlos Franqui, Faustino Perez, Marcelo Fernandez and Enrique Oltuski, who were relatively independent of Fidel Castro and combined their anti-imperialism with a strong critique of the Communists, who they considered conservative and sectarian.(Taibo, p.275) An earlier representative of this leftist, non-Communist revolutionary wing was René Ramos Latour ("Daniel"), the National Coordinator of the 26th of July Movement, who was killed in action and did not survive to witness the triumph of the revolution. In a letter to "Daniel" dated December 14, 1957, which Che himself would later describe as "rather idiotic," without explaining what was idiotic about it, Che proclaimed "that because of my ideological training I am one of those who believe that the solution to this world's problems is to be found behind the so-called Iron Curtain." In the same letter, Che revealingly notes that he "always viewed Fidel as a genuine leader of the bourgeois Left, though his character is enriched by personal qualities of extraordinary brilliance which raise him far above his class. It is in that spirit that I joined the struggle; honestly without any hope of going beyond the country's liberation, ready to leave when the conditions of the struggle would shift toward the right (toward what you represent)..."(p.109) Ramos Latour responded by refuting Che's accusation of rightism, adding that salvation was not to be found behind the Iron Curtain and criticized Guevara for believing that "the solution to our ills lies in liberating ourselves from a noxious Yankee domination, by means of a no less noxious Soviet domination." (p.111)

Fidel Castro himself played an ambiguous role in this struggle of tendencies until he ended these debates when he, along with Che and Raul, fatefully supported the old Communists at the critically important trade union congress in the fall of 1959. That Congress signified the beginning of the end of trade union freedom and independence in Cuba. The Castro brothers and Guevara gave the old Communists the power and influence they had failed to win at the ballot box earlier that year. The exact role played by Castro before the fall of 1959 remains unclear to this day. For example, it has recently been revealed that the first organizational steps to establish the Cuban state security organs were taken just two weeks after the revolutionary victory on January 1, 1959. These initial efforts were carried out during the early months of 1959 with the participation of Raul Castro, Che Guevara, the head of the PSP's Party Military Committee and a number of Spanish Communist agents of the Soviet KGB.[1] Fidel Castro, however, does not appear to have been present at any of these early intelligence gatherings. Was this a deliberate tactical move to insure his plausible deniability while he fully supported what was going on? Or was Fidel refraining from direct participation in order to retain his freedom of action vis-á-vis both the Americans and the Russians? Is it conceivable that this early collaboration with the KGB was carried out behind his back?

Since, for several years, Che was a prominent member of a group holding state power, he shares responsibility for the repressive record of that regime, particularly when he was allied with those who energetically pressed the Cuban revolutionary government to adopt the Soviet model. Guevara was personally responsible for supervising many of these repressive activities. He was the head of La Cabaña military fortress where several hundred executions were carried out in the early months of 1959. While Castañeda is correct in pointing out that innocent people were not executed there in any large or significant numbers, (pp.143-144) it cannot be ruled out that there were innocent people whose execution could have been avoided had Che been a revolutionary with different politics. It is also possible that some Batistianos may have suffered punishments quite disproportionate to the offenses with which they were properly charged. This is an area which requires additional investigation, particularly in the light of recurring charges by those who claim to have witnessed Guevara's cruelty at La Cabaña.[2]

Perhaps arguments could be made to justify, or at least to provide extenuating circumstances, for his behavior at La Cabaña. No legitimate arguments can be made to defend Che's principal role in setting up Cuba's first labor camp in the Guanahacabibes region in western Cuba in 1960-1961, to confine people who had committed no crime punishable by law, revolutionary or otherwise. Che defended that initiative with his usual frankness:

> [We] only send to Guanahacabibes those doubtful cases where we are not sure people should go to jail. I believe that people who should go to jail should go to jail anyway. Whether long-standing militants or whatever, they should go to jail. We send to Guanahacabibes those people who should not go to jail, people who have committed crimes against revolutionary morals, to a greater or lesser degree, along with simultaneous sanctions like being deprived of their posts, and in other cases not those sanctions, but rather to be reeducated through labor. It is hard labor, not brute labor, rather the working conditions are harsh but they are not brutal...(p.178)

Clearly, Che Guevara played a key role in inaugurating a tradition of arbitrary administrative, non-judicial detentions, later used in the UMAP camps for the confinement of dissidents and social "deviants": homosexuals, Jehovahs Witnesses, practitioners of secret Afro-Cuban religions such as Abakua, and non-political rebels. In the 80s and 90s this non-judicial, forced confinement was also applied to AIDS victims.

V

FOR MANY, CHE GUEVARA IS AN APPEALING FIGURE. Some know full well what Guevaraism implies and are attracted to it for that very reason, as has been the case with diverse groups and individuals historically attracted to various forms of Stalinist politics. I am, however, much more concerned with those, particularly among the young, who realize that capitalist society is manifestly exploitive and unjust and want to do something to change it. Very few of them know much about Che Guevara's ideology and less about his history. Their illusions are reinforced by U.S. foreign policy and its criminal blockade against Cuba.

There *are* attractive aspects of Che Guevara. He was a man who gave up the perquisites of political power to engage in guerrilla warfare campaigns whose success was far from assured or even likely. In those highly inhospitable surroundings, his behavior was indeed courageous if not heroic. His personal integrity was unquestionable, especially as compared to Fidel Castro. Moreover, Che was a principled egalitarian who would even take his wife to task for using his official car for personal errands. (Castañeda pp. 235-236) But he was also arrogant and frequently humiliated those who were his intellectual inferiors. (p.120, Anderson, p.567) As I suggested earlier, his "bohemian" disdain for ordinary material comforts made him insensitive to the material concerns of ordinary people.

In the last analysis, however, the *political* question remains: was Che Guevara a friend or foe of emancipatory, liberatory politics? The historical record is clear; Guevaraism is incompatible with the struggle to build an egalitarian and democratic society, a society in which working people decide their own fate without reliance on "well-intentioned saviors."

NOTES

1. Castañeda, p. 146. See also the more extensive documentation of this issue presented by Alexsandr Fursenko and Timothy Naftali on the basis of previously secret soviet archives in *One Hell Of A Gamble. Khruschev, Castro and Kennedy. 1958-1964*, New York: W. W. Norton and Company, p. 12

2. See, for example, the letter to the Editor of Pierre San Martin in *El Nuevo Herald* (Miami), December 28, 1997.

---

*Jorge G. Castañeda, *Companero. The Life and Death of Che Guevara, New York: Alfred A. Knopf, 1997, Jon Lee Anderson, Che Guevara. A Revolutionary Life, New York: Grove Press, 1997, Paco Ignacio Taibo II, Guevara. Also Known as Che, New York: St. Martin's Press, 1997.*

---

*Paco Ignacio Taibo II, p. 11. For a discussion of the social and political implications of Gandhi's ideas see Samuel Farber, "Violence and Material Class Interests: Fanon and Gandhi," *Journal of Asian and African Studies*, vol. xvi, nos. 3-4 (1981).

Bourne Yet Again: Errors of Genealogy

Christopher Phelps

WHO CAN DENY THE ATTRACTIVENESS of Randolph Silliman Bourne? A rebel vindicated in defeat, he was the martyr of a society whose superficial love for the maverick is exceeded only by its habitual discouragement of genuine independence of spirit. An elegant refuter of "pragmatic" pretensions in those who believed that the state, even in a time of unleashed militarism, could be tamed simply by their own moral presence in the corridors of power, Bourne held fast to principle as his erstwhile colleagues at *The New Republic* accommodated the imperialist carnage of the First World War. When, in 1918, at age 32, he died of influenza — at the very moment he had been condemned to irrelevance by the intellectual establishment of his day — his memory was forever seared at a youthful, romantic hour of desperate principle.

Bourne's legend has inspired generations of radicals since, for few 20th-century American dissenters have been so virtuous and yet suffered the wrath of their targets as greatly as Bourne did. By 1917, *The New Republic* stopped publishing his political pieces. *The Seven Arts*, a literary "little magazine" Bourne helped to found, collapsed when its financial angel refused further support because of Bourne's anti-war articles. His "pagan" allies at *The Masses* were defeated when their access to the mails was obstructed by the Wilson administration. "I feel very much secluded from the world, very much out of touch with my times, except perhaps with the Bolsheviki," he wrote to a friend. "The magazines I write for die violent deaths, and all my thoughts are unprintable. If I start out to write on public matters I discover that my ideas are seditious, and if I start to write a novel I discover that my outlook is immoral if not obscene. What then is a literary man to do if he has to make his living by a pen?"[1]

Here was genuine quandary, not maudlin self-pity. Even at the *Dial*, Bourne's last hope among literary magazines, he was stripped from editorial power in 1918 — the result of an uncharacteristically underhanded intervention by his former mentor John Dewey, one of the objects of Bourne's disillusioned anti-war pen. Just a few weeks later, Bourne was dead, destined to remain forever the intransigent, defiant outcast, forever young, forever the halfway revolutionary socialist with anarchist leanings. ("War is the health of

CHRISTOPHER PHELPS, *author of* Young Sidney Hook: Marxist and Pragmatist (Cornell University Press), *is Editorial Director of Monthly Review Press.*

the State," runs that famous refrain from the unpublished, discarded manuscript rescued from his wastebasket at his death.) His oeuvre spanned less than a decade, but it was brilliant. While all around him Socialist and liberal intellectuals backslid, Bourne remained staunch against the wartime storm of xenophobia, militarism, and suppression. As a literary radical, he gave voice in stirring essays to the values of aesthetic beauty, cultural democracy, and personal friendship, ideals that many since have considered in poignant contrast to his own misshapen face and hunchbacked body. Bourne was that rarity: the authentic tragic hero.

In the 1960s, Bourne was often reclaimed as a neglected kindred spirit by radicals who disdained the "Old Left" of the 1930s and 1940s, which they thought had ignored him. But that was presumption bred of partial amnesia, for the resurgence of radicalism during the Depression and the looming Second World War had brought its own variety of rekindled enthusiasm for Bourne — in certain influential thinkers, if not the whole of the left. Dwight Macdonald, another irrepressible iconoclast, became fond of Bourne during the Second World War, appreciating his germinal insight into the paradox that technocratic accomplishment could produce ever more grandiose machineries of barbarism, culminating in Dachau and Hiroshima. But Bourne's appeal for Macdonald, as for others, was never strictly political. Bourne's vision of aesthetic fulfillment and cultural liberation, his celebration of the restless, idiosyncratic "malcontent," his joining of art to values and politics to culture — in sum the vibrant spirit of Bourne's project — was always of equal allure to his anti-war stance. Alfred Kazin, in one of his several memoirs, remembers,

> When I read Randolph Bourne and the young Van Wyck Brooks of *America's Coming of Age*, I could not feel that 1938 was so far from 1912. . . . Like so many literary radicals who were becoming interested in American literature, I thought I could see across the wasteland of the Twenties to our real literary brethren in the utopians and Socialist bohemians of 1912. . . .We were in revolution, prodigiously on the move again, as in that glorious season before the First World War, whose greatest spirits everywhere had been literary radicals, the avant-garde in every department of life.

It was, though, in literature itself that Bourne appeared most unforgettably, in a haunting stanza from *1919* (1932), centerpiece of the U.S.A. trilogy by John Dos Passos:

> This little sparrowlike man,
> tiny twisted bit of flesh in a black cape,
> always in pain and ailing,
> put a pebble in his sling,
> and hit Goliath squarely in the forehead with it.
> . . . If any man has a ghost,
> Bourne has a ghost,
> a tiny twisted unscared ghost in a black cloak
> hopping along the grimy old brick and brownstone streets
> still left in downtown New York,
> crying out in a shrill soundless giggle:
> *War is the health of the State.*

Bourne's prestige among Depression-era revolutionists had been greater than radicals of the next generation tended to imagine.[2]

But by staking an ancestral claim to Bourne, the New Left did nonetheless emphasize aspects of his thought that had generally fallen out of vogue with the dissolution of the Greenwich Village avant garde after 1919. The 60s attraction to cultural revolution, feminism, and libidinal outpourings was not so distant in impulse from the "free love" bohemia of Bourne's time. And Bourne's moral protest against a war justified and planned by sophisticated liberals found special resonance as the Vietnam War escalated. Two new collections of Bourne's essays appeared in 1964 and 1965. And in 1969, Noam Chomsky's *American Power and the New Mandarins,* which featured his influential essay "The Responsibility of Intellectuals," quoted Bourne approvingly against those whose elite stature and ideological "pragmatism" had led them to cut corners on the intellectual's purported commitment to truth.[3]

SINCE NOW WE INHABIT THE ALLEGEDLY POSTMODERN MOMENT, it was only a matter of time before the present-day incarnation of cultural radicalism would stake its claim to the Bourne legend. So it has. This latest, and most curious, phase in the history of Bourne appreciation was launched in 1992, when literary historian Ross Posnock published an article in one of postmodernism's academic house organs, *boundary 2*. "The Politics of Nonidentity: A Genealogy" convenes a most surprising group — Bourne, John Dewey, Theodor Adorno, Henry James, and Michel Foucault — and finds in them a compatibility previously unrecognized. Although most readers have taken these five to be devoted to very different perspectives, they actually share, Posnock contends, "a certain style of cultural and political inquiry, whose guiding value is nonidentity and whose philosophical orientation is a pragmatic emphasis on creative, experimental action produced by historically embedded subjects."[4]

Posnock describes his method as "genealogy" and "theoretical confrontation," terms borrowed from Michel Foucault and John Diggins, respectively. At one level, the approach is surely devoid of controversy. No one disputes that cross-examination of divergent thinkers, however wide the chronological or ideological distance between them, is potentially beneficial. In embracing "genealogy," however, Posnock self-declaredly disregards longstanding norms of comparative intellectual history, painted by him with broad brush as "the reigning methodology of contextualism" (34). This blithe disregard for history is what enables Posnock to recast Bourne as a postmodern theorist.

Does the genealogical maneuver, with its repudiation of contextualism, produce new insights about familiar texts in American intellectual history? Does Posnock's ensemble actually share the trait of "nonidentity"? Quite the contrary: a desire to escape the chains of contextuality leads Posnock to dispense with useful historiographical conventions that are neither repressive nor arbitrary. Since history is inescapably contextual, Posnock is often prompted to provide background on his key figures. In those moments, Posnock's amalgamation of James, Bourne, Dewey, Adorno and Foucault seems not simply an "admittedly improbable lineage," as he puts it, but a contrivance that strains credulity. Although Posnock alludes briefly to "unbridgeable differences too numerous to mention" (35) between his selected subjects, "genealogy" permits him to render them compatible. Here, to rework the postmodern metaphor, is a lineage for which not even the best family historian could find documentation down at the Intellectual County Court House.

The key theme of Posnock's discussion of Adorno, Bourne and Dewey (despite ostensible inclusion of Foucault and James, he says virtually nothing about them) is that their social thought was guided by a "politics of nonidentity" which recasts conventional understandings of what constitutes politically responsible behavior for intellectuals. They share, he writes, "a paradoxical effort that engages in public life and upholds intellectual responsibility while resisting conventional modes of engagement and responsibility. They perceive a most basic convention — affiliation with a particular political party — as passive submission to a preordained identity that shields one from the hazards of immersion. Instead, these thinkers articulate a politics by embodying it in a style of practice." (42)

A number of assumptions here are open to question. Eschewing party politics is, for instance, just as "conventional" a form of political practice as joining a party; only a slight majority of U.S. registered voters designates a party affiliation, and only half of registrants now vote. Few, if any, modern parties require of their adherents anything so drastic as "submission to a preordained entity that shields one from the hazards of immersion." Indeed, the absence of principle from major party politics is a decisive contribution both to the longevity of their rule and to chronic electoral alienation. In the Democratic Party, labor and capital, industry and environmentalists, Jesse Jacksons and John Huangs — all lie down together. None is compelled to sacrifice "identity" (though *interest*, to revert for a moment to an older and impermissible tongue, is another matter).

Membership in a political party per se is an abstract condition that only partially defines and determines one's politics, but membership in certain parties and causes means something more than membership in others. In organizations of the left, principle (distinguished from both opportunism and "preordained" dogmatism) has typically counted for a great deal more. For this reason, positing non-affiliation as a pure ideal for radical intellectuals seems less an unimpeachable affirmation of independent judgment than yet another case of the disorientation afflicting that section of the cultural left which has neglected political organizing while proclaiming as "radical" a mode of intellectual practice which adds up to little more than writing esoteric articles for journals read exclusively by other academics.

What should most raise concern, intellectually speaking, are the misrepresentations that issue from Posnock's attempt to legitimate through genealogical bricolage his personal fondness for "non-affiliation." Given his desire to articulate a tradition of "nonidentity," it is deeply ironic that Posnock does so by *identifying* figures whose theoretical projects were, even in their own opinion, incompatible. Prevailing understandings of Adorno are not violated by the assertion that he refrained from direct political engagement. But Posnock wants to have it that Bourne and Dewey, too, "spurn party affiliation." All three, he argues, adopted a distinct style, political but not partisan. They developed, he says, not programs but dispositions, characterized by open-ended flexibility.

Dewey learned to act in such a manner, Posnock believes, after Bourne drove home to him the dangers of political affiliation during their famous rift over the First World War. Bourne is, in this sense, the well-spring of Posnock's "politics of nonidentity." The resultant depiction of Bourne's cultural radicalism is mixed. Posnock astutely describes the role Bourne proposed for the intellectual as malcontent and ironist, a role distinct from the traditional conception of intellectuals as occupants of transcendent moral positions. But Posnock also attributes to Bourne the idea that "neutrality" is "the most effective practice of intellectuals," because "theory or neutrality places one not on the aloof outside but in the turbulent inside" (37). This formulation confuses Bourne's position on the war, a call for U.S. neutrality, with the whole of his intellectual disposition. Bourne's strong condemnation of the war was hardly "a powerful neutrality." Yet Posnock's designation is deliberate, for he wants to have it that Bourne's writings were not really about the war: "Running through his famous cluster of war essays is a powerful critique of pragmatism, which tends to be lost or minimized by commentators who claim that Bourne's primary concern is to articulate a pacifist position. But as the historian Paul Bourke has shown, Bourne's is not a pacifist stance. Indeed, he 'was not talking about the war, at least not in any way that was relevant to the business of prosecuting or ending it.' " (49)

That Bourne was not a pacifist, though he opposed the First World War, is uncontroversial. But Bourne's *war essays were not actually about the war*? To be sure, their scope also took in more than the war: the moral responsibility and abject capitulation of the intellectuals, the general crisis of American culture, the fissure of pragmatism. But as Macdonald and Chomsky accurately perceived, Bourne's wartime writings constituted an eloquent critique of militaristic barbarism, restating radical fundamentals with brilliant pith. "War is the health of the state": didn't that have *anything* to do with the First World War?

By making "neutrality" the descriptive term for Bourne's political standpoint we risk obfuscating his relentless *engagement*. Bourne did not, as dictated by the "politics of non-identity," object to partisanship on behalf of revolutionary organization, as may be seen in his essay "What is Exploitation?" (1916), one of several places where he defended wholeheartedly the revolutionary union movement, the Industrial Workers of the World. Bourne's agony over Dewey's endorsement of the war had nothing to do with "party affiliation." Bourne was simply stunned that his mentor would support a destructive war serving the interests of capital, empire, and reaction.

"Commitment" would be a far better word than "non-affiliation" to describe Bourne's intellectual disposition. Posnock is correct that Bourne's war essays concern pragmatism, but Bourne did far more than criticize pragmatism's "craving for action" (49). As most intellectual historians now emphasize, the argument of Bourne with Dewey was largely conducted on *pragmatist* grounds. He invoked the memory of Harvard pragmatist William James, who had opposed imperialism at the turn of the century, to criticize the vulgar subordination of ends to "war-technique" that had overrun the nation. He lambasted Dewey and his *New Republic* epigones for failing to see that the war did not create new opportunities for intelligent action but rather frustrated intelligence and democracy. Yet Bourne did not back away from political action. He still sought intelligent activity, but he arrived at the discriminating judgment that not every institution or historical event is plastic and open to action. He also, of course, began to argue that pragmatism required correction and supplementation from the spheres of values and poetry, and it is hard to know exactly what course he would have charted in relation to pragmatism had his life not been cut short by influenza.[5]

Beneath Posnock's "nonidentity" — the more commonplace term "antifoundationalism" would suffice just as well — is the assumption that philosophical repudiation of absolute ontological certainty must involve not just recognition of the contingency of experience but a belief in its arbitrariness. Not only, in Posnock's view, should we "topple the intellectual from a position of privileged moral vision to a far less stable vantage" (67), not only should we renounce the pretense of mastery and certainty, but we should celebrate "impossibility." Here Posnock misses the significance of the pragmatist postulation of the *provisionality* of understanding, which does not suggest the impossibility of knowledge, let alone salute it. Dewey did not recommend, as Posnock puts it, becoming "splendidly adequate by surrendering the desire to achieve adequacy" (68). Dewey strove insofar as was possible to arrive at provisional truths, while remaining aware of human fallibility and the need to remain open to correction and revision. The desire to achieve adequacy was *precisely* Dewey's philosophical modus operandi: adequacy supplants the illusion of final certainty.

A celebration of critical intellectual life, despite what Posnock appears to think, does not require withdrawal from politics in the ordinary senses of contest for state power and party affiliation. It *does* require that politics not be limited to those means. Anti-foundationalism, likewise, may easily be integrated with standard forms of political practice. Bourne and Dewey, properly understood, are proof of that possibility. It would be tragic to transform the legacy of Bourne and Dewey, whose lifelong desire was for cultural reconstruction and democratic renewal, into postmodern irrationalists pursuing a new variant of the old pipe dream of "unaffiliated" intellectuals. Bourne and Dewey should instead show us the possibility of combining a philosophy divested of absolutism with a politics committed to radical social change. Each in his own way had shortcomings, starting most obviously with Dewey's abject failings during the First World War. But theirs was never a politics "nonidentity" burdened by "impossibility." Theirs was a politics of democratic and engaged radicalism, aware of the limitations on human action but searching always for liberatory *possibilities*.

THE POSTMODERNIST DISDAIN FOR HISTORICAL CONVENTIONS (and in this we may take Posnock's article as an ideal type) inevitably flirts with "impossibility," that is to say, nihilism. As John Bellamy Foster writes, postmodernist skepticism eschews "not only grand historical narratives but also the very idea of meaning in history.... By undermining the very concept of history — in any meaningful sense beyond mere story-telling — such theorists have robbed critical analysis of what has always been its most indispensable tool." For precisely this reason, the new vogue for Bourne represents a decided step backward in American cultural criticism, despite its advocates' own conviction that they have discerned a more radical Bourne than any earlier commentator could possibly perceive.[6]

Perhaps this is the time to specify that "genealogy" is the preferred term used by postmodernists, following Foucault, to describe their renderings of the past shorn of context and "metanarrative" — a sort of irrationalist makeshift substitute for historical inquiry. It has nothing to do with family history, which remains a legitimate pursuit if attuned to wider vistas. While "genealogy" remains high fashion in some quarters, in intellectual affairs it is not likely to be of enduring significance. Its obsolescence is almost certain, not for the trite reason that theoretical fashions inevitably change but because "genealogy" is a terribly confused concept, more style than method. Either it encourages a fatuous contempt for perfectly legitimate criteria and modes of understanding (such as chronology and context), else, despite the conceit that it occupies a cutting edge, it claims for itself observations about the past that could just as easily be (and often already have been) made from unabashedly historical points of view.

Randolph Bourne and the Politics of Cultural Radicalism (1997), by political scientist Leslie J. Vaughan, is an occasionally insightful book that is weakened discernibly by its fashionable attachment to "genealogy."[7] While capable of neat turns of phrase and occasional creative insights into Bourne's writings, Vaughan, a great admirer of Ross Posnock's *boundary 2* article, is blithely inattentive to chronology and context, except where it suits her. Her prejudice against plain historical analysis as unduly constrictive leads to an inflated sense of the value of "genealogy." Consider, for example, this declaration: "Ideas and events that might be considered a failure from a political perspective can from a cultural perspective be recovered as a triumph." (14) Do we need "genealogy" for that? Was not E.P. Thompson, a historical materialist if ever one were, rescuing defeated alternatives from "the enormous condescension of posterity" long before the vogue of the postmodern?

Meanwhile that which is genuinely new in *Randolph Bourne and the Politics of Cultural Radicalism* is often not as clear or persuasive as the scholarship that preceded it. It is one thing to say that Bourne was not a pacifist, despite his opposition to the First World War — a point numerous scholars have made. It is quite another to say that he rejected the notion that "one must be pro-war or anti-war; there was no in-between." (56) That odd interpretation invites confusion on the scale of the Posnockian "politics of non-identity." For the historical Bourne there was no "in-between" when it came to pro-war and anti-war positions; without any question whatsoever, he was decidedly *anti*-war.

Yet for the most part the claims of *Randolph Bourne and the Politics of Cultural Radicalism* to depart radically from past scholarship is contradicted by Vaughan's tendency to reproduce typical insights of the literature, claiming them as fresh. Vaughan is sometimes subtle and interesting in her exploration of such dimensions of Bourne's thought as youth and generational politics, feminism and the family, outmoded Victorian middle-class norms, and personality and the good life. She maintains that Bourne stood outside of conventional Progressivism. She situates his educational writings as part of his political and cultural criticism. But in none of these points does she hint that all of these arguments, though she presents them at times with unique inflection, are conventional in terms of the existing commentary on Bourne. In her analysis of whether Bourne, in his infamous 1917 debate with John Dewey, actually rejected pragmatism, Vaughan captures well Bourne's ambivalence as he grew ever more disgusted with technocratic liberalism and intellectual capitulation to the war but still continued to be shaped by pragmatist norms of judgment. All of this, however, is accepted in the standard recountings of this set-piece in American intellectual history. In all these matters Vaughan is generally accurate; the complication lies in her claim, by way of "genealogy," to have uncovered new truths.[8]

One noteworthy exception is Vaughan's welcome attention to Bourne's Nietzscheanism, largely invisible in the standard Bourne commentary despite Bourne's open admiration for Nietzsche. It bears consideration that Vaughan, directly out of her respect for the granddaddy of "genealogists," is the one to bring to our attention that, "For Nietzsche, as for Bourne, it was in the balance between order and artful creation and the vitalism and energy of the pagan that a culture could regenerate itself." (4) Yet while "genealogy" attunes her to this connection above any other Bourne commentator, it also damages her ability to pursue the insight, which fails to rise above the level of mere assertion. Vaughan neither supplies textual analysis of Nietzsche to demonstrate his influence on Bourne nor explores much of Bourne's own specification of his indebtedness to Nietzsche nor pays attention to the political significance of Bourne's looking to a German philosopher for inspiration during the First World War nor shows much interest in the permutation of Nietzsche in Bourne's hands. (After all Bourne remained, quite incongruously for a Nietszchean, a radical democrat in things political and cultural, as Vaughan recognizes but does not explain. Take his extraordinary 1916 essay "Trans-National America," still a vital resource for attempts to imagine a common democratic culture in a nation of diverse national origins and experiences.)

FEW NOW RECALL the Stalinist claim to Bourne contained in the embarrassing attempt by Communist critic Samuel Sillen, shortly after Dewey's death, to enlist Bourne's memory in pro-Soviet polemic. During the First World War, claimed Sillen crudely, Bourne believed "that Dewey was a philosopher of the ruling class and that his instrumentalism was eminently suited for the uses of imperialist warmakers."[9]

Since the postmodern Bourne is thus hardly the first untenable Bourne — the Stalinist Bourne takes that cake — he probably will not be the last. Many Bournes seem our inescapable fate. Why not, then, more worthy ones? Why not an interpretation that resists reducing Bourne's cultural radicalism to any one of its elements — feminism, celebration of friendship and free personality, revolutionary sympathies, opposition to militarism and war, pragmatism, poetry — and instead keeps them all in play? Why not one that restores to full view his political understandings of class struggle and arguments for "Socialist Industrial Democracy"? Why not one that takes his opposition to exploitation and capital as just as vital as his opposition to state and war? Perhaps such a new Bourne may arise if a new generation of students, one more attuned to labor conditions and less inclined than the New Left to reject pragmatism out of hand, begins to read Bourne for themselves. Just as the youth of the 1960s found in Bourne a redoubtable libertarian ancestor, a dissident against war and liberal compromise, so students today might find in Bourne much to admire and much contemporary resonance. (Though in the present, pieces like the 1915 *New Republic* essay "Who Owns the Universities?" are likely to come alive more than the war essays that occasioned prior Bournes.)

We may hope the new generation will not merely admire and lay claim to Bourne, as others have, but will find the courage and spirit to live as Bourne did, to create fresh forms of radical politics and culture, to escape the scholastic slough into which Bourne seems, along with much of cultural studies, to have sunk. Perhaps if we set ourselves to actually practicing cultural criticism and radical politics, rather than supplying pale ruminations on their value, the ghost of Bourne will giggle down our streets again.

NOTES

1.Randolph Bourne to Everett Benjamin, November 26,1917, in *The World of Randolph Bourne*, ed. Lillian Schlissel (New York: E.P. Dutton, 1965): 313.

2. Alfred Kazin, *Starting Out in the Thirties* (Ithaca: Cornell University Press, 1989): 136-137; John Dos Passos, *1919* (Boston: Houghton Mifflin, 1946): 117, 199.

3. Noam Chomsky, *American Power and the New Mandarins* (New York: Pantheon, 1969): 5-8.

4. Ross Posnock, "The Politics of Nonidentity: A Genealogy," *boundary 2* 19 (1992): 35. All subsequent page references in parentheses in main body.

5. On the Bourne-Dewey debate and pragmatism, see especially Robert Westbrook, *John Dewey and American Democracy* (Ithaca: Cornell, 1991): 196, n. 2; and Casey Blake, *Beloved Community*: *The Cultural Criticism of Randolph Bourne, Van Wyck Brooks, Waldo Frank, and Lewis Mumford* (Chapel Hill: University of North Carolina, 1990): 158. The pragmatist cast of Bourne's criticism of Dewey was even expressed as early as Lillian Schlissel's introduction to *The World of Randolph Bourne* (New York: Dutton, 1965): xv-xlix.

6. John Bellamy Foster, "In Defense of History," in *In Defense of History: Marxism and the Postmodern Agenda*, ed. Ellen Meiksins Wood and John Bellamy Foster (New York: Monthly Review, 1997): 187, 191.

7. Leslie J. Vaughan, *Randolph Bourne and the Politics of Cultural Radicalism* (Lawrence: University Press of Kansas, 1997). Page references in parentheses in text.

8. Particularly bothersome is Vaughan's attempts to distance herself through criticism of the prior work of Casey Blake and Christopher Lasch, whose proximity to one another she exaggerates, and whose positions — often exactly the same as hers — she distorts beyond recognition. From Vaughan's account one might easily believe that Lasch and Blake, both Bourne admirers, scorned him. Her central claim, that Bourne showed the way toward a radical politics of culture, is, for example, precisely what both Lasch and Blake most explored and admired in Bourne, though no one could possibly know that from Vaughan's strange characterizations of their writings. See Christopher Lasch, *The New Radicalism in America, 1889-1963*: *The Intellectual as a Social Type* (New York: Knopf, 1965), and Casey Blake, *Beloved Community*.

9. Samuel Sillen, "The Challenge of Randolph Bourne," *Masses and Mainstream* 6 (Dec. 1953): 24-32. Some of Sillen's other points, such as his comparison of Bourne and John Reed, were surprisingly adequate.

Intellectual, Critic, Visionary: A Life of Walter Benjamin

Graham Bartram

It was on September 26,1940 that Walter Benjamin, German-Jewish intellectual, political visionary and literary critic, close friend of Gershom Scholem the scholar of Jewish mysticism and of Bertolt Brecht the Marxist playwright, took a lethal dose of morphine in the Spanish border village of Port Bou to avoid being delivered back into Vichy France (from where he and two companions had just fled) and thence into the hands of the Nazis. A short while earlier in Marseilles he had shared his tablets with Arthur Koestler (who, in any case, had no need of them) but the remainder proved quite sufficient to accomplish their purpose. On the following day, the Spanish officials whose invalidation of the refugees' transit visas had triggered Benjamin's suicide reversed their decision (for reasons that are still not clear) and allowed his two fellow-fugitives to proceed on their way via Spain and Lisbon to freedom in the USA. Momme Brodersen devotes several pages of this beautifully produced, copiously illustrated but somewhat unevenly translated biography* (the German original — *Spinne im eigenen Netz* — was published by the Elster Verlag in 1990) to the latest research by Ingrid and Konrad Scheurmann on Benjamin's last hours, but without disclosing any facts that cast doubt on the generally accepted account of his death. The final option that Benjamin had toyed with on a number of previous occasions, and seriously considered in Nice in 1932 but then rejected as not being worth the bother, had at last seemed unavoidable. The fact that it turned out not to be, is but one of the many ironies attending the life of this awkward, brilliant and enigmatic man.

Nearly 60 years after his death, Benjamin's writings, available for some time in a full German critical edition that has yet to be matched by an English-language equivalent, present to the late 20th-century reader a paradoxical amalgam of metaphysical obscurity (Brodersen rightly observes that the essay *On Language as Such and the Language of Man* "seems to reach the outermost limits of what is still linguistically and logically comprehensible to mere mortals") and concrete immediacy. Benjamin's fragmentary memories of his *Berlin Childhood around 1900*, recuperated in circumstances of desolation and growing danger some 30 years later, provide a vivid example of the latter.

Graham Bartram *is the head of German studies at Lancaster University and writes mainly on 20th Century German and Austrian cultural history. He co-edited* Reconstructing the Past: Representations of the Fascist Era in Post-War European Culture.

But in the 1940 *Theses on the Concept of History*, in which against the background of the Hitler-Stalin pact he condemns the bankruptcy of linear and technocratic notions of "progress," thought and image are brought together with visionary force, to deliver what is in effect Benjamin's *political* testimony to his and our times. The allegorical picture of Thesis IX, inspired by Klee's painting "Angelus Novus" — the Angel of History hurled backwards into the unseen future by the storm-wind of "progress" blowing from Paradise, while the debris of history's catastrophes pile up at his feet — stands as one of the most powerful icons of 20th-century experience. To this desolate but necessary image Benjamin counterposes his concept of revolution as a rupture or explosion of the continuum of history: a concept drawing equally and provocatively on Jewish-messianic and historical-materialist traditions of thought.

Brodersen devotes relatively little space either to the *Theses* or to the equally famous essay on *The Work of Art in the Age of Mechanical Reproduction*. Nor does he get too deeply involved in the exegesis of Benjamin's more difficult major works, such as the essay on Goethe's novel *Elective Affinities*, or the book on *The Origin of German Tragic Drama*. This decision is understandable, but sometimes lands the author between two stools: in the discussion of Benjamin's essay on Karl Kraus, for example, the bare mention of the three subheadings "Cosmic Man" "Demon" "Monster" leaves the reader completely in the dark as to their significance. What Brodersen's book does supremely well, however, is place Benjamin's thought in its socio-cultural context, and bring to life the interplay of forces, both individual and collective, that accompanied his transformation from the metaphysical idealist of the pre-1914 Wilhelmine era into the historical materialist whose friendship from 1929 with the politically committed Brecht provided an essential new stimulus to his own political and aesthetic thinking. The metamorphosis was not without parallel — we need only think of the intellectual/political development of Georg Lukács (whose *History and Class Consciousness* was to play a crucial role in Benjamin's understanding of Marxism), and indeed of representative members of the neo-Marxist Frankfurt Institute for Social Research, with which Benjamin had close links during the last decade of his life. But Benjamin's trajectory nevertheless remains *sui generis* — both in the extremeness of its material contrasts (the beginning in high bourgeois privilege, the end in destitute isolation as one among the millions of Nazism's victims), and in the apparent contradictions between the different modes of thought — the mystical and the materialist — that together shaped the philosopher's thinking during his final years.

BRODERSEN GIVES A DETAILED ACCOUNT OF BENJAMIN'S FAMILY BACKGROUND — both his mother and his father, a successful art auctioneer and speculator, came from Jewish families that had assimilated themselves to a large degree to the surrounding non-Jewish culture, but (unlike the ancestors of Benjamin's later supporter and promoter, the writer Hugo von Hofmannsthal) had not taken the step of marrying outside the Jewish community. The well-staffed household's move from Berlin's centre into the then fashionable western suburb of Charlottenburg effectively shut its three children off from any contact with the city's rapidly growing working-class population. Young Walter grew up in a cocoon of bourgeois luxury, looked after by a nanny and a French governess and privately tutored up to the age of almost nine. This upper-middle-class upbringing left its mark: the adolescent Benjamin's fervently world-encompassing idealism was accompanied by snobbish class attitudes, traces of which, as Brodersen unflatteringly points out, persisted well into the 1920s, coloring the adult's acerbic insights into the degradation of interpersonal relations in Weimar society. But the idealism, for all its naivety, represented a genuine oppositional force: like so many Germans of his background and generation, Benjamin came to repudiate his father's social ambitions and material values in the name of an avowedly anti-bourgeois counterculture.

Brodersen briefly sketches the multitude of interconnected but often competing forms that this counterculture assumed in turn-of-the-century Germany, ranging from the back-to-nature youth movement of the *Wandervogel*, through innumerable quasi-religious "reform" sects, each with its vegetarian, teetotal, spiritual or educational key to salvation, to rural artists' colonies such as Worpswede — all loosely lumped together by the author under the umbrella term "youth movement." What these groups had in common, and what they shared with the Expressionist avant-garde of artists and intellectuals that gained increasing prominence from about 1910, was a sense of alienation — often fed by Nietzschean ideas — from what was perceived as the soul-destroying complacency and materialism of contemporary bourgeois culture: "Youth," and its Expressionist equivalent, the "New Man," served as catch-all slogans to conjure largely apolitical notions of rebellion against established parental values, of spiritual rebirth and renewal.

Benjamin's own sphere of involvement was the movement for educational reform, one of whose pioneers, Gustav Wyneken, he first encountered at the small "alternative" boarding school of Haubinda in Thuringia, where Wyneken taught from 1903 to 1906. Benjamin's parents sent him there as a 13-year-old in 1905 for a two-year spell away from his High School, the Kaiser Friedrich Gymnasium, whose regime, including compulsory Prussian-style marching during breaks, he had found increasingly intolerable. The charismatic Wyneken later co-founded the Wickersdorf Free School Community, and went on to become a leading figure in the mass gathering of German youth groups on the Hoher Meissner mountain in October 1913; Benjamin for his part played a prominent role, as a student at the universities of Freiburg and Berlin in 1912-13, in the setting-up and organization of Wyneken-inspired school reform groups attached to the reformist Free Student movement.

Benjamin's ethos and ideas were, however, formed in opposition not only to conventional bourgeois values, but also to some of the more facile received notions of the counterculture itself. His somewhat esoteric theory of language, in particular his rejection of "writing designed to have an effect," can be understood in part as a reaction against the overblown and self-aggrandizing "pathos" that characterized so much Expressionist and youth movement writing and speechifying. The hollowness and flimsiness of such discourse were graphically illustrated for Benjamin when in November 1914 his erstwhile mentor Wyneken, who a year before had been passionately exhorting the youth movement to remain immune to nationalist ideology, did an abrupt about-turn and added his voice to the chorus of writers and intellectuals greeting the declaration of war with expressions of patriotic enthusiasm. For Benjamin, who had already viewed the youth gathering on the Hoher Meissner with somewhat skeptical eye, the break with Wyneken betokened also a decisive rupture with the youth movement as a whole. His own reaction to the outbreak of war (which triggered the suicide of his close friend Fritz Heinle) was one of quiet despair.

Brodersen rightly points to the war years (Benjamin, to his own relief, was deemed medically unfit for service) as the first major turning-point in Benjamin's life and in his development as an intellectual. From now on, not only the stable socio-political order of the Wilhelmine Kaiserreich, stultifying yet reassuring, but also the self-congratulatory sectarianism of the Expressionist avant-garde, exemplified in Kurt Hiller's notion of a "logocracy," would be for him relics of a bygone age. But the intellectual and psychological transformation set in train in Benjamin by the catastrophic débâcle of 1914-18 — the shift from a metaphysical idealism to that combination of "concrete" materialism and mysticism that was to prove such a scandal to both his Marxist and his Jewish friends — was a protracted process. Like previous biographers, following Benjamin's own testimony in letters to his wife Dora and to Gershom Scholem, Brodersen pinpoints the 1924 stay on Capri, and the encounter there with the Latvian Communist Asja Lacis, with whom Benjamin fell passionately in love, as a pivotal event. Rather than talking simply of a "swing towards Marxism," he describes it more broadly and less reductively in terms of a "break with esotericism," a "renunciation of the metaphysical foundations of his thinking," and the simultaneous adoption of a more politicized outlook. In a particularly illuminating passage, he suggests that Benjamin's and Lacis's co-authored article "Naples," with its vibrant description of that city's intermingling of the private and the communal in its streets, front yards, living rooms and cafés, provides a symbolic representation of the reorientation of Benjamin's thought, with its new emphasis on "porosity" and "interpenetration": what Brodersen terms "a complete scheme for an open form of philosophizing or perceiving reality." (What is also interesting about this text, in which the Neapolitan mode of communal life is compared *en passant* to that of an African kraal, is its implicit suggestion that the imagining of emergent post-bourgeois forms of collectivity, of political and social communication and interaction, needs to draw on the experience of pre-industrial communities. In this it foreshadows the theory of a "non-auratic" art developed in the mutually complementary essays *The Author as Producer* (1934), *The Work of Art in the Age of Mechanical Reproduction* (1936) and *The Storyteller* (1936), in which, as Witte has convincingly argued, Benjamin's notion of a post-capitalist utopia of unhindered communication, inspired in part by the contemporary phenomenon of Soviet worker-correspondents, also needs to be fleshed out by reference to much earlier traditions of collective "storytelling" that predate the rise of bourgeois society and the essentially individualistic novel-form.)

After the liberating six-month sojourn on Capri in 1924, the next major turning-point in Benjamin's life was the year 1930, which saw both the death of his mother (his father had died in 1926) and the long drawn out finalization of his divorce from his wife Dora, whom he had married in 1917 and whose earnings as secretary, journalist and translator had contributed substantially to the maintenance of her husband and their son Stefan Rafael (born 1918). Benjamin's writings disclose little concerning his complex and fractured relations with his parents, his wife, and other women such as Jula Cohn and Asja

Lacis, and Brodersen largely takes his cue from this reticence. Nevertheless the circumstances of Benjamin's private life are crucially bound up with his existence as philosopher and writer, and in this respect the somewhat more revealing accounts by Witte (*Walter Benjamin: An Intellectual Biography*) and Scholem (*Walter Benjamin: The Story of a Friendship*) provide useful complements to Brodersen's narrative. 1930, the year in which Benjamin came into his filial inheritance only to see it swallowed up immediately and completely by the repayment to Dora of her substantial dowry, marks the end of his material attachment to the institutions of family and marriage: institutions that he had for so long scorned as the epitome of unregenerate bourgeois existence (as, for example, in his speech, later article, of 1915 "The Life of Students"), while remaining to a large degree dependent on them, from childhood through to adult life, for economic survival. His simultaneous refusal to compromise with the institution of the academy, by shaping his study of Baroque culture, *The Origin of German Tragic Drama*, according to the conventional requirements of the academic *Habilitation*, had already been partly responsible for his failure some years earlier to establish himself in a university post; from now on, therefore, he was to lead a precarious existence as a writer and intellectual paid for the articles and reviews that he actually had published and the radio plays and talks that he broadcast (over 80 of them between 1929 and 1932). In his Paris-based exile following the Nazi seizure of power his circumstances grew steadily worse, alleviated only by a monthly stipend from the then U.S.-based Frankfurt Institute for Social Research (whose director, Max Horkheimer, later organized his never-to-be-used American visa for him), and by the generosity of his former wife, who occasionally invited Benjamin to stay at the boarding house she owned at St Remo in Italy from 1934 to 1938.

All in all, Benjamin's life as intellectual, critic and political visionary was one suspended between the old order that he had rejected and new forms of community that he had yet to descry. Unlike his Communist younger brother Georg, who died in Mauthausen concentration camp in 1942, he never joined the Party. His complex mixture of romantic idealism and cynicism (Scholem professed himself "outraged" by his friend's "unscrupulous" attitude towards the bourgeoisie) resulted not in a clever and successful manipulation of others à la Bert Brecht, but in a kind of self-sabotage that (with the help of the dark times in which he lived) took him at the end into isolation and destitution. But it was that extreme situation that in turn gave birth not to despair, but to the uncompromising radicalism of the *Theses*, his final message to posterity.

WHILE ON THE WHOLE THE GROUND COVERED BY BRODERSEN IS FAMILIAR, at least in its broad outline, from the previous accounts by Scholem and Witte, in one minor and two major respects his biography alters or refocuses our knowledge of Benjamin's life and work. The relatively minor point concerns the reception of Benjamin's rejected *Habilitation* thesis, *The Origin of German Tragic Drama*, subsequently published by Rowohlt in 1928. Brodersen succeeds in showing that, contrary to the myth initiated by Benjamin himself, this highly original work was not ignored upon its appearance, but was widely (and largely very positively) reviewed, and also formed the central topic of a seminar mounted by Benjamin's disciple Theodor W. Adorno at Frankfurt University in 1932. Of the two more major issues raised by Brodersen, one has to do with the literary and ideological influences on Benjamin's thought. It is impossible to read this biography without being struck by the deep and persistent hold exercised on the philosopher-critic's imagination by the priest-like Symbolist poet Stefan George, icon of the pre-1914 youth movement, and the circle of acolytes, the George-Kreis, that he gathered around him.

While Benjamin saw his 1920s project of renewing German language, thought and culture as not only a post-Expressionist but also a post-George one, it is clear that his own relationship to the circle in the 1920s was anything but "post": in his struggle to break free, and in his rivalry (his major critical essay of 1924-5 on Goethe's novel *Elective Affinities* was after all conceived in large part as an attack on the Goethe-monograph of the academic George-disciple Friedrich Gundolf) he remained fixated, through to the end of the 1920s and beyond. At every turn one encounters telling signs of the pervasiveness of this influence: the challenge embodied not only in the Goethe-essay (which the powerful George-clique ensured was met with deafening critical silence) but also in Benjamin's Baudelaire-translations, far less "stylish" than Stefan George's 1901 versions, but — as Brodersen shows — much truer to the urban-modernist spirit of the originals; the retrospective confirmation of Benjamin's fascination with George in his essay of 1933; and finally the fact — briefly alluded to by Brodersen — that the key term "aura," used by Benjamin in his 1936 essay on the Work of Art to describe the quality of the unique art object before the era of its mass reproduction, was actually common currency in the discourse of the George circle.

While Brodersen moves the George influence to a central position in his narrative, however, another, potentially far weightier, factor is pushed toward the margins: that of Benjamin's Judaism. Early on, Brodersen mentions the family's adherence to the ultra-liberal tendency whose members were scornfully referred to by Zionists as "Christmas Jews," because of their far-reaching accommodation to the pattern of the Christian week (Sunday services) and the Christian year; Benjamin's attempts to "come to terms" both with Judaism in general and with the demands of Zionism (represented above all by his close friend Scholem) in particular were, according to Brodersen, all occasioned by external interventions, and the idea of emigration to Palestine, urged by Scholem, much rehearsed by Benjamin, but perpetually postponed, was never one that Benjamin was going to carry through. Any attempt to pronounce this line of argument straightforwardly "right" or "wrong" is thwarted by the individual complexity of Benjamin's character, and the collective complexities of German-Jewish identity in the era before the Holocaust. The disadvantage of Brodersen's viewpoint is that it leads him to give insufficient weight to Benjamin's interest in a "cultural Judaism," and to the contribution of Jewish thinking (albeit in secularized form) to the vital messianic component of his historical vision. Its strength is its insistence on Benjamin's poignant refusal, despite everything, to abandon his deep-rooted attachment to *Germany*: an attachment repeatedly redefined and renegotiated, Brodersen suggests, through the escape-and-return of his compulsive voyaging to Italy, Spain, Paris, Moscow, Scandinavia, but defiantly reasserted toward the end in Benjamin's last book publication: his edited collection of letters by German humanist writers, published in Lucerne in 1936 under the pseudonym Detlef Holz: *Deutsche Menschen*.

*Momme Broderson, *Walter Benjamin: A Biography*, translated by Malcolm Green and Ingrida Ligers. (London and New York) Verso, 1996.

Paul Robeson: A Flawed Martyr

Barry Finger

> *It is personally painful to me to realize that so gifted a man as Robeson should have been tricked by his own bitterness and by a total inability to understand the nature of political power in general, or Communist aims in particular, into missing the point of his own critique...*
>
> **James Baldwin**

IN THE LATE AND UNLAMENTED STALINIST WORLD certain "fortunate" victims of totalitarian repression, the dead and the near dead, might experience an official rehabilitation — their "crimes" exonerated and their reputations, if not their lives or their health, restored. The "excesses of socialist construction" were thereby said to be effaced, presumably demonstrating to the inexhaustibly gullible the essential humanity and self-correcting character of the once new social order. So too, in a macabre parallel, we can now anticipate the periodic rehabilitation of Stalinist victims of McCarthyite repression, and — thanks to the generosity of a social system that now bestrides the world without challenge — we can be further assured that too fine a point will neither be affixed to the "commitment" with which capitalism tethers its fate to democratic liberties, nor to the decades long pall that Stalinism cast over American liberalism.

In short, the hospitality committees of both the right and the left wings of the Establishment may once again be ready to shake hands and break bread together. And where better to enjoy this very American feast of reconciliation but at the intersection of racial and political repression, at the centenary of Paul Robeson's birth. There the right can begin to forgive itself the "excesses" with which it so lustily championed white supremacy, and the "left" similarly the euphoria for a totalitarian cause with which it was once so infatuated. But these are, in any event, no more than the mannered moderation that comes with age and security, rather than genuine insights nourished by political integrity.

The victim as hero, the archetypal theme of so many fervid Popular Front fantasies, is now replayed as the celebratory theme of Paul Robeson's life — the triumph in death of the maligned champion of the oppressed. How ironic that in reducing Robeson's actual and very real artistic triumphs to the level of proletcult kitsch, his champions not only fundamentally falsify the quality

BARRY FINGER *is a member of the* NEW POLITICS *editorial board.*

of his political allegiances, but debase as well the very elements of his career truly worthy of preservation. For what spared Robeson the fate of innumerable "artists in uniform" was that he, for lack of a more felicitous distinction, was an interpretive rather than a creative artist. As such he was largely freed from the artistic clash of values otherwise demanded by the "purveyors of bureaucratic heroism," to borrow Trotsky's phrase, who guided the Stalinist movement. Freed, that is, to pursue projects that permitted him to venture beyond the confines of Stalinist "aesthetics," beyond the "Ballad for Americans" and everything that that represented.

It is here, released from the icy grip of the Party, that we gain an appreciation for a remarkable artistic intelligence at work: a talent whose interpretations of traditional spirituals gave voice, in the words of Richard Wright, to the "humiliation and burning hope" of American blacks; whose oratory breathed life into the plays of Eugene O'Neill; and whose towering and passionate Othello redefined our understanding of the role. Here was a black performer still deep in the age of minstrelsy who comported himself with an implacable dignity and stature, both in film and in public, offering a seditious countervision to the prevailing racist stereotypes and in so doing undoubtedly providing a momentary sigh of relief to the oppressed.

But Robeson aspired to more than artistic excellence, seeing in his talents and growing prestige an instrument of social and racial liberation. It is the political ends to which that instrument was applied, however, that measures the true tragedy of the man and his generation. That larger tragedy promises to be lost in the thick mist of celebration for the fullness of an artistic career that might still have been were it not destroyed by the hysteria of the Cold War. In this distorted vision, a half-truth that conceals a greater lie, the images of a proudly defiant black man hauled before a star chamber, under fascist-like assault at a Civil Rights Congress picnic in Peekskill, condemned to spend his declining years deprived of a passport and in bitter isolation, all threaten to envelope and subsume the larger truth about Stalinism and the American Communist Party, under whose tutelage Robeson so devotedly labored.

WHAT THE COMMUNISTS WERE CHARGED WITH, IN THE POST-WAR WORLD, and what lends a sympathetic luster to their martyrdom, was being members or sympathizers of the Communist Party, which was their inalienable right to join or support. That they were charged with spreading the revolutionary views of Marxism, a charge of which they were totally innocent, remains a flagrant libel against Marxism. But what prompted that libel was the falling out of imperialist rivals, yesterdays' wartime allies who, having parceled out control of the world between them, now found their mutual antagonisms unbridgeable.

What the Stalinist movement was never accused of is precisely what it actually was: the mortal enemy of the working class and its struggle for freedom. Stalinism was never held accountable, nor could it be, by Truman or McCarthy for having been the most energetic agitators for wartime no-strike pledges and incentive pay; for having outstripped most reactionary labor leaders in pro-war chauvinism, for urging the government to jail John L. Lewis for calling the miners out on a defensive strike, for denouncing A. Phillip Randolph as an agent of fascism when he organized the anti-racist March on Washington movement, for applauding the detention of Japanese-Americans, and for loving the Bomb. In brief, the Communist Party and its supporters could never have been prosecuted for having done their all to support capitalism when that service coincided with the interests of Moscow.

Before the Robeson centennial memorializes the Stalinist victims of capitalist intolerance by rallying progressives around a nostalgia-sanitized portrait of American Communism, the actual and rather novel contribution of the Communist Party to the traditions of labor solidarity perhaps bear remembering. This is particularly apt, because Robeson himself subscribed to that very special Orwellian notion of "civil liberties" that was neither civil nor libertarian and violated the honorable tradition of progressives and radicals to mobilize for the cause of the persecuted, regardless of particular political differences.

When the Smith Act, the predecessor of McCarthyism, was enacted by Congress and signed by Roosevelt, its first victims were leading members of the Socialist Workers Party (SWP) and of Minneapolis Teamsters local 544, eighteen of whom were convicted. This was in 1941, when Russia and America were wartime allies. Convinced that the 18 were convicted for their views and not for any illegal acts, the labor and liberal movements rallied to their cause in large numbers, again without regard for their political differences with Trotskyism. The Communists also rallied in unions and arenas where they could gain a hearing throughout the country. What made their intervention so singularly notorious however is that they rallied tirelessly to isolate and discredit the supporters of the indicted socialist unionists, regretting only that the sentences were not harsher.

When a few years later it was the Stalinists who were persecuted by the same provisions of the Smith Act, a Conference to Defend the Bill of Rights was hastily convened in July of 1949, largely under Stalinist initiative, to solidify a defense movement. In preparation, the *Daily Worker* printed an editorial warning in advance that the Communist Party would not allow the forum to defend the civil liberties of "Trotskyites." Those with scruples, like I. F. Stone and Professor Thomas I. Emerson, were put on notice that such support would be considered disruptive. Nevertheless, endorsement of the Minneapolis defendants and the related case of the veteran, James Kutcher, who had lost both legs in the very "peoples' war" which the Communists invoked with such religious fervor, was not short in coming having been proposed by none less than the chair of the conference, Paul J. Kern. Kutcher had lost first his limbs and then, due to his membership in the "subversive" Socialist Workers Party, lost his clerical position in the Veterans' Administration, his disability pension and finally his public housing. Paul Robeson, a leading World War II sentimentalist, (after Hitler unilaterally and violently destroyed his Pact with Stalin) then took to the platform and in a sordid display of Stalinist solidarity denounced adherents of the Socialist Workers Party as "allies of fascism who want to destroy the new democracies of the world. Let us not be confused. They are the enemies of the working class. Would you give civil rights to the Ku Klux Klan?" Kern's resolution was defeated.

Earlier that year, Robeson arrived in Moscow while Stalin's "anti-Zionist" campaign was in full swing, a response, it was officially maintained, to an alleged plot to kill the beloved Soviet leader which was in fact nothing but a pretext for a nationwide pogrom and recognized as such by all but those too blinded by Stalinism to stare directly into the abyss. Yet, even for many Soviet sympathizers it had an unsettling effect. The famous actor-director, Solomon Mikhoels, had disappeared, and the poet Itzak Feffer was rumored to be missing. Both were familiar to Robeson as members of the "Jewish Joint Anti-Fascist Committee," which the Kremlin had launched as an emissary to its wartime allies in the West. After Mikhoels "mysterious" death was reported new questions were raised. It was to quell these disturbing rumors, that Robeson undertook his mission to Moscow.

Feffer had in fact been in prison for a year, and Robeson's original plans had to be delayed while Feffer was being fattened for the arranged meeting. Although their meeting room was bugged, Feffer, through gestures and a few written notes, let it be known to Robeson that he faced imminent execution, that other prominent Jewish cultural figures were under arrest and that a massive purge of the Leningrad and Moscow parties was underway. Robeson responded, not by canceling any further performances in Moscow, but by proclaiming his friendship for Mikhoels (who he surely knew had been murdered) and for Feffer (in prison, awaiting execution) at a Moscow concert program. That proclamation, emanating from an esteemed artist, only added to the confusion and dismay of the beleaguered Jewish community. On his return to the United States, denying rumors of rampant anti-Semitism, he announced to a reporter from *Soviet Russia Today* that he had "met Jewish people all over the place... I heard no word about it." He was at pains to instruct the skeptical that the Stalin regime "had done everything" for its national minorities.

The common and wholly unacceptable rationalization for Robeson's denial of Soviet anti-Semitism when he was clearly aware of its prevalence is that his silence actually served the interests of the victims. In the case of Feffer, it extended his life until 1952 when he was executed. But even if one were to give some credence to this pathetic excuse, how can one explain away Robeson's silence after Stalin's death? Ilya Ehrenberg had been given the Stalin Prize in 1952 for services rendered, above all, as a Jewish front for Stalinist pogroms. But after Stalin's death, he, unlike Robeson exposed the cruelties of Stalinism including its virulent anti-Semitism. Robeson, by contrast, not only maintained his silence about Soviet anti-Semitism but continued as a staunch public supporter of Stalinism for the rest of his life.

Robeson's fealty to Stalinism already had a long history. During the Spanish Civil War, he affirmed his "love (for) the cause of democracy ...I belong to an oppressed race," he explained, "discriminated against, one that could not live if fascism triumphed in the world." He traveled to Barcelona entertaining and boosting the morale of the International Brigades; he raised money for CP-filtered Spanish relief and remained to the end uncritical of a Popular Front cause that had opened a murderous second front against the revolutionary left. When his unshakable hatred for fascism was confronted with a betrayal of monstrous proportions in the Hitler-Stalin Pact, this "in no way whatsoever…weakened or changed" his devotion to the Stalinist system. The collective security that Robeson had once so passionately invoked in defense of the Spanish Republic was thoroughly repudiated for nearly two years, until, that is, the Soviet Union was under siege.

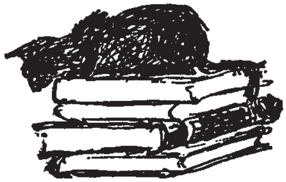
Robeson greeted the Soviet Constitution imposed on the Soviet people in 1936 on the eve of the great purge trials as "an expression of democracy, broader in scope and loftier in principle than ever before expressed." Of these show trials, Robeson was quoted as saying that the USSR had dealt properly in the trial of the "counterrevolutionaries... they ought to destroy anybody who seeks to harm that great country." For Robeson the Soviet invasion of Poland (prearranged with Hitler) and of Finland (which met with the Wehrmacht's approval) were "defensive," a justifiable response to thwart Britain's designs against Russia.

While the Hitler-Stalin pact was still in effect, Robeson counseled American blacks that they had no stake in the rivalry of European powers. Once Russia was attacked, he urged blacks to support the war effort, now warning that an Allied defeat would "make slaves of us all." The Communist Party denounced the Double V campaign (victory over fascism abroad and Jim Crow at home) and castigated black leaders who refused to suspend their people's struggle. The first March on Washington Movement in 1941 to desegregate the armed forces was excoriated for spreading "confusion and dangerous moods in the rank and file of the Negro people and utilizing their justifiable grievances as a weapon of opposition to the Administration's war program." Randolph, himself, was denounced as a "fascist helping defeatism" and as a saboteur who "guaranteed the triumph of fascism." These Stalinist pronouncements did not elicit a peep of objection or reservation from Paul Robeson.

When in 1949, Robeson traveled to Prague, just prior to his infamous visit to Moscow, he was predictably lavished with hospitality by the newly installed Stalinist regime. One anti-Stalinist Czech later recalled his contempt for that "apostle who sang of his own free will, at open air concerts in Prague at a time when they were raising the Socialist leader Milada Horáková to the gallows, the only woman ever to be executed in Czechoslovakia by Czechs, and at a time when great Czech poets (some ten years later to be 'rehabilitated' without exception) were pining away in jails."

How fitting that in 1952 Robeson was awarded the Stalin Peace Prize, an award he no doubt fully and justifiably earned. Not four years later, while the sheen was still on the medal, Robeson compared the Hungarian revolutionaries to the "same sort of people who overthrew the Spanish Republican Government," a calumny from one whose political life was stained by his unqualified support of a brutal totalitarian system.

McCarthyism was undoubtedly a social purge. If it never attained the murderous sweep of its Stalinist counterpart and confined itself "merely" to trampling liberties and destroying lives, it was nevertheless a vicious operation. It transformed thousands of its victims into martyrs. But before we allow these victims — and Paul Robeson is emblematic of them — to be recast as heroes it is necessary to take stock of what Stalinism really was; to ask how it happened that millions who had fixed their aspirations to a democratic future without war and oppression could have committed themselves to a social system which was, in every regard, the negation of that vision. When this question can be posed without the reflexive charge of "red baiting" being offered in retort, a new awakening will be evident on the left.

Book  Reviews

Sidney Hook: Marxist Pioneer

YOUNG SIDNEY HOOK: MARXIST AND PRAGMATIST by Christopher Phelps. Ithaca: Cornell University Press, 1997. 280 pp. $35.00

Reviewed by Peter Drucker

WHAT CONTRIBUTIONS TO 20TH-CENTURY MARXIST THOUGHT have come out of the U.S.? Not many, seems to be the consensus. Although researchers have been rediscovering the richness of U.S. working-class culture in the first half of the century, the marginality of Marxists in U.S politics and the extirpation of anything vaguely Marxist in the universities in the 1950s ensured the virtual invisibility of U.S. Marxist thinkers for years. Most people who have written about "Western Marxism" focus on western Europe, above all Germany, France and Italy. In the early 1980s, when Perry Anderson noted in his *In the Tracks of Historical Materialism* the prominence of U.S. and British writers in contemporary Marxist scholarship, you could almost hear the note of surprise.

Even those who have gone in search of a U.S. Marxist tradition have usually had little time to spare for Sidney Hook, who has gone down in history mainly as the tired, right-wing social democratic Cold Warrior of the Congress for Cultural Freedom. Christopher Phelps' excellent study of Hook in the 1930s* shows how wrong they are. Hook's best books, *Towards the Understanding of Karl Marx* (1933) and *From Hegel to Marx* (1936), have aged surprisingly well. Hook's thought also shows intriguing affinities with better-known Western Marxists like György Lukács and Karl Korsch. Where his intellectual trajectory diverges from theirs, in fact, the contrast does not always work out to their advantage.

A U.S. Korschian Trotskyist?

HOOK'S PERSONAL BACKGROUND HELPS EXPLAIN HIS AFFINITY with Central European Marxism. Both his parents came from the pre-World War I Austrian empire: his father from Moravia (in the present-day Czech republic), his mother from Galicia (in present-day Poland). Though Jewish, their culture was Cen-

PETER DRUCKER, *author of* Max Shachtman and His Left *and an advisory editor of* Against the Current, *now lives and works in Amsterdam.*

tral rather than East European; "Hook was given to the German rather than the Yiddish phrase," Phelps says.[19] This may help explain why Hook decided to study philosophy. It does help explain how he was able to read Lukács' *History and Class Consciousness* in the mid-1920s, four decades before it was translated into English. Hook also spent a year in Germany in 1928-29 studying the Young Hegelians; attended lectures by Korsch; was among the first Western scholars to gain access to the Marx-Engels Institute archives in Moscow, at director David Riazanov's personal introduction; and translated several of Engels' letters criticizing the German Social Democrats' timid legalism into English for the first time.

Hook's knowledge of German Marxist philosophy is not in itself news. But Phelps does a good job of showing the extent of Hook's affinity with Lukács and particularly Korsch. Like them, Hook refused to see Marxism as a body of received truths, defining it instead as a method of revolutionary action. Like them, he rejected the supposedly "scientific" dialectical materialism that the Second International had distilled from Engels' later writings, insisting that the dialectics of class struggle are qualitatively different from anything that can be "discovered" in physics or astronomy. Like them, he celebrated Lenin's rediscovery of the radical core of Marx's method — and was heresy-hunted by the Third International for his pains.

But while Lukács and many other "Western Marxists" accommodated more or less uneasily to Stalinism, Hook broke decisively with Stalinism in the early 1930s. Pushing aside Hook's later distortions of his own history, Phelps links Hook's defense of socialist democracy to his decade-long, close association with Trotskyism. In 1931-33, Phelps points out, Hook was a "sympathizer of Trotskyism working within the Communist Party milieu" who gave Trotsky's *History of the Russian Revolution* a glowing review in 1932.[64] Hook's break with the Communist Party (CP) in 1933 not only resulted from the CP's stupid attacks on Towards the Understanding of Karl Marx, but coincided with Trotsky's decision that the Comintern was past saving. In 1933-36, without joining the Trotskyist movement, Hook "consistently acted in solidarity with the American Trotskyists."[91] He described Trotsky in 1933 as "indisputably the most brilliant Marxist in the world today."[96] As late as March 1938, then-Socialist Workers Party leader Max Shachtman said that Hook "nine times out of ten agrees with the party."[170]

Hook never mechanically parroted the Trotskyist line, however. Throughout the '30s he emphasized the radically democratic character of Marxism, which is a recurring theme in Phelps' book. He wrote, memorably, that "difference, uniqueness, independence and creative originality are intrinsic values to be fostered and strengthened; and indeed one of the strongest arguments against capitalism is that it prevents these values from flourishing for all but a few."[108][1] He also worked hard to Americanize Marxist thought and writing. He was a founder and leader of the American Workers Party (AWP), which proved itself both intellectually and practically during its brief existence, notably in the Unemployed Leagues and Toledo Auto-Lite strike. Phelps stresses the richness and rootedness that the AWP brought to its 1934 merger with the Trotskyist movement, and reminds us that Hook was the driving force behind the merger.

Pragmatism and "Liberal Values"

SO WHAT TURNED HOOK INTO THE RIGHT-WING SOCIAL DEMOCRAT he was from 1938 until his death, a man who ultimately voted for Nixon and praised Reagan? Most Marxist critics have blamed Hook's betrayal on the pragmatist strand in his philosophy. Interest in John Dewey's instrumentalist approach to philosophy was a constant in Hook's thinking from the mid-1920s until his death. As Phelps points out, this in itself makes nonsense of the usual explanation. Why should pragmatism be blamed for Hook's right turn in the 1940s if it could coexist with his revolutionary insights of the 1930s? Phelps also notes that Hook's "liberal formalism" in his last years had "little in common with the experimental and radically democratic thought of John Dewey."[236] Dewey never went as far to the right as Hook. In fact, Dewey criticized Hook's notorious 1950 article, "Heresy, Yes — Conspiracy, No!," which justified witch-hunting Stalinists out of academia, as an example of rigid thinking at odds with philosophical pragmatism.

Phelps sees the influence of Dewey's pragmatism as helping Hook "arrive at the particular type of Marxism that he espoused, one opposed not only to capitalism but also to the philosophical determinism and political bureaucracy of both Stalinism and social democracy."[8-9] Here Phelps' own book provides evidence to refute his argument. The characteristics of Hook's thought that Phelps credits pragmatism with — seeing Marxism as a method rather than dogma, deep attachment to democracy, and so on — can be located just as easily in Marxist sources like Lukács, Trotsky or Marx himself. Phelps points out that in the early 1930s Hook, despite his continuing close relationship with Dewey, "did not so much as mention Dewey's name in a single one of his major writings on Marx."[54]

On the contrary, Phelps notes, Hook criticized Dewey throughout the 1930s for failing to see the crucial importance of working-class struggle as a means of social change. "Classes do not experiment to determine what the consequences of their own non-existence will be," Hook wrote.[104][2] What Phelps fails to acknowledge is that Dewey's refusal to give preference a priori to this one method of social change was a logical consequence of his pragmatist insistence on judging each instance empirically, case by case. In other words, Dewey refused to see society as a whole, as a historically-produced totality, as Marxists such as Lukács and Hook stressed that it must be seen. Hook's best period, the period of *Towards the Understanding of Karl Marx*, seems in this light to be the time when Dewey's influence on him was at its weakest.

A more serious problem in Phelps' book is his tendency, following Hook, to describe democracy and free inquiry as "liberal values." If we look at the founders and main exponents of classical, 19th-century liberalism, we see that they neither were nor pretended to be democrats. The British Liberals who fought for the 1832 Reform Bill and against protective tariffs did not hesitate to crush the Chartists who organized for universal adult male suffrage, for example. So prominent a Liberal as Gladstone was uneasy at Disraeli's extension of the suffrage in 1867, and changed his mind only later, in the 1880s. Classical liberalism also deeply distrusted working-class organization and agitation. Those who first instituted universal adult male suffrage, the Jacobins in France and Jeffersonian and Jacksonian Democrats in the U.S., neither described themselves nor were seen by others as liberals.

Karl Marx, who identified with the radical republican tradition from the early 1840s on, defended democracy and freedom of expression in his early, middle and late writings. Marxists were thus defending these basic working-class demands while liberals were opposed or hesitant. Giving liberals retrospective credit for these "liberal values" — rather than associating liberals, more appropriately, with Victorian Poor Law workhouses or massacres in Algeria and India — needlessly puts an ideological weapon in their hands. It gives credence to the idea that we can defend democracy and freedom by defending the capitalist state — an idea that Hook seized on as he turned against Marxism beginning in 1938.

"Retreat of the Intellectuals"

THIS IDEOLOGICAL FACTOR WAS PROBABLY NOT DECISIVE in Hook's rightward turn, however. Phelps is more likely looking in the right direction when he looks to Hook's own career and the broader social and political context for explanations. Hook, typically, for a socialist of his generation, did not leave a biographer much evidence to work with on his personal or professional life. But as Phelps is perceptive enough to see, "Until the middle of the 1920s Hook's commitment to revolutionary action and passion for philosophy acted as countervailing forces and ambitions, pulling him first one way, then the other."[16]

The book suggests that the same tensions were at work in the 1930s. Hook demonstrated extraordinary courage as an untenured instructor and then assistant professor at New York University. Isolated as a Jew, a leftist, in fact as "almost certainly the only openly Marxist academic philosopher in the United States"[51], he still had the nerve to chair a William Z. Foster-for-president rally at NYU in 1932. But his active membership in the American Workers Party was an exception in his life. He apparently never joined the CP during the years he was close to it; he declined to join the Workers Party of the U.S. when the AWP and Trotskyists merged to form it, at his urging, in 1934; nor did he join the Socialist Party (SP) or Socialist Workers Party (SWP) later. Phelps suggests that a "desire to retreat from politics" lay behind the decision — though Hook always tried to exert political influence even when he avoided political affiliation — and that Hook may have grown still "more cautious and concerned about his job security" after his second marriage in 1935 and the birth of his children in 1936 and 1938.[119, 130]

Phelps is also plausible when he sketches the social context in 1938-40 in which Hook moved so quickly to the right: the CIO's retreat in the face of an employer-AFL offensive, the looming threat of world war, the left's increasing isolation. That Dewey chose this time to challenge Trotsky openly was hardly an accident. This was a time in which the space for open revolutionary Marxism in the academy and media, always small, drastically contracted. Only a tiny minority of those intellectuals who identified as Marxists in the 1930s kept that identification past the '40s.

It is interesting to compare Hook's rightward swing to that of his NYU colleague James Burnham. Burnham, an SWP member and leader, moved more slowly than Hook at first. When Hook first openly attacked the Russian revolution in mid- and late 1938, Burnham joined with Shachtman to counterattack scathingly in their article, "The Retreat of the Intellectuals." In response to the Nazi-Soviet pact in August 1939, Burnham and Shachtman together began the process of taking a critical look at Trotsky's analysis of the USSR within a Marxist framework, a process that led to the founding of the Workers Party (WP) in May 1940. In that same period, however, Burnham was succumbing to the same pressures as Hook. The result was his open repudiation of Marxism and break with the WP within days of its founding; an event that led the WP to stress all the more its continuity with revolutionary Marxism.

With both these processes unfolding simultaneously, it is understandable that an observer like Trotsky had problems keeping them distinct in his mind, and confused innovations within Marxism with (far more common) capitulations to a hostile environment. Hook's example helps make clear how difficult it can be for intellectuals to remain Marxists. Even more important, though, his work helps make clear how indispensable democracy, debate and creativity are to the survival of a living Marxism. Phelps' book makes a major contribution to giving Hook's work the attention it deserves.

NOTES

1. Hook, "Communism Without Dogmas," in *The Meaning of Marx,* ed. Sidney Hook, New York: Farrar & Rinehart, 1934, p. 142.

2. Hook, "Our Philosophers," *Current History* 41 (March 1935), p. 703.

A Working-Class Legend

BIG TROUBLE: A MURDER IN A SMALL WESTERN TOWN SETS OFF A STRUGGLE FOR THE SOUL OF AMERICA by J. Anthony Lukas. (New York: Simon & Schuster) 1997. 875 pp. $32.

Reviewed by Steve Early

BIG BILL HAYWOOD AND THE WESTERN FEDERATION OF MINERS (WFM) deserve better. Tony Lukas' massive new book on Haywood's 1907 murder-conspiracy trial could have made their story accessible to readers unlikely ever to stumble across the defendant's own memoirs, Melvyn Dubofsky's 1987 biography of him, or WFM histories written by several academics. Instead, Lukas' account of the legal, political, and media circus surrounding the case provides great insight into the life and times of almost everyone else involved — except the miners. For example, we get lots of fascinating detail about the murder victim, former Idaho Governor Frank Steunenberg; Clarence Darrow and his court-

STEVE EARLY, *a former staff member of the United Mine Workers, has been active in the labor movement for the last 25 years.*

room maneuvering to free Haywood; Robert McParland, the notorious Pinkerton man who betrayed the Molly McGuires and later tried his best to frame the WFM as well; Teddy Roosevelt and the black "rough riders" who fought with him in the Spanish-American War before the latter were dispatched at Steunenberg's request for strike-breaking duty in Coeur d'Alene; Gene Debs and the early 20th century labor and socialist press which made Haywood's case a national cause celèbre. We even learn what it was like to belong to a small-town Socialist Party branch near the peak of socialism's influence in this country.

But the main actors in the labor struggles that led to this courtroom drama remain curiously indistinct — an anonymous mob of workers waging armed warfare against their brutal employers. As Lukas notes, the underground lead and silver mines "beneath the Rockies sparkling spine" represented "the very worst of the industrial system." By the early 1890s, the Coeur d'Alene district had "a wage-earning proletariat at the mercy of absentee mine owners and their managers, helpless in gut-wrenching cycles of boom and bust, never sinking roots in permanent community, destined to drift from one ramshackle mining camp to another." When they tried to organize to improve these conditions, the miners often found themselves fired and blacklisted — after being fingered by Pinkerton spies who infiltrated their ranks. Big trouble first came to northern Idaho in 1892 when a lock-out, wage cuts, scab herding, and other provocations triggered a violent response. Miners commandeered trains, fired on scabs, and threatened to blow up non-union equipment. The then-Republican governor of the state relied on both National Guardsmen and federal troops to end this "state of insurrection and rebellion." They rounded up more than 600 strikers and held them in "bullpens" for more than two months without any hearings or formal charges. The ringleaders, including Haywood's later co-defendant George Pettibone, were convicted of contempt of court and criminal conspiracy.

The Idaho miners' defeat in 1892 led them to federate with previously independent local unions throughout the mountain states. Not only did their new organization — the WFM — give them more industrial strength, they also joined the great Populist Party upsurge which promised to put government power in the hands of Western farmers and workers. In 1896, working-class voters turned northern Idaho's Shoshone County "into a Populist stronghold by aggressively taking up the cause of the embattled miners and capturing all county offices." In the state's gubernatorial contest that year, Democrats, Populists, and organized labor backed the fusion candidacy of newspaper owner (and former union printer) Frank Steunenberg. While Populist hero William Jennings Bryan was going down to defeat in his presidential race against William McKinley, Steunenberg won in Idaho by the biggest margin in its history. Then, writes Lukas,

> With Steunenberg as governor, the Populists and miners union were more determined than ever to wrest economic power from the mine owners as well. After all, the owners victory in 1892 had been achieved precisely by the decisive intervention of their allies in the White House and the state house. Politics had made all the difference. At last, the miners thought, the shoe was on the other foot. With a friend in the governor's office, they now fully expected state government to reinforce, rather than frustrate their demands.

The alliance frayed quickly when the new governor refused to disband two

National Guard units drawn from non-union employees of the Bunker Hill and Sullivan Company, "the region's most determined enemy of union labor" which refused to hire any known members of the WFM. In 1899, the Federation decided to confront Bunker Hill over its anti-unionism and payment of substandard wages.

On April 29, hundreds of armed miners in the area hopped on a Northern Pacific train commandeered for the purpose of taking them to Wardner, Idaho — Bunker Hill's base of operations. They proceeded to blow up a $250,000 ore concentrator — one of the world's largest at the time — plus other company buildings. Under pressure from worried mine owners throughout the Coeur d'Alenes, Steunenberg wired McKinley seeking the intervention of federal troops. One of the regiments sent was carefully picked — black veterans of the Spanish-American war who "wouldn't bond with the unruly white rioters, mainly Irish, Cornish, Italian, and Scandinavian."

These and other soldiers conducted house-to-house searches at bayonet-point and made mass arrests in every mining community in the area with "a criminal history." Soon, 1,000 men were in bullpens again, just like the ones erected seven years before. Under cover of martial law, Steunenberg's attorney general established a permit system for all miners which denied working papers — and employment — to those who belonged to "criminal organizations." Clearly aimed at the WFM, this measure was "a blatant violation of the state's prohibition against yellow-dog contracts." Ten men were tried, convicted and sent to San Quentin for hijacking the train; one boxcar rider got 17 years at hard labor on various state charges. Eventually, all the others in the bullpen — never charged with anything--were released.

SIX YEARS LATER, FRANK STEUNENBERG — now out of office and prospering as a local banker — got his reward for services rendered to the mine owners. On a snowy December night in 1905, he opened the gate to his cozy house in Caldwell, Idaho, triggering a blast of cleverly-rigged dynamite. A strange drifter named Harry Orchard was immediately arrested. Under the tender ministrations of the infamous Pinkerton McParland, he soon confessed to a wide-ranging campaign of mayhem and murder — all allegedly masterminded by Haywood, then secretary-treasurer of the WFM; its president Charles Moyer; and George Pettibone, a store owner and former leader of the union. In the view of state officials, mine owners, their private detectives, and privately-funded prosecutors, this WFM "inner circle" were the real guilty parties in the revenge killing. To keep working-class anarchy and lawlessness in check, they decided to convict and hang all three men as an example to their followers.

Haywood, Moyer, and Pettibone were, of course, nowhere near Caldwell when the former governor died. They were not readily extraditable from Denver, where WFM headquarters was located. So, with the help of friendly railroad barons, the Pinkerton Agency arranged to have them kidnapped and shipped them back to Idaho on a special train to face murder and conspiracy charges. (As one Haywood opponent in Colorado put it, "To hell with the Constitution, we aren't going by the constitution.") By 1907, when Haywood became the first of the defendants to stand trial after spending a year in jail, it would have been hard to find a more notorious prisoner anywhere in the country. President Roosevelt personally pronounced him to be "an undesirable citizen." Since the Coeur d'Alenes ordeal, Haywood had been involved in a disastrous WFM clash with Colorado mine owners in 1903 and also helped found the Industrial Workers of the World (IWW) in Chicago a year later. In terms of his own continuing WFM role, by the time of his kidnapping and trial, he was, according to Dubofsky, only a part-time union official but a "full-time agitator and dedicated revolutionary." His legendary speech-making had become ever more radical in tone and content. He was, in short, not the kind of guy that a bunch of sheep ranchers and shop-keepers from Boise would find particularly innocent-looking — even if he hadn't been buried under a mountain of prejudicial pre-trial publicity. Furthermore, the prosecutors in the case included a one-time WFM lawyer and Idaho's best-known Republican orator William Borah, later to be its U.S. Senator.

Fortunately for Haywood, Harry Orchard did poorly as the prosecution's star witness. Darrow's cross-examination exposed him as the thief, murderer, perjurer, and agent provocateur that he was. Then "the Great Defender" delivered a successful closing argument of Castroite length — eleven hours in all — which invited the jurors to side with "the toilers in the mines, mills and on the farms of the country" who were praying for an acquittal and against "the corporations, the railroads, the Rockefellers, and the Wall Street bankers" who were beseeching God for the opposite verdict. The appeal succeeded, writes Lukas, because "many of these Idaho farmers had been deeply moved by [Haywood's] determination to fight for 'poor, the weak, and the weary.'"

BIG TROUBLE IS FULL OF COLORFUL CHARACTERS LIKE DARROW and many less well-known ones. My favorite bit-player is James D. Young, the pro-labor sheriff of Shoshone County during the "Dynamite Express" ride to the Bunker Hill mine. Elected as a populist and openly sympathetic to the miners, Young stalled state officials for as long as he could when they frantically tried to reach him on the phone to confirm reports from the mine owners that strikers were marching in armed columns with the intention of blowing up scab equipment. Finding himself in the middle of the mob at one point, Young ordered it to disband with the same wink and a nod once used by United Mine Workers' (UMW) local officers when compelled to disperse West Virginia wildcatters under threat of injunctions, fines, contempt citations, and damage suits. The real wielders of state power were, of course, not pleased with his failure to act like the sheriffs of Western lore. As soon as martial law was declared and federal troops moved in, Young and the county's two Populist Commissioners were thrown in jail along with hundreds of miners.

Young reminded me of Joe Perry, the elected sheriff of McCreary County, Kentucky who once confiscated the guns of Storm Security guards during a mid-1970s United Mine Workers strike against Blue Diamond Coal Co. in the isolated town of Stearns. Perry proudly displayed his cache of enemy hardware to a propaganda team from the *UMW Journal* (of which I was a part), while not far away our members were "picketing" with the aid of pistols (worn cowboy style in hip holsters), plus openly brandished shot-guns, hunting rifles, and automatic weapons. The union's sand-bagged positions and nightly fire fights with company guards eventually attracted the attention of Kentucky's governor and State Police. Finally, a company man was killed and the neighbors really started complaining about the risk to public safety from all the flying lead. The massive state cop crackdown that followed swept Perry aside, sent several strikers to jail for long terms, and left the rest of the miners without a contract settlement. And because their defeat was deemed an embarrassment by the national union — which was partly responsible for the counter-productive violence — no one ever made a movie about it like "Harlan County, U.S.A."

The broader outlines of Lukas' story have wider contemporary resonance. The carnival atmosphere outside the courtroom where the bosses tried unsuccessfully to lynch Haywood clearly rivaled the scene at more recent show trials like the prosecution of the Chicago 7, Angela Davis, or recently-freed Black Panther Elmer "Geronimo" Pratt. Management's use of force to break the miners' strike — and a Democratic governor's decision to send troops in to help — had just as devastating an effect in Arizona in the 1980s as it did in Idaho almost a century ago. Steunenberg's betrayal of his working-class populist supporters in Coeur d'Alene wrote the script for (now-Clinton Cabinet member) Bruce Babbitt's use of the National Guard to crush United Steel Workers of America (USWA) members at Phelps Dodge (a labor tragedy recounted with a novelist's skill in Barbara Kinsolver's *Holding the Line*.) For anyone involved in left-wing or union politics (or both), there are also some depressingly familiar sections of *Big Trouble* which describe sectarian squabbling within Haywood's defense committee and the obstruction of its fund-raising and organizing work by AFL bureaucrats bitterly opposed to the WFM's class-struggle approach. (The conservative Chicago Federation of Labor was pressured into holding a solidarity march but then tried to ban any display of red; the followers of Debs and DeLeon showed up with their usual crimson banners — plus matching neckties.)

What will most modern-day readers make of Lukas' quaint lefty homicide case (particularly those who skip the book's full 875 pages and rely instead on the excerpt run in *Vanity Fair* of all places)? They'll probably be satisfied with the tidy little ending that some Simon and Schuster editor probably urged him to tack onto the book to "solve" the mystery of who was ultimately responsible for blowing Steunenberg away. This flimsy and unconvincing five-page epilogue has been widely criticized — even by friendly reviewers — for being unworthy of the exhaustive research that went into the rest of the book (which, after eight years, left the author so exhausted and depressed that he tragically took his own life shortly before its publication). The epilogue cites 86-year-old correspondence between several Socialists involved in Haywood's defense who later had a falling out among themselves during the trial of other accused labor dynamiters. According to Lukas, these letters contain proof that insiders agreed the WFM leaders were guilty of ordering the hit.

Who really decided to settle the miners' old score with Steunenberg, using a key tool of the their trade? Did anyone need to give the order? The crushing of the Coeur d'Alene struggle — like major strike defeats before and since — left much human wreckage, bitterness, and free-floating anger in its wake. There were many strike veterans who had the means, motive, and opportunity to retaliate later on. Steunenberg should have thought more about his eventual lack of immunity from avengers of the WFM's lost cause before he wired the White House for reinforcements and was told that the cavalry was on the way.

Rebelling Against Global Capitalism

WORKERS IN A LEAN WORLD: UNIONS IN THE INTERNATIONAL ECONOMY by Kim Moody (London and New York: Verso, 1997)

Reviewed by Jeremy Brecher and Tim Costello

BACK AT THE SDS CONVENTIONS OF THE EARLY 1960S, everyone was talking about "students as an engine of social change," the "new working class," and other trendy concepts. Kim Moody talked about the working class in an orthodox Marxist way that seemed like something from another era. 35 years later, it is beginning to look as if that era was not the past but the future.

Kim Moody's new book, *Workers in a Lean World,* describes and analyzes the response of workers worldwide to an era that's more like the Victorian capitalism Marx described than the regulated welfare state model that followed World War II. It grows out of and extends the invaluable work Kim Moody has done over the past 20 years with the publication and organizing center known as *Labor Notes*. Of the many books we've seen on globalization, *Workers in a Lean World* presents the best analysis of how working people can respond strategically to the on-going transformation of capitalism.

Moody believes that capitalism is now global, but he criticizes a "globalony" which sees the world as nothing but one undifferentiated marketplace. Rather the divisions between North and South and among the "triad" of major economic regions — dominated respectively by the United States, Japan, and Europe — produce fragmented and uneven development. Global corporations and the multilateral agreements and institutions supposedly regulating the global economy lead to a "race to the economic and social bottom for the workers of the world." (269)

Moody argues that most global companies don't function in an undifferentiated global market. Rather, they operate by means of "international production chains" in which specific functions are performed in specific locations, usually concentrated geographically in specific locations within one of the triads. This structure makes the production chains vulnerable to disruption and allows workers to achieve considerable power if they can connect themselves along the links of the chain. That vulnerability is increased by "just-in-time" production.

This differentiated globalization has been accompanied by the new methods of work organization Moody describes at length under the rubric of "lean production." This too has provoked bitter strikes and other struggles around

TIM COSTELLO *is a long-time labor activist currently organizing the Massachusetts Campaign on Contingent Work.* JEREMY BRECHER *is the author of eight books on labor and social movements. A revised and updated 25th anniversary edition of his book* Strike! *was just published by South End Press' Classics series.*

work time and work schedules, contracting and subcontracting, casualization, work intensification and stress, and declining health and safety conditions. (10)

The result has been a rebellion against capitalist globalization in all parts of the world involving tens of millions of workers and dozens of mass and general strikes, a rebellion which Moody has been one of the first to recognize. These revolts have been led largely by public-sector workers, often initiated by blue-collar public sector workers but joined by others, especially the more female public sector occupations. (272)

While this rejection of the status quo might seem a great opportunity for working class and/or left political parties, in fact such parties have largely accommodated to or even embraced the demands of global capital. "The mass political strikes that hit Nigeria, Indonesia, Taiwan, France, South Korea, Italy, Belgium, Canada, South Africa, Brazil, Argentina, Paraguay, Panama, Bolivia, Greece Spain, Venezuela, Haiti, Columbia, Ecuador, and elsewhere from 1994 on into 1997 were not called by political parties, as they often had been in past decades. Rather they were meant to fill a political vacuum created by the retreats of the old parties of the left." (10)

Conservative union leaderships have also tended to acquiesce to the demands of global capital. "Acceptance of the corporate competitiveness agenda" means "a commitment to a specious 'job security' at the national level by supporting the globally active employers of that country." (p 273) While there has been some increase in official trade union internationalism, "Linking together weakened, bureaucratic, conservative unions will not limit the power of the transnational corporations (TNCs)." (4) "Union leaders who are ideologically and institutionally committed to the 'competitiveness' of TNCs based in their own country through some kind of partnership program are unlikely to have the vision" to overcome the obstacles to effective international labor cooperation. (280) Even the European Works Councils and cross-border union alliances may do no more than "reflect the existing caution of the union bureaucracy." (p 280)

Nonetheless, the global capitalist juggernaut has been met by the massive popular resistance, often with the support of more progressive union leaders or those subject to rank and file pressure. "It was the working class itself, led or at least accompanied by its unions, that was taking on the right-wing/neoliberal (conservative) agenda that had come to dominate the politics of most nations." (10)

ULTIMATELY MOODY'S GOAL IN THIS BOOK IS TO SYNTHESIZE A VISION for the working class appropriate to the era of globalization — a vision he sums up in the concept of "social-movement unionism." Social-movement unionism, in Moody's view, addresses not only bargaining demands but everything that affects workers. It does this not primarily by supporting political parties, but by taking "an active lead in the streets, as well as in politics." It provides a "class vision and content" for coalitions with other social movements. It is based on "the activation of the mass of union members" and the utilization of their social and economic leverage to mobilize the poor, unemployed casualized workers, and neighborhood organizations. (276)

This is more than a "mobilizing" or "organizing" model of unionism which accepts existing union hierarchies and attempts to use them to activate the rank-and-file for purposes decided from above. Social-movement unionism depends on "union democracy and leadership accountability." "The members must have a hand in shaping the union's agenda at both the bargaining and the broad social level if they are going to invest the time and energy demanded by this kind of unionism." (277) For Moody, such social-movement unionism is "above all, a means, a rehearsal, for self-emancipation from below." (290)

Moody's concept of "social-movement unionism" also addresses the problem of unionized workers as "special interests." He proposes that union bargaining demands be shaped in ways that harmonize them with "the broader needs of the class." He cites as an example the Canadian Auto Workers' 1996 bargaining program to increase employment through shorter work time, restrictions on outsourcing, and guaranteed job levels for communities with auto plants — a program which won support in local communities that proved critical in winning the strike. (278) The Teamsters' effort at UPS to make part-time jobs into full-time ones might provide another example.

Transnationally, Moody calls for "cross-border industrial alliances" (274) which can take advantage of the concentration of corporate activity in specific international production chains. He points out that such alliances remain a low priority for most unions and even for most of the International Trade Secretariats. But he sees more hope in grassroots-oriented efforts, such as the pact between UAW's dissident St. Paul Local 879 and the Ford Workers' Democratic Movement in Mexico and the UE-FAT alliance, which aims to bring together workplace-level activists and leaders within the same companies across borders. (281) He also sees an important role for "unofficial transnational worker networks" like Transnationals Information Exchange, which has brought together rank-and-file workers and local union leaders in several industries on a regional and global basis. (281)

In contrast to left traditions of building "party fractions" in unions, Moody doesn't advocate the creation of an ideologically-defined left political tendency. But he does believe that "An international current is needed to promote the ideas and practices of social-movement unionism." (289) He argues that "transnational worker networks should serve not as internal opposition groups, but as daily educators on the importance of international work, and the cultural and political tools needed to carry it out." The conferences and tours initiated by these networks help broaden the outlook of activists. (281)

Moody believes that the program of social-movement unionism should continue to focus primarily on defense of public services and the welfare state and the defense of discriminated-against groups. In this period, such defensive struggles can gather in broad forces and increase the power of the working class. Schemes for "participation" and "representation" in the institutions of capital will instead just draw unions into inter-capitalist competition. (288)

In the long run, a program for social movement unionism might also be transnational. It might include a campaign for cancellation of Third World debt, a demand which should help unify labor movements in North and South. Ultimately, it might aim to force the renegotiating of trade agreements. (288) Moody makes one other major proposal for going beyond defensive struggles: "Regulating the world labor market from below" by means of a campaign to limit the hours of labor worldwide without wage cuts or other attached conditions. (282) He presents such a movement as a way both to increase employment and to unify the power of organized workers in the global corporations and the public sector with more marginal workers.

KIM MOODY'S ANALYSIS IS STRONGEST IN THOSE AREAS where traditional Marxist analysis is strongest. For instance, his analysis highlights capitalism's need to find new work organizations to extract more from workers. Moody locates "lean production" systems in a long line of management schemes that date to the origins of large scale capitalism in the late 19th century. Each new scheme from Taylorism to modern lean production is an attempt by capital to come to grips with new technologies, increased competition, or other realities. This focus on the labor process provides a framework for understanding the global changes in capitalism, the bitter strikes and struggles that have occurred in the past few years, and the strategic problems faced by those seeking social change.

The words "banks," "finance," and "currency" don't appear in the book's index and play little role in its analysis, however. While Moody does a service by putting production squarely in the globalization picture, today's global economy is also driven by a speculative financial capitalism which is largely irrational even from a capitalist standpoint and which is laying waste to entire economic regions and threatening a global deflationary crisis.

Moody struggles with the changing role of the state in the global economy. While detailing the ways in which new global structures are reshaping the scope of the nation state there is still a tendency to counterpoise different levels of the global system, rather than to grasp their interrelationships. For example, Moody writes, "Most of the struggle against the structures and effects of globalization necessarily occurs on a national plane. That, after all, is where workers live, work, and fight." (274) But who lives on a national plane? Most of us live local lives and work in local jobs. Privileging one or another "level" is inherently abstract. The forces which affect people's lives are global, national, and local. The strategic need is to capture the interrelations among the levels on which people live — just as we strive to capture the interactions among work, state, community, and other spheres of life.

Moody's description of class is interesting, especially when he describes the growing diversity of the working class as women, minorities, and immigrants increase in numbers in the working classes of the developed countries. But he seems to have room for only two classes in his analysis: a ruling class and a working class that comprises "the vast majority" of people. Marx's famous prediction of a two-class society aside, a large and vigorous middle class of professionals, managers, and small business people with interests that often differ from those of the working class continues to exist. This has implications for action. Multi-class coalitions are necessary if significant social change is to happen. A strategy based solely or even primarily on trade unionism is unlikely to succeed under conditions in which, so far at least, unions don't attract middle class people in great numbers.

In his analysis of union politics, Moody adopts a three-part model: top leaders, activists, and the rank-and-file. "Today, as in the past, the top leaders form a bureaucratic layer at the pinnacle of organized labor that by nature is cautious . . . The activist layer below them acts as a pressure that sometimes drives the top leaders to action . . . The rank-and-file is capable of great acts of transforming itself through these actions. While romanticizing the rank-and-file will not help, it is nonetheless, in the working class that hope for the future lies." (37-8). This is too pat an analysis. Sometimes bureaucrats act in surprising ways as a matter of institutional survival: witness the risks that top coal union leaders took in the 1989 Pittston strike. In the 1980s, union reform movements were often led by local officials whose positions were threatened by new labor-management partnership schemes; often these movements had little support in the rank-and-file. And we should not forget that today's bureaucrat was often yesterday's reformer.

Unions are a mechanism for workers to assert their interests, but they also play a conservative role by channeling struggles into the existing legal, institutional, and social apparatus that has evolved in each country. Moody recognizes that unions are "ambiguous organizations," but he tends to equate that ambiguity rather too neatly with the different levels of the union hierarchy. "On the one hand, they are poised to fight capital in defense of labor. On the other hand, at the top level, they attempt to hold the lines of defense through long-term stable bargaining relationships." Unfortunately, it is an open question at best whether "social-movement unionism" will be somehow immune to the dynamic that has led to the integration of unions into the status quo in the past. Institutional and market pressures tend to limit even the most aggressive social-movement unions, as the current crisis in Korea — a country whose labor movement Moody admires — demonstrates.

It can be dangerous to view unions — even social movement unions — as the sole vehicle for workers' own activity. Kim Moody entirely rejects what Rosa Luxemburg called "substitutionism" — a vanguard political party's substituting of its own action and control for that of the working class. But, if the past devolution of once-militant unions is any guide, "social-movement unionism" also has the potential to develop into a new kind of substitutionism. Working people continue to need ways they can act on their own outside of their role as a union rank-and-file.

WHAT'S NEXT? GLOBAL CAPITALISM IS HIGHLY UNSTABLE, as dynamic as it is cruel. U.S. Treasury Secretary Robert Rubin and other global economic managers have looked a global deflationary crisis in the eye, blanched, and this April called for a "New Global Financial Architecture." Will the system's contradictions, manifested in global deflation, drive it back toward some kind of Keynesianism, perhaps on a global scale? If so, should social-movement unionism support such a development as a move away from neo-liberalism? Or oppose it as a further concentration of global power? Or seek ways to maximize the power of working people within the new emerging global order? *Workers in a Lean World* provides an invaluable perspective from which to begin asking such questions.

The Ethic of Accompaniment

LIVING INSIDE OUR HOPE: A STEADFAST RADICAL'S THOUGHTS ON REBUILDING THE MOVEMENT by Staughton Lynd, IRL/Cornell University Press, 1997. 281 pp.

Gregory D. Sumner

STAUGHTON LYND EMBODIES IN OUR TIME THE MOST NOBLE AMERICAN TRADITIONS of intellectual engagement and individual moral dissent. He is indeed a "steadfast radical," a "long-distance runner," a self-described "unrepentant New Leftist" committed to ideals of nonviolence, social equity, and participatory democracy even in the face of extreme odds and repeated defeats. *Living Inside Our Hope*, a new collection of Lynd's autobiographical and scholarly essays, is an indispensible primer to his life and thought. It allows one some understanding of the impulses that have fueled a rigorous, unswerving devotion to the cause of the underdog.

The best essays here are the most personal. "I spent a lot of my adolescence and young manhood trying not to be what my father wanted me to become," Lynd tells us, confessing revulsion at the "middle-class selfishness" and "mean-spirited" careerism his famous parents endured in the upper reaches of the academy. He chose instead to pursue a vocation removed from the world of hierarchy and status-seeking, one built upon principles of "solidarity" with poor and working people. With his wife and lifelong collaborator Alice, Staughton Lynd spent three years in the 1950s milking cows and learning the virtues of Quaker simplicity at the Macedonia experimental community in Georgia. Later, as a teacher in a black college in the deep South, Lynd inevitably became part of the civil rights struggle, directing the Freedom Schools program of the Mississippi Summer Project in 1964.

He recalls the heroism of that period, and the democratic aspirations of organizations like SNCC, which operated on the faith that "ordinary people who learn to believe in themselves are capable of extraordinary acts, or better, of acts that seem extraordinary to us precisely because we have such an impoverished sense of the capabilities of ordinary people." Still, Lynd laments the tensions, strategic errors, and doctrinal rigidity that served to undermine the growth of an interracial movement for social change — the kind of poisonous fragmentation that would bedevil the New Left throughout its brief rise and fall.

Lynd discusses his early involvement with various anti-Vietnam War pro-

GREGORY SUMNER *teaches history at the University of Detroit Mercy. He is the author of* Dwight Macdonald and the politics Circle: The Challenge of Cosmopolitan Democracy (*Cornell University Press, 1996*). *He is currently researching a critical biography of writer Kurt Vonnegut.*

tests, for which he paid a famously heavy professional price. But it is in his draft resistance counseling that the Quaker notion of *accompaniment* — a style of empathy and empowering support, without condescension, for those in trouble — begins to take on meaning and depth for the reader. “I loved draft counseling,” Lynd remembers.

> Sometimes my first reaction to a counselee was dismay at his appearance, but within an hour I had a deep respect for how he saw life, his relations to his family, and his hopes for the future. I felt privileged to touch others at this moment when they were struggling with decisions that involved the whole meaning of their lives.

Lynd brought this practice of mutual accompaniment (influenced in many ways by dissident Catholic “Liberation Theology”) to the next phase of his life, helping displaced steelworkers and their families in economically-devastated “rust belt” communities of the heartland beginning in the early 1970s. Rejecting the counsel of friends (who insisted that “everything important happens in Los Angeles, Chicago, Boston, or New York”) and seeking to rectify some of the mistakes of the disintegrating Movement, the Lynds journeyed to Youngstown, Ohio, earned law degrees, and fought alongside their neighbors to mitigate the ravages of industrial disinvestment — by, among other strategies, asserting community property rights to the mills and factories large companies sought to abandon with such irresponsible haste. The Lynds listened to and learned from their friends, who ranged from rank-and-file workers out of the shop floors to local church figures, and leadership was a thoroughly reciprocal endeavor. Lynd writes: “I have concluded that middle-class radicals like myself do not need to learn a new language to communicate with industrial workers. ‘Participatory democracy’ makes sense to workers who have no voice in decisions about closing a plant or changing a medical insurance plan, just as it did to students and disfranchised blacks thirty years ago.”

Alice Lynd describes the experience of solidarity and accompaniment in vividly concrete terms, reflecting on the Social Security disability cases she defended in the Mahoning Valley:

> I began to love the infinite ways people found to cope with disability: a person who lacked the use of her hand could slide a tray onto her forearm; another who couldn’t lift much would fill a large pot on the stove with a small pot, carrying just a little water at a time. I heard about how people had found their personhood in their work. One man had figured out exactly how fast the machine could be set so that the maximum number of bread loaves came down the line without any of them touching each other; the foreman, so he said, would tell the other workers not to make any adjustments after this worker had regulated the machine.

“Preparing disability cases became for me a way of expressing love to people,” Alice Lynd writes. “My clients told me that I listened to them as no doctor, nurse, or social worker had done. Because I had to learn about their work history and the activities they could no longer do, I would glimpse the person behind the mask of disability.”

Accompaniment is also the central idea behind Staughton Lynd’s oral histories of workers — an example of the New Left “history from below” he helped to pioneer. This practice, Lynd insists, drawing upon the words of Archbishop Oscar Romero,

> does *not* mean to disguise one's identity, nor to give up one's independent judgment and conscience. The priest or nun remains a priest or nun, not a *campesino* or a steelworker. The teacher still teaches, the lawyer is more needed than ever as an advocate. To accompany that person is to walk beside that person; to become a companion; to be present. In accompanying, the professionally trained person chooses the world of the poor and working people as a theater of action. By offering to tape-record (their) experience, we are implicitly saying: "Your life is important. It's worth my time to talk to you. It may be worth your time to talk to me. People like me need to know what people like you have learned."

In the 1990s, Staughton Lynd decries the complicity of rigid, centralized unions in man-made disasters like the one that hit Youngstown, and he sees the battle for labor rights being carried increasingly by the informal self-organization of workers outside of official institutions, expressing solidarity across conventional boundaries of craft, industry, race, religion, and even country. (The idea of transnational solidarity draws upon the lessons of anti-Communist dissidents in Poland and other parts of the former Soviet bloc, as well as the Lynds' own work in revolutionary Nicaragua.) "(T)he new international scale of corporate organization has shown that something qualitatively different is required," Lynd argues, "something horizontal rather than vertical in its organizing strategy." This kind of activity "rel(ies) not on technical expertise, nor on numbers of signed-up members, nor yet on a bureaucratic chain of command, but on the spark that jumps from person to person, especially in times of common crisis."

Based upon his experiences with Legal Services, Lynd concludes that the most creative innovations emerge "from the margins, from the unorganized, from the disregarded," and that future efforts at network-building "will come from women and will be led by women." How can "intellectuals" — teachers, lawyers, any individuals with specialized education and training — be useful in this process? By respecting the dignity of those they would assist, without romantic preconceptions or ideological blinders; by listening to and learning from them; by *accompanying* them and "helping to articulate the goals implicit in their struggle."

Lynd shows his chops as a scholar in several historical essays, highlighted by insightful portraits of heroes Rosa Luxemburg, E.P. Thompson, and Simone Weil. Each of these was, like Lynd himself, an intellectual who managed to remain vitally connected to the common experience, identifying in particular with the trials of the most exploited and humiliated members of society. Each sought to act in accordance with a set of ideals — to "walk the talk," in 1960s parlance. And each "lived inside their hope," even in discouraging times, that patient, often small-scale efforts would bear fruit; that, as Lynd wrote of Weil, "a single life well lived makes a difference." As we wait, with Staughton and Alice Lynd, for the "once and future movement" to be reborn, their humility, prophetic faith in human agency, and advocacy of the ethical practice of accompaniment remain as an example to be understood and emulated by us all.

Reevaluating DuBois's Political Thought

W.E.B. DuBois and American Political Thought: Fabianism and the Color Line by Adolph Reed, Jr. (New York, N.Y.): Oxford University Press, 1997.

Reviewed by Dean Robinson

Adolph Reed's *W.E.B. DuBois and American Political Thought: Fabianism and the Color Line* (Oxford, 1997) has two broad but interconnected objectives. Most centrally, of course, Reed wants to make sense of DuBois's political thinking. That effort requires severing Afro-American scholarly inquiry from its knee-jerk tendency toward group vindication, as well as its connection to often unhelpful methodological trends growing out of recent "post-modernist" and "cultural politics" turns in Afro-American studies. This is no easy task. Not only does such a project entail making sense of DuBois's voluminous writings and the substantial field of scholarship about the late scholar and activist (an enormous task in its own right), it also involves developing a new approach to the historical study of Afro-American political thought. Reed delivers by employing a "generative evolutionist" approach that seeks to understand DuBois's thinking as part of a broader cohort of early-20th century progressive intellectuals who shared a basic set of assumptions. His approach also helps make sense of a number of more contemporary (mis)interpretations of DuBois's thought, and carries broader implications for understanding black politics and thought.

Reed advances several arguments regarding DuBois's political thought. He argues, first, that DuBois shared assumptions common to progressive intellectuals who came of age around the turn of the century. Of special significance to DuBois's thought was "collectivism." Collectivism refers to ideas about the importance of expertise in directing social change, to notions about the "impartiality and neutrality of the state," to technology as a guiding and neutral force, and to "modern secularism."(19) The collectivist framework subsumed the various theoretical strands — progressivism, socialism, Marxism, etc. — articulated by the late-19th and early-20th century intellectual stratum.

Indeed, by excavating the collectivist assumptions of DuBois's thought, Reed clarifies "three confusions about DuBois" regarding the scholar and activist's commitments to interracialism, socialism and Pan-Africanism. Given the vol-

Dean E. Robinson, *a former student of Adolph Reed, Jr., teaches political science at the University of Massachusetts at Amherst. He is currently completing a book on black nationalism in the United States (Cambridge University Press) and is on the steering committee of the Western Massachusetts Labor Party.*

ume of DuBois's pronouncements, and his varied professional and activist careers, subsequent interpreters of his legacy have found whatever they wanted to find: the committed "integrationist," the "economic separatist," the "cultural nationalist," the aged "communist." Yet each of these strands came together under a collectivist framework. The mercurial concept of socialism, for instance, was key to DuBois's hopes for a reorganization of society based on rational administration, and meritocratic democracy. Far from reflecting the 1960s concerns of Karenga's Nguza Saba, or current "cultural politics" stands on muliticulturalism, DuBois's Pan-Africanism involved his particular understanding of Africa's development under the direction of administration of "chiefs and intelligent Negroes" of Africa and the United States.

Further, these political stances were subsumed by an elitism, driven by class-and-gender-inflected notions of uplift ideology, clearly evident in DuBois's *The Philadelphia Negro* (1899). Booker T. Washington and DuBois shared a basic model of social hierarchy in which an elite portion of the black population would cultivate "civilization" among the lower elements. These views were echoed by black thinkers ranging from E. Franklin Frazier and Charles S. Johnson, to R. R. Morton and even Marcus Garvey. The liberal collectivist and the organic elitist perspective continuities in DuBois's thought suggest that he didn't have to move very far from the various ideological positions he had held to accommodate his Communist turn. After all, Bolshevism required the Party to stand above the proletariat, engaged in its own form of "uplift."

Reed also devotes a chapter to DuBois's famous "double consciousness" motif, the second best-known DuBoisian formulation after the "color line" one. But where certain contemporary interpretations see the double-consciousness as central to DuBois (and, by extension, black life), Reed uncovers a historically contingent concept. Double consciousness, Reed notes, largely disappeared from DuBois's writing after 1903. Further, by examining the notion of double consciousness with respect to writings by DuBois's intellectual cohort, Reed reveals that ideas regarding multiple mental states abounded, some characteristic of races, others characteristic of gender. When contemporary scholars loosen double consciousness from its historical moorings, they can easily miss the fact that blacks figure into American intellectual life like others do: They participate in "historically specific networks of shared presuppositions and concerns that shape the environing political discourse at any given moment."(107)

Reinterpretations of double consciousness suggest that when scholars are unreflectively driven by concerns of the present, they can easily distort or misread the past. Reed examines interpretations of double consciousness from the immediate post-World War II, Black Power, and more contemporary (1980s and 90s) periods to show how this is so. Where St. Claire Drake's double consciousness was a cognitively crippling effect of social isolation, indicative of mid-20th-century approaches dominating mainstream sociological discourse; and where Carol B. Stack's double consciousness had a Black Power spin: "conflicting and warring identities between being a Black and an American in a white world"; Henry Louis Gates Jr.'s double consciousness offers a trope for literary studies, the "most important gift to the black literary tradition." In contrast to Reed's understanding, each of these interpretations takes as a settled fact what should at most be an hypothesis: that black people suffer from some form of split consciousness.

A SIMILAR REVIEW OF INTRODUCTIONS TO THE *SOULS OF BLACK FOLKS* shows DuBois being purged of his decidedly political posture. Introductions written in the 1960s made no mention of double consciousness and instead focused on DuBois's critique of Washington. This changes by the late 1980s. In a 1989 Bantam Books introduction to *Souls*, Gates asks "How can a work be 'more history-making than historical'? It becomes so when it crosses that barrier between mainly conveying information, and primarily signifying an act of language itself, an object to be experienced, analyzed and enjoyed aesthetically."(128-129) In the same edition, Anthony Appiah downplays the centrality of DuBois's attack on Booker T. Washington. Such interpretations, Reed contends, tell us more about contemporary black life than about DuBois.

Indeed, the conspicuous features of contemporary black intellectual life include efforts at delineating a coherent and distinctive black cultural and intellectual tradition. The attempts of Henry Louis Gates, Jr., and Houston Baker are exemplary. Baker points to the existence of a "blues sensibility," a vague concept that allegedly encapsulates authentic black culture. Gates's black literary tradition rests on more contingent, but no less essentialist criteria. For both, what sets apart the black tradition from that of West is the "black vernacular," or a "blackness of tongue." Baker doesn't bother to say how, precisely, this is so. Gates unsuccessfully tries to tie black vernacular expression — particularly signifying — to African retentions, though he admits that all texts, Western and non, "signify" with respect to other texts. Gates and Baker both subsume literary theory under black intellectual history, and both tend to smooth over the highly debate-filled character of historical black intellectual discourse. Again, their ideas tell us more about contemporary black intellectual life, than about black intellectual history.

Post-Modernist moves common to literary theory in the 1980s partly account for interpretations that depoliticize DuBois and amplify his double consciousness motif. Double consciousness also resonates among a stratum of the post-segregation era black petty bourgeoisie, who operate in integrated career environments and who, according to Reed, are driven by professional, and personal interests and concerns not unlike those of their non-black colleagues.

By no means does Reed suggest that interpretations of the past can escape the concerns of the present. Scholars and activists must face the particularity of their own historical contexts — the key issues, policy domains, and political developments that mark their own eras. Afro-Americanist scholarship has the added burden of advancing scholarly understanding of black Americans while trying to improve or protect black peoples' positions in the social order. It is not a "pure historicism" that is required — this is impossible in any case — it is rather an approach that will produce a more plausible, more richly textured interpretation, of antecedent thought.

Reed's "generative" approach rests on two premises. First, political discourse and ideology arises pragmatically, "from a dialectic of concrete events, issues, actions, disagreements, patterns of social relations"; and, second, "that they evolve along with — shaping and being shaped by — those social contexts."(182) He correctly insists that we examine antecedent individuals by analyzing them within the debates and discourses that mark their eras, and that we do this to locate sources of meaningful political problems relevant to our own time.

Of course, historical figures like DuBois, Sojourner Truth, Malcolm X and others can serve instrumental purposes when invoked in speeches or in polemical writings. Nevertheless, instrumental needs should be balanced against the need for civic education. Reed's study shows what can happen when scholars appropriate DuBois in ways that simply reflect their presentist concerns — they easily conjure ahistorical and even depolitical interpretations of the sort that Reed documents. This is odd and unfortunate. After all, DuBois was consistently political if nothing else. Almost the entire corpus of DuBois's writing engaged the controversies and issues of his day He was concerned, finally, with strategic political action. He was certainly not interested in literary tropes.

Reed offers an insightful and engaging reevaluation of DuBois's political thinking, and the approach he takes to broaden our understanding of this particular thinker circles back, and helps expand our understanding of Afro-Americanist — and indeed, broader Americanist — intellectual trends of present. Historical inquiry under a generative perspective tends toward more purposive ends: to uncover our past in such a way that helps us identify salient political problems of our day.

The Legend of Hiroshima

HIROSHIMA'S SHADOW: WRITINGS ON THE DENIAL OF HISTORY AND THE SMITHSONIAN CONTROVERSY, eds. Kai Bird and Lawrence Lifschultz, The Pamphleteer's Press, 1998, softcover, $25.00, 584 pp.

Reviewed by Jennifer Scarlott

WHILE EVERYONE KNOWS THAT TWO ATOMIC BOMBS WERE DROPPED on Hiroshima and Nagasaki, nearly wiping out the civilian populations of both cities, many people do not know the story behind the decisions to drop those bombs. Stop an American on the street and ask her/him whether there was any controversy over the atomic bombing of Japan at the end of World War II and he or she will probably say no, the decision was unavoidable — had the bombs not been dropped, the war would have ground on with vast numbers of American and Japanese dead, etc. The bombings, most Americans would say, were a done deal, both necessary, and, before they occurred at least, stirring little or no controversy among the government officials and scientists making the decision.

To this day, few Americans are aware that these twin beliefs in the mili-

JENNIFER SCARLOTT *is on the editorial board of* NEW POLITICS.

tary necessity of the bomb, and the lack of controversy surrounding the decision to drop two of them on Japan, were generated in the weeks and months after Hiroshima and Nagasaki by the Truman Administration, which put a strong and deliberate spin on the story. *Hiroshima's Shadow*: *Writings on the Denial of History and the Smithsonian Controversy,* revisits the decision to drop the bombs and explodes the popular mythology. This enormous, and aesthetically handsome work, brings together nearly 50 essays written between 1945 and 1997 by scholars, military, political and religious leaders, independent intellectuals, and survivors of the atomic bombings, as well as rare post-attack photos of Nagasaki, and a section containing primary historical documents, some published here for the first time. Edited by Kai Bird, contributing editor for *The Nation*, and Lawrence Lifschultz, who has been a South Asia correspondent of the *Far Eastern Economic Review*, *Hiroshima's Shadow* combines intellectual history and activism, and is unusual in that, though it has a strong editorial point of view, the editors unflinchingly present voices from all sides of the argument.

In their lengthy introduction, Bird and Lifschultz raise the question of the bombs' effect on American thought and politics: "How do we know, or come to know, what we know? Essentially, this question of epistemology pertains not only to one's self but also to the societies we inhabit. From the earliest days of human consciousness, mythical accounts of the past have guided entire peoples and nations. Myth and fact have frequently been united into narratives that ultimately become integral parts of the history of a person or a country... the legends and stories of our (American) past have at moments... blinded us to ourselves and have on more than one occasion become accessories to acts of willful and powerful destruction." (xxxi) The atomic bombs dropped on Japan destroyed nearly every man, woman and child in two cities. In America, life went on, but the damage to free inquiry, and to the right to question officially sanctioned views of the past, has been deep and long-lasting.

As partial evidence, the editors point to what they call "one of the great intellectual scandals of American history," the 1995 cancellation of a Smithsonian Institution exhibit that would have dared to raise questions about whether the attacks should have occurred. The curators of America's principal national museum planned an exhibit to commemorate the 50-year anniversary by displaying the fuselage of the Enola Gay, the plane which dropped the first atomic bomb, and an accompanying script. It was originally planned that the script would include brief references to the views of General Dwight D. Eisenhower and Fleet Admiral William D. Leahy which appeared in memoirs both men published after the war. Prior to August, 1945, Eisenhower and Leahy expressed what Eisenhower described as "...grave misgivings, first on the basis of my belief that Japan was already defeated and that dropping the bomb was completely unnecessary, and secondly, because I thought that our country should avoid shocking world opinion by the use of a weapon whose employment was, I thought, no longer mandatory as a measure to save American lives." (xxxiii)

Two private organizations, the Air Force Association, a lobby for the military aerospace industry, and the American Legion voiced such heated objections to the inclusion of the Eisenhower/Leahy views and other brief references critical of the use of the atomic bombs, that the Secretary of the

Smithsonian, I. Michael Heyman decided to cancel the original exhibit. Heyman's decision is excoriated by the editors of *Hiroshima's Shadow* who weave a section on the Smithsonian's exercise in censorship and mythology propagation into the book. "Throughout the Cold War," declare Lifschultz and Bird, "Americans routinely mocked the crude Stalinist revisions of history in which images of Trotsky or Bukharin, among others, could be removed from museums, books, and even photos where they had stood beside Lenin. Once done, a little historical cleansing could be followed by 'new originals' from which the offending figures had been made to disappear. The censorship at the Smithsonian entered boldly and without shame into this ignominious intellectual terrain." (xxxiv)

THE FIRST SECTION OF *HIROSHIMA'S SHADOW* EXAMINES THE MOTIVES of those determined to use the bomb, and looks at the opposition to its use expressed before the atomic attacks by Eisenhower and Leahy, and in the months and years following by Reinhold Niebuhr, Norman Thomas, and many others. Independent writers and intellectuals, long ignored on the question of the atom bomb, can be read in these pages: Albert Camus, Dwight Macdonald, Lewis Mumford, Norman Cousins, Mary McCarthy, A.J. Muste, among others. Indeed, one of the most appealing aspects of this book is the way in which the editors have compiled writings by those who went on record in the immediate aftermath of August 1945 in courageous opposition to the decision to use nuclear weapons against Japan. Some of them even gleaned the operation of the propaganda machine which created the "common wisdom" of the bombs' military necessity still believed by many people today. In a perspicacious article for the September 1945 issue of *politics*, a mere month following the bombings, Dwight Macdonald wrote, "... the Bomb produced two widespread and, from the standpoint of the Authorities, undesirable emotional reactions in this country: a feeling of guilt at 'our' having done this to 'them' and anxiety lest some future 'they' do this to 'us'... The Authorities have therefore made valiant attempts to reduce the thing to a human context, where such concepts as Justice, Reason, Progress could be employed. Such moral defenses are offered as: the war was shortened and many lives, Japanese as well as American, saved, etc.... The flimsiness of these justifications is apparent: any atrocious action, absolutely any one, could be excused on such grounds." (p. 264-5)

Another voice heard from is Mary McCarthy's. In a withering critique of John Hersey's famous 1946 *New Yorker* piece on the atom bomb, McCarthy declared, "...what it (the Hersey piece) did was to minimize the atom bomb by treating it as though it belonged to the familiar order of catastrophes — fires, flood, earthquakes — which we have always had with us... The interview with the survivors, is the classic technique for reporting such events — it serves well enough to give some sense, slightly absurd but nonetheless correct, of the continuity of life. But with Hiroshima, where the continuity of life was, for the first time, put into question, and by man, the existence of any survivors is an irrelevancy; and the interview with the survivors is an insipid falsification of the truth of atomic warfare. To have done the atom bomb justice, Mr. Hersey would have had to interview the dead." (p. 303)

In the book's preface, Nobel Peace Prize-winning physicist Joseph Rotblat describes arriving at the decision to leave the Manhattan Project after learning that Germany could not possibly develop an atom bomb before the end of the war. He also describes a meeting with Manhattan Project director General Leslie Groves, who startled Rotblat when he asserted that the actual purpose for building the bomb was not to have a stick with which to threaten Germany, but rather to subdue the Soviets. This assertion later led Rotblat and many others to wonder whether the bombing of Hiroshima and Nagasaki was not only the final act of World War II, but the opening act of the Cold War as well.

THE EDITORS PROVIDE SPACE NOT ONLY FOR THE CRITICS OF THE BOMB but also its defenders. These include sledgehammer pundits such as Charles Krauthammer, who, in writing of the Enola Gay episode, says that we should "let the Japanese commemorate the catastrophe they brought on themselves." (387) *Washington Post* commentator Jonathan Yardley warns against the Smithsonian Institute's "moral smugness" and vaguely intones "you can assemble all the facts on earth, but you can't make people interpret them for what they are." (397) Paul Fussel, a gifted English professor and ex-front-line combatant, endorses the slogan "thank god for the atomic bomb" while noting that Truman was "as close to a genuine egalitarian as anyone we've seen in high office for a long time. He's the only President in my lifetime who ever had experience in a small unit of ground troops whose mission it was to kill people." (221) The pro-bomb camp, it turns out, contains a variety of voices; Fussel's nostalgia for a different brand of Democratic Party elite is different from Krauthammer's reflexive war-drumming. An even wider range of ideological positions is represented on the side of the critics: Lifschultz and Bird have recovered an anti-bomb editorial from the paleo-right-wing *Human Events* and placed it alongside the observations of Mahatma Gandhi and Norman Thomas. As the editors put it, "the usual distinctions of left and right on economic and social issues were not reliable guides which could accurately predict what people thought about Hiroshima."

Other contributors to the volume include Gar Alperovitz, Barton Bernsetin, Wilfred Burchett, John Dower, Albert Einstein, William Lanouette, Kenzaburo Oe, John Rawls, Bertrand Russell, Murray Sayle, Martin Sherwin, and Henry Stimson. A substantial section of the book contains memoirs of a few survivors. These memoirs underscore the enduring reality that it was civilians, not military objectives, who were then, and remain, the prime target of nuclear weapons. *Hiroshima's Shadow* concludes with a comprehensive set of key historical documents, including a July 17 Petition of 155 Manhattan Project scientists who appealed to Truman not to use an atomic weapon against Japan. It is published here for the first time, with the names of all signatories.

Hiroshima's Shadow is all too topical in 1998, at a time of threatened biological warfare, continued nuclear build-up and proliferation, and, as the Smithsonian debacle shows, the ongoing need to protect the democratic right of free inquiry. In its challenge of official orthodoxy, this is a seminal work.

A Tale of Two Movements

RESISTING THE BOMB: A HISTORY OF THE WORLD NUCLEAR DISARMAMENT MOVEMENT, 1954-1970 by Lawrence Wittner. (Palo Alto): Stanford University Press, 1997; 641 pp.

TELLTALE HEARTS: THE ORIGINS AND IMPACT OF THE VIETNAM ANTIWAR MOVEMENT by Adam Garfinkle. (New York): St. Martin's Griffen, 1997; 370 pp.

Reviewed by Paul Joseph

THE MOVEMENTS AGAINST NUCLEAR WEAPONS AND THE VIETNAM WAR are by any measure among the most significant examples of opposition to the policies pursued by the United States government over the last 50 years. Each movement attracted millions of participants and considerable attention from the media. Each deliberately reached out to establish international connections and forced Washington policy-makers to adjust their strategic choices. Each contained an intense brew of political and tactical debate, emotional intensity, and enormous expectations. And the two movements — one, of course, remains active — left a complex pattern of successes and limitations as well as a still-unfolding legacy.

As one might expect, the effort to come to some understanding of the significance of the movements against the Bomb and the Vietnam War has reproduced its own series of methodological, theoretical, and ideological controversies. How does one define each movement? Is there a useful periodization? How do we classify internal divisions and situate each movement in its social context? And, most important, how does one measure the influence exerted by each peace movement? Each of the two titles under review reflects this mixture of academic and political debate.

Lawrence Wittner's *Resisting the Bomb* is a very impressive piece of scholarship. The second of a planned three-volume study of the international movement against nuclear weapons, Wittner has amassed an exhaustive survey of movement activities throughout the world between 1954 and 1970. His scope is truly global. Wittner not only informs us about developments in the United States, Western Europe, and Japan, but also of scientists' appeals in the Soviet Union, petition drives carried out in New Zealand and Australia, and the diplomatic initiatives of non-aligned nations such as India and Mexico.

Wittner's history is valuable on several levels. Now, we only rarely find the distinguished scientist or other type of public figure capable of exercising moral leadership. The Carl Sagans are few and far between. Yet we are reminded of a time when Albert Einstein, Albert Schweitzer, Norman Cousins, and Bertrand

PAUL JOSEPH *is Professor of Sociology and Peace and Justice Studies at Tufts University. He is the author of* Cracks in the Empire, *a study of Washington's decisions during the Vietnam War, and* Peace Politics: The United States Between the Old and New World Orders.

Russell, as well as Soviet scientists such as Peter Kapitsa, Andrei Sakharov, Igor Kurchatov, and Zores Takibayev, all stood out for their moral courage. These intellectual figures not only dared to challenge the Bomb and the thinking behind the Bomb, but also managed to position themselves with an independent voice that challenged the very structure of the Cold War itself.

Wittner also chronicles other aspects of the movement among scientists, including the crucial Pugwash conferences and the impact of the *Bulletin of the Atomic Scientists*. The author's compilation of public opinion polls at different times and places is another valuable contribution of the study. Wittner provides useful accounts of the more populist organizations such as the Campaign for Nuclear Disarmament and the Women's International League for Peace and Freedom. He also retrieves many now forgotten acts of civil disobedience committed in the name of opposing the Bomb. At the same time, in subtle ways, these accounts of the efforts of "ordinary people" are somewhat underplayed in favor of a tendency to dwell on the activities of prominent individuals.

Resisting the Bomb also traces many of the strategic and tactical currents that operated within the movement itself. The most important of these issues was the connection between different parts of the movement and the Soviet bloc. A complicating twist was that in many instances the gap between the positions of the movement and official Moscow policy was slight indeed. At the same time, the USSR seemed threatened by any independently-organized peace activism — even where the nominal positions of the two parties seemed to overlap. (This theme would resurface with renewed strength during the 1980s.)

Wittner also examines the tension between short- and long-term movement goals. In the late-1950s, the effort to establish at least some constraints on testing tended to replace deeper critiques of the roots of international violence and the elaboration of a positive structure of peace. Wittner notes the tendency of the movement to stress immediate outcomes at the expense of more fundamental explanations of the Bomb (which for him rests on what he calls the "pathology of the international system," or system of nation-states).

IN DEVELOPING THIS EXTREMELY VALUABLE AND ENCYCLOPEDIC ACCOUNT, Wittner is also interested in establishing the impact of the movement on government policy. He began his research with the operating assumption that the movement had failed because the Bomb had not been banned. But the research process altered this assumption and he began to explore the "subtler changes in public consciousness and public policy," without at the same time "fostering a myth about the omnipotence of the nuclear disarmament movement."

In this regard, the reactions of policy-makers to the movement are extremely revealing. One strong impulse was toward duplicity and direct lying, especially by members of the Atomic Energy Commission. In an effort to curb mounting global fears about the effects of atmospheric testing, President Eisenhower increased the USIA budget by 50 percent despite his overall tendency toward fiscal conservatism. But these efforts were largely unsuccessful as the public became increasingly worried about the dangers of radioactive fallout. Wittner shows us how the vast majority of policy-makers on both sides of the Cold War sought to conventionalize ethical, political, and military thinking regarding nuclear weapons — and how the mass global movement prevented them from doing so. During a 1955 discussion of public hostility toward the tests then being conducted on U.S. soil, AEC Commissioner Willard Libby complained that "People have got to learn to live with the facts of life, and part of the facts of life are fallout" (152). Yet several years later, during an August 12, 1958 meeting of the AEC, Eisenhower was forced to acknowledge that "the new thermonuclear weapons are tremendously powerful; however they are not . . . as powerful as is world opinion today in obliging the United States to follow certain lines of policy" (182). The result, five years later, was the limited test-ban treaty.

The movement's other significant contribution involves language and attitude toward nuclear weapons. We continue to talk about the Bomb in a special way, and we remain awed and frightened by the prospect of nuclear war. Beyond the back-and-forth of particular decisions over the quality and quantity of any particular weapons system, the international public continues to hold the danger of nuclear war in special regard. The inability of the leaders of the nuclear powers to conventionalize our thinking about the Bomb remains one of the most important legacies of the movement.

In addition, Wittner holds that the movement also blocked or slowed the development and deployment of weapons systems in some countries, convinced many decision-makers that the waging of nuclear war had become politically impossible, and created momentum toward the nuclear nonproliferation treaty and the first strategic arms control measures. Yet he grants that arms control is not the same as disarmament so that in this regard the legacy of the movement remains ambiguous.

ADAM GARFINKLE'S MUCH LESS SYMPATHETIC INTERPRETATION of the movement against the Vietnam War focuses on the interplay between the political and cultural dimensions of the 1960s. Garfinkle maintains that the movement's impact on Washington's decision-making during the war was minimal. While overall public opinion did become more hostile to the war, Garfinkle claims that the reasons lie in such factors as increasing casualties, the credibility gap, and shifting administration policy rather than the influence of the movement itself. He also maintains that the sources of 1960s radicalism did not rest in the war, or the movement against the war, but rather in the search for alternative social meanings among a new generation of affluent and idealistic youth. Garfinkle is very concerned with the process of how a broad search for the sacred became a religious movement, and he ends up calling the antiwar movement "a modern children's crusade." Finally, Garfinkle traces the impact of the movement on American culture rather than on national security politics. For him, the "Vietnam syndrome" lies in diminished performance standards and alleged left domination of the academy rather than in restrictions that have been imposed on Washington's ability to commit ground troops abroad.

Garfinkle's assessment of the cultural mood of the 60s is so charged that it is difficult to avoid thinking that he has a personal axe to grind. He is clearly fascinated with the sex, drugs, and rock-and-roll dynamics of the period and seems especially obsessed by the use of marijuana. For example, he tells us that as a particular demonstration winds down some participants chose to bed down in a parking lot "where the marijuana haze was thick and pungent" (153). We learn that Jerry Rubin did not smoke marijuana until he was 28 years old (169). And, during an assessment of the cultural legacy of the movement on the attitudes and behavior of the 60s' generation, Garfinkle stops to ask if we really believe Clinton's assertion that he "didn't inhale" (278).

The writing style of *Telltale Hearts* reflects a preoccupation with the countercultural lifestyle, and it becomes difficult for Garfinkle to concede anything positive about the movement. To take but one example: "By 1968, the inner escalatory logic of the New Left-led antiwar movement drove it to a spasm of nihilism and braggadocio . . . [even while Johnson's reversal on Vietnam led to] the emergence of new political possibilities that fed the antiwar movement's frothing imagination and hence also its tendency toward self-destruction" (160).

Garfinkle is concerned with the balance between the radical (the war was an outgrowth of capitalism) and liberal (the war was a mistake) wings of the movement and how the radicals, in his view, became more important as the war went on. He tends to conflate countercultural tendencies with radical opposition to the war rather than viewing the widespread questioning of mainstream lifestyles as a characteristic of an entire generation. As a result, Garfinkle claims that the ascendancy of radicals in 1967 created an organizational incoherence to the movement that was at least temporarily obscured by its rapidly increasing size. The movement began to fracture along multiple ideological and cultural fault lines even while more of the public became disenchanted with the war. Therefore, he claims, the movement was unable to grasp its full potential, and ended up only prolonging the war and contributing to the steady increase of casualties on both sides.

Readers may be excused for their confusion in trying to figure out why the blame for the more than 20,000 U.S. soldiers and the more than a million Vietnamese who died after President Nixon assumed office in 1969 should be assigned to the antiwar movement. The argument only makes sense if it can be demonstrated that the original decision to intervene can be considered moral and that the U.S. had at its disposal a set of strategies that would have produced a victory against the Vietnamese Revolution. Like conservative critics of the war, Garfinkle argues that postwar events such as the mass emigration from Vietnam and the restrictions on political freedoms within the country can be read back into a justification of the original decision to intervene. Retrocasting undesirable aspects of the current situation back to a justification of the initial impulse to intervene is an ethical position that carries logical and substantive flaws. Moreover, the moral aspects of Washington's assumption that it could use military force and political influence in an effort to manipulate outcomes in Vietnam are passed over in silence.

Garfinkle also takes on some of the strategic debate left in the war's wake. He claims that the strong emphasis on conventional military means to defeat the NLF, and especially the use of search-and-destroy missions, was misguided and, in the final analysis, counter-productive. He alludes to an alternative political strategy but the features of this alternative approach are not spelled out in a significant way. Garfinkle seems no more willing than the decision-makers themselves to acknowledge the popular roots of the NLF, or the long historical roots of the Vietnamese struggle against a series of efforts to exert colonial control. We never learn the magic formula that would have produced a victory on Washington's terms.

The costs of the war were considerable although we still tend to slide over the details. More than two million Vietnamese dead and 58,000 Americans.

Staggering numbers of displaced persons and an enormous range of environmental destruction. An economic infrastructure set back at least one whole generation. Where, in this context, is the antiwar movement? It was the first and most significant voice to raise questions about the legitimacy and human costs of Washington's intervention and it was the most important social force that attempted to limit the costs of that intervention. The responsibility for the tragedy lies elsewhere.

AN IMPORTANT QUESTION ABOUT THE PEACE MOVEMENT'S INFLUENCE REMAINS. Can we expect movements to be strategically clever actors? Do the elements that enable them to mobilize millions of energetic participants at the same time operate in ways that interfere with their short-term political acumen? Through the muck of his cultural critique, Garfinkle does raise a legitimate point about the limitations of the Vietnam antiwar movement. Specifically: (1) that the more radical cultural face of the movement did alienate the increasingly large segments of the population who disliked the war but hated the movement even more; (2) the movement shot itself in the foot when it carried the NLF ("Vietcong") flag (during a visit to Vietnam, this reviewer once was engaged in a discussion with a former NLF military official who asked in polite puzzlement: "We always appreciated the support of the American people but never could understand why you always carried our flag instead of your own?"); and (3) the movement failed to appreciate the depth of change within the Democratic Party toward the war by 1968. Vice-President Hubert Humphrey was, of course, stigmatized by his on-going support for Johnson's war policies. But virtually all the Democratic civilian defense advisors, especially Secretary of Defense Clark Clifford, had by that time become convinced that the war was unwinnable. The chances are that a Democratic victory in 1968 would have produced a far different policy than that followed by Nixon and Kissinger.

These limitations have to be situated within a broader appreciation of the dilemmas of any mass social movement rather than laid at the doorstep of the cultural proclivities of any particular example. Movements are not the same as political parties, trade unions, or lobbying groups, and it is difficult for their leaders to channel their broad and expressive sentiments for substantial change within the relatively narrow confines of a political system that has generally failed to accommodate their demands in the first place.

At the same time, we must appreciate what peace movements do contribute. And here the two movements come together. Wittner cites national security adviser McGeorge Bundy finding that "what stopped him" from even threatening to use nuclear weapons in Vietnam was "his conclusion that any use of the Bomb" there "would have totally unacceptable results inside the United States, enraging the opponents of the war and setting general opinion against the new administration with such force as to make it doubtful that the government could keep up the American end of the war" (439). Similarly, Henry Kissinger found that nuclear nations "could not necessarily use this power to impose their will. The capacity to destroy proved difficult to translate into a plausible threat even against countries with no capacity for retaliation" (ibid.). For this situation, we have to thank the cumulative efforts of the movements against the Bomb and the Vietnam War.

History from the Bottom Up

JACK TAR VS. JOHN BULL: THE ROLE OF NEW YORK'S SEAMEN IN PRECIPITATING THE REVOLUTION by Jesse Lemisch. New York: Garland Publishing, 1997.

Reviewed by Jonathan Birnbaum

"JACK TAR" WAS THE NICKNAME FOR THE AVERAGE MERCHANT SEAMAN, probably so-called because of the practice of sailors to waterproof their pants with tar. The "John Bull" is a slang term for Englishmen, in use since at least 1712. Jesse Lemisch's book, *Jack Tar vs. John Bull: The Role of New York's Seamen in Precipitating the Revolution*, tells how the first came to be in active opposition to the latter, leading to the American Revolution. He refocuses the usual story to put ordinary working people at the center of the tale.

In 1962, a full year before E.P. Thompson's epic on working-class agency, *The Making of the English Working Class*, crashed upon the collective consciousness of nascent left labor and social historians, Lemisch had successfully completed the writing and defense of his dissertation, "Jack Tar vs. John Bull," on the contribution of New York seamen to the Revolution. A recent survey by *William and Mary Quarterly* declared a journal-length excerpt, "Jack Tar in the Streets," one of the ten most influential articles ever written on colonial history. But it is only now, 35 years later, that the complete text of his classic dissertation has at long last received the wider publication it deserves.

It is only a very slight exaggeration to say that prior to work like this the traditional telling of the road to revolution was a remarkably unpeopled affair, the story of a dozen or so white guy merchants, plantation owners and pamphleteers in Massachusetts, New York and Virginia. And—in the Consensus version of gender balance—Betsy Ross who made the flag. When seamen or other laborers appeared in this version it was as faceless members of a mob motivated by irrational impulses or demagogues.

The Consensus School prejudices of the 1950s and early 60s were not altogether unlike the elite prejudices of the mid- to late-1700s. Who was Jack Tar? In the 18th Century his "betters"

> think of him as a child, incapable of handling the simplest of his own affairs; and the laws treat him as a libertyless ward. But although the seaman's heart is a child's, he has the passions of a man: he is lawless and bold, always ready for a fight, "concerned only," in the words of a member of one of New York's leading families, 'for the present, and...incapable of thinking of, or inattentive to, future welfare...' He is always drunk.

JONATHAN BIRNBAUM *is the co-editor of* The United States Constitution: 200 Years of Anti-Federalist, Abolitionist, Feminist, Muckraking, Progressive, and Especially Socialist Criticism (*New York University Press, 1990*) *and* Civil Rights Since 1787 (*forthcoming*).

During wartime, as in the British conflict with France, Jack Tars might sign up to serve in the King's Navy. More likely, given the perennial absence of sufficient sign-up, the Navy resorted to impressment.

The Declaration of Independence cites impressment, the British Navy's custom of kidnapping colonial merchant mariners and forcing them to serve on British Navy ships, as one of the Colonies' central complaints. In the generally bland textbook telling, the terror and injustice of this practice tends to ring rather hollow next to a *causus belli* like "taxation without representation." In practice, Jack Tars fought impressment with legal and extralegal means. They used the courts, appealed for public support, ran away, and in a particularly telling episode, even locked up their captain and fired on a Navy ship to avoid impressment. Not surprisingly, once captured, desertion was frequent. What forced the Navy to employ such abusive tactics? In the King's Navy

> punishments were cruel and often irrational, always painful and often mortal. For obscenity the tongue was scraped with hoop-iron; there were punishments for smiling in the presence of an officer; one captain put his sailors' heads in bags for trivial offenses; flogging was universal....If punishment or naval conflict did not get him, perhaps "the want of wholesome provisions" would; if he survived the food he had yet to contend with fevers, scurvy and incompetent medical care...

Lemisch restores Jack Tar's world, reviving its terror, violence and revolutionary potential from the hollow ring of textbook and casual oversight of Consensus antecedents. He doesn't shirk from acknowledging the casual violence of Jack Tar life. A disagreement over a pair of breeches—or some other real or perceived slight—could lead to serious, even mortal violence. Of wider impact "was the riot directed against people who had roused the seamen's ire, including merchants and tavern-keepers." In these riots Jack Tars would gather to attack the homes or establishments of their opponents. This traditional form of "non-political violence" would evolve, with shifting political circumstance, into, what Lemisch dubs, a "new politics of the street."

Unjust laws and practices weren't abstract concepts seamen had to learn from mainland pamphleteers. It was their lived experience. The Jack Tar who sought to avoid impressment "ran to preserve his life, his liberty, his property, and in his desperate sprint he was many decades ahead of the rest of the American population; only later, and under similar pressures, would his fellows ashore realize that they had no protection for their natural rights as British subjects."

When seamen chose to protest such injustices they fell back on traditional expressions. Mob action was not unusual.

Impressment had actually been illegal since a 1708 Act of Parliament, later withdrawn in 1775. But in between, despite appeal to law, the practice continued unabated.

During the French and Indian War, while press gangs scoured the waterfront for the Navy, most seamen preferred to join a privateer, sharing higher wages and the division of captured French ships. Others joined the "Mungrell Commerce" of trading with the enemy.

WITH THE END OF THE WAR CAME THE LOSS OF PRIVATEERING INCOME, the discharge of 20,000 Navy seamen and rampant unemployment. Aggravating the situation, decreasing the amount of trade and number of seafaring jobs still further, was a much more active enforcement of customs regulations, the Molasses Act and later the Stamp Act, by the Navy.

Keeping Navy crews required impressment, even in peacetime. When the H.M.S. Maidstone attempted to impress the entire crew of a brigantine a mob of more than 500 "Sailors, Boys and Negroes" burned the ship's boat.

The standard legal strategy for opposing the introduction of the Stamp Act was to cease any activity requiring stamps. Another strategy—extralegal—was mob action. Stamp Act riots were regularly led by seamen and privateer captains. In New York a crowd of 2,000, led by and including *at least* 4-500 seamen employing traditional tactics, marched on the local garrison which was intimidated into inaction. Then it attacked the home of Major Thomas James, burning its entire contents, including tables, chairs, official documents and a library of 300 "choice books." After five days of rioting officials surrendered their boxes of stamps.

The then ruling elite, like latter-day elites and their historians, showed little grasp of mob action. For Lt. Gov. Cadwallader Colden "all significant events took place in the Assembly or in the courtroom." Like most politicians he understood politics in only a limited parliamentary sense; he had no framework for the seamen's new extraparliamentary politics of the street. That the riots could have been the result of popular democratic activity was inconceivable. It must have been a small group of lawyers, according to the official British view, who fomented "action in behalf of a cause in which [the mob] had no real interest."

Words like "mob" and "riot" are weighty with negative implication which is one of the reasons that more recent historians, including Lemisch in his later work, have increasingly shifted to the more value free concept of "crowd" action. In Lemisch's version the "riots" were disciplined crowd activity, not random mob action. Rather than randomly looting neighborhoods, the "mob" burned the home of "the logical political scapegoat...No one [was] killed or wounded and the mob focused all its ire on the attainment of political goals."

Lemisch surmises that the real leaders of the mariners were former privateer captains, like Isaac Sears, now members of the radical Sons of Liberty. He argues that such men *directed*, but did not *instigate* activity, suggesting a link between organization and spontaneous action. Is Lemisch correct? Did mariners require direction? What was the real balance between captains and ordinary seamen? We may never know, but more research could prove interesting.

Liberal "leaders" of the community, like its lawyers, after initially urging legal protests, were increasingly pushed by the success and popularity of extralegal activity into supporting the more radical actions that eventually led the British to repeal the tax. The discussion of the division between liberals and radicals over the Stamp Act reminds us that the American Revolution was going to be a double revolution: a colonial war for independence and a struggle over who would rule at home.

In New York the Sons of Liberty celebrated the repeal by erecting the first of a series of Liberty Trees in the center of the common. A few months later, in the first of a series of such responses, disgruntled soldiers chopped it down. Further confrontation ensued. The perception grew that the population was living "as in a Military or conquer'd Town." All this was further aggravated by off-duty soldiers undercutting seamen and other civilians for land jobs in an already depressed economy. Protests and responses continued; tensions and violence escalated.

The Sons of Liberty issued a succession of demands to limit the troops' activities (to cease drumming in the streets, to not carry side arms when off-duty) and to limit support for the troops (encouraging civilians to deny them provisions or housing). Street actions (marching, burning effigies, presenting demands), always actively involving seamen, sought to have the Assembly deny funding for provisioning the troops. Eventually Colden, circumventing protocol, provided new funding for the army. The Sons of Liberty responded, rallying 1,400 people for a public meeting which petitioned the Assembly to correct the situation. The Assembly answered, declaring the petition libelous and bringing charges against Capt. Alexander McDougall, one of the group's leaders. Demands and actions escalated, climaxing with the Battle of Golden Hill, in which one colonial seaman was killed.

A few months later similar grievances in Massachusetts would lead to the Boston Massacre. The Revolution shortly followed. In a brief epilogue Lemisch sketches how Jack Tar's central role would continue throughout the war.

JACK TAR REPRESENTS MUCH MORE THAN A NARROW STUDY OF A HANDFUL OF SEAMEN in a single city over a brief span of time. Its early development of crowd theory offers a pioneering approach to the study of labor history and politics. Most importantly, it shifts the focus from the perspective of elite colonial merchants upset over taxes and lost crew members to the lived perspective of the seamen themselves, the ordinary Jack Tars whose experience and activity were leading the way to revolution.

The concise telling of this tale is grounded in a remarkably exhaustive and creative use of primary and secondary resources. It is augmented by a helpful, brief foreword by historian Marcus Rediker and a delightful bibliographical listing of Lemisch's other works. The one minor complaint is a skimpy index, with limited subject categories, pagination errors and missing major actors (try finding Major James).

The author and publisher have not updated the text for changes in language and bibliography, wisely allowing us to read the work in its original form. This allows us the opportunity of reading *Jack Tar* as a document of its time, while also allowing us to appreciate the richness it still offers.

In 1985 Herb Gutman, the dean of the new labor history in the U.S., participated in a conference panel discussing E. P. Thompson. Upon his return he gleefully reported the proceedings to a group of students at the CUNY Graduate Center. "What would the writing of American history be like without the influence of the British scholar?" he had been asked. "Essentially the same," he said, and smiled mischievously. But how was that possible? Part of the answer is "Jesse Lemisch."

When Gutman said that the writing of U.S. history would have been essentially the same without Thompson, he didn't mean to discredit or diminish his dear old friend. What he meant was to compliment the direction of many of his contemporaries. What he meant was that the re-writing of American history was already moving on an essentially parallel path. Among those leading the way was Jesse Lemisch. If you want to understand how, read *Jack Tar*.

Wall Street's Lies and False Prophets

WALL STREET: HOW IT WORKS AND FOR WHOM by Doug Henwood. New York: Verso, 1997, 372 pp. $25.00.

Reviewed by Christopher Rude

ACCORDING TO SEVERAL REVIEWERS FROM THE MAINSTREAM PRESS, Doug Henwood's *Wall Street* should not be bought or read. Exclaiming that it "amply illustrates [Henwood's] nasty ad hominem streak and overweening intellectual arrogance," *Barron*'s reviewer Paul Issac (7/14/97) dismisses the work as "repellent" and "loopy." Writing under the headline "Hard Times for Marxists," *New York Newsday* reviewer Daniel Akst (8/3/97) spends far less time talking about *Wall Street*, which he says "is worth reading if only to see how such a smart guy can come to such dumb conclusions," and much more time trying to associate it with the evils of Maoism, the Cultural Revolution, Pol Pot's Cambodia, and Communist Poland, all topics about which the work under review has nothing to say. And an anonymous reviewer in the *Library Journal* (7/1/97), clearly aware of his/her role as a gatekeeper of acquisitions for the nation's libraries, describes the work as a "difficult, divisive, unpleasant, querulous and uninstructive book that larger business collections might tolerate."

While we can only guess at what caused these presumably normally reasonable and sober reviewers to be so invective, four hypotheses come to mind. First, they probably find it presumptive that someone would be willing to make a radical, and indeed, a Marxist-inspired, critique of what is undoubtedly today's most powerful and, therefore, most sacrosanct institution — the U.S. financial system and its associated institutions. Second, these reviewers probably find it disconcerting that someone argues not simply that most of what the mainstream press, not to mention the mainstream economics profession, says about finance and the financial markets is wrong, but that what both the financial press and the economics profession really do is perpetuate a set of lies and myths about the U.S. financial system that only function to mask its greed, corruption, exploitation, and sheer coercive power. Third, they probably find it worrisome that, unlike many leftists, Henwood has taken the time to master both the mainstream and the leftist literature on finance, and that, unlike many academics on the left and the right, he has a grasp of the actual workings of the markets that only an actual market participant usually obtains. And fourth, and perhaps what might be most troubling, these reviewers are probably disturbed that *Wall Street*'s intended audience is not committed left-

CHRISTOPHER RUDE, *a former economist at the Federal Reserve Bank of New York is now a member of the Union of Radical Political Economists' (URPE) steering committee.*

ists nor the financial or economics professions, but the mainstream, general reading population.

ON A FUNDAMENTAL LEVEL, *WALL STREET*'S MAJOR ACHIEVEMENT is to introduce the "uninitiated" reader into the "mysteries" of the U.S. financial markets, unraveling them as it does so. With a natural teacher's ability to make the obscure clear and the complex simple, Henwood carefully explains the day-to-day workings of the stock, bond and foreign exchange markets, explains what derivatives are and why they and other financial innovations have become so important in recent years, describes the roles of the major players — large commercial and investment banks, pension fund managers, the Fed, financial press, etc. — in today's internationalized financial system, discusses the importance of credit and leverage for financial market speculation, places the financial markets within the context of the business cycle, and finally gives the reader a sense of what the markets "feel" like by describing what happens to them over the course of a typical trading week.

After reading this work, no one should be intimidated or confused by whatever the mainstream press or economics profession says about finance, for *Wall Street* leaves one armed with a basic understanding of what today's financial system is really about. The financial system that Henwood exposes bears little resemblance to that described by conventional economic theory, according to which, its purpose is to channel funds from cash-rich savers to cash-starved investors and thus direct society's "scarce" productive resources into the most efficient and profitable investment outlets. Rather than financing their new investments by using external funds, Henwood points out, between 1952 and 1995, 90% of the capital expenditures undertaken by U.S. nonfinancial corporations was financed internally, by using retained earnings. But the conventional interpretation is more than just factually wrong. "Behind the abstraction known as the 'markets'," Henwood tells us, "lurks a set of institutions designed to maximize the wealth and power of the most privileged group of people in the world, the creditor-rentier class of the First World and their junior partners in the Third." Far from being a neutral arbitrator and allocator of money capital, the financial system is a structure of coercion and raw class power.

What *Wall Street* introduces the reader to, therefore, are the financial mechanisms whereby this creditor-rentier class maintains its hegemony over the whole of society. Seen in this light, the mergers and acquisitions, leverage and stock buybacks that have characterized the U.S. financial markets in recent years were, in the first instance, the means by which the creditor-rentier class established its control over the rest of capital. As it did so, the diffuse, conglomerate structure that characterized the organization of the ruling classes during the "monopoly" capitalism of the Golden Age period gave way to a structure under which both industrial and commercial capital, regardless of their size (large-scale or small-scale, national or multinational), are clearly subordinate to finance. As a result, Henwood points out, "what might be called the rentier share of the corporate surplus — dividends plus interest as a percent of pretax profits and interest — has risen sharply from 20-30% in the 1950s to 50-70% in the early 1980s." As financial capital gained control over the rest of capital, moreover, the economy as a whole was restructured to meet its specific interests, resulting in slower growth, stagnant real wages, persistent unemployment and job insecurity, and increasing income and wealth inequalities throughout the world. The concentration of wealth under financial capital's domination is truly obscene. In 1992, the most recent year for which the statistics are available, for example, "the richest 1% of [U.S.] households, claimed 8.3% of total income — but had 27% of all assets, 31% of all net worth, and 38% of net worth if you disregard the principal residence, which is the lion's share of most middle-class wealth. *The richest ½% had a larger share of total nonresidential net worth than the bottom 90% of the population*."

ON THE POLITICAL LEVEL, HENWOOD REMINDS US, rentier hegemony was given a boost by Federal Reserve Chairman Volcker's interest rate "shocks" of the late 1970s and early 1980s, which, together with the election of Reagan in the United States and Thatcher in England, inaugurated the current regime of cutbacks and austerity. Since then, worldwide ruling circles have maintained a consensus that monetary policy should be directed toward fighting inflation rather than maintaining full employment and that fiscal policy should be directed toward deficit and debt consolidation rather than stabilizing the business cycle. The Volcker shocks also meant that the state itself would be reorganized to meet financial capital's needs, with the major central banks, for example, gaining power and influence, often at the expense of popularly elected national governments. As it moved into its position of hegemony, finally, Henwood shows us how securitization, financial innovation, leverage buyouts, options, structured products, etc. transformed money capital itself from a relatively stable and closed world of traditional commercial bank lending and investment bank underwriting to one in which today's global bond, foreign exchange, and stock markets have become ubiquitous. The hegemony of finance is thus the hegemony of casino capitalism.

Since rentier hegemony is not just material and political, but cultural and intellectual as well, Henwood provides the reader with a brilliant summary and surprisingly fair and evenhanded critique not only of the principal teachings of mainstream financial theory (Tobin's q, the Modigliani-Miller theorem, rational expectations-efficient markets theory), but also of what Marx, Keynes (in both the *Treatise on Money* and the *General Theory*), and the post-Keynesians (Minsky), say about the role of the financial system and financial markets within a capitalist economy, giving the reader a quick, but thorough, course in both mainstream and leftist financial theory.

Enriching the themes introduced earlier about how the financial system functions as a structure of coercion and class power, Henwood's discussion of financial theory introduces and develops two new themes that highlight just how destabilizing today's rentier hegemony really is. First, against both those mainstream economists who argue that money is "neutral" and those Marxist economists who argue that only production and not finance matters, Henwood makes the case not only that financial market developments have a life of their own apart from both production and exchange, but more important, that financial market developments can and do have a profound impact on the so-called "real" side of the economy. Contrary to the conclusions of the mainstream Modigliani-Miller theorem, for example, which argues that a corporation's financial structure does not matter, Henwood argues that debt burdens built up in the 1980s left U.S. corporations particularly vulnerable when the economy slowed down in the early 1990s. And in opposition to the reductionism of many Marxists who believe that all crises have their basis only in the contradictions of production, he argues, for example, that the 1994 Mexican foreign exchange crisis was not merely an epiphenomenon, but had its own deeply destabilizing effects on the whole of the Mexican economy.

Second, against the teaching of conventional economic theory, according to which the financial markets function as the efficient and rational allocator of society's scarce productive resources, Henwood argues that the financial markets are moved as much by fads, noise and misinformation as they are by the underlying economic fundamentals, that the markets often get out of line with the economic fundamentals to become speculative bubbles which inevitably explode with a crash. Quoting, approvingly, the relevant passages in both the *General Theory* and in *Capital*, Henwood argues that money and credit are precisely what make an economic crisis possible and that the capital markets lose their essential liquidity exactly when they most need it, when, following a period of irrational exuberance, the financial system collapses into its own economic fundamentals. If the hegemony of finance is indeed nothing but the hegemony of a casino capitalism, by arguing against the neutrality of money, on the one hand, and against the belief that the markets are efficient and rational, on the other, Henwood makes a persuasive case that the capitalist economy is less and not more stable than it was before.

HENWOOD RECAPITULATES ALL OF HIS MAJOR THEMES in *Wall Street*'s penultimate chapter devoted to the economics of corporate governance. After reviewing earlier theories of the capitalist firm from Coase's theorem to Berle and Mean's famous argument about the separation of corporate ownership from control, he provides a breathtaking analysis of the theory and practice of the leverage buyout movement of the 1980s and early 1990s. Here all of his principle themes are brought together — rentier hegemony, the complicity of the financial press and the economics professions in Wall Street's greed and waste, the destabilizing effects of market speculation, the adverse effects of the rentier class on equality and the economy's underlying performance, etc. — in what is surely *Wall Street*'s climactic passages. After reading these pages, we know that we live under the terrifying legacy of this period of raw power, selfishness, and ruin.

Keenly aware that issues of finance are issues of class and class power, Henwood concludes his work with a skeptical look at a number of reform measures that have come to dominate much of the current left's thinking about the U.S. financial system. Efforts to resist the privatization of social security, democratize the Federal Reserve system, encourage socially responsible investing, enact progressive and wealth taxation, slow down if not halt financial market speculation through the use of transactions taxes and the like, and experiments with alternative methods of corporate governance under cooperative and employee ownership plans, he suggests, don't go to the heart of the problem. Since the rule of finance is the hegemony of a particular faction of capital, the creditor-rentier class, meaningful financial reform means abolishing rentier hegemony. Mere tinkering will not do this.

While this reviewer cannot recommend *Wall Street* highly enough, still, it suffers from a number of limitations. By focusing on Wall Street, Henwood gives too little attention to the credit and foreign exchange markets, critical institutions that are the exclusive domain of the professional, institutional investor in which the small, individual investor is largely precluded from participating. In terms of its importance for the visibility and stability of late 20th century capitalism, however, the stock market is not the centerpiece of the financial system, even in the U.S. where it is more important than in many other national financial systems. If the financial system has a center it lies elsewhere, namely, in the complex and contradictory unity of a volatile global debt market and a volatile global foreign exchange market.

Months before the October 1987 stock market crash, for example, the U.S. stock market was set up for a fall after the U.S. Treasury market collapsed earlier that spring due to concerns over a weakening dollar. It was the sudden increase in both U.S. and German interest rates amid a public dispute between the U.S. and German officials over the direction of foreign exchange and interest rate policy that finally precipitated the October crash. Similarly, the recent East Asian financial crisis is a banking and foreign exchange crisis, not just a stock market problem.

And while Henwood is certainly correct that the financial markets are often irrational and unstable, that they are moved as much by fads, noise and misinformation as they are by the underlying economic fundamentals, they are neither more nor less irrational or unstable than any other market in a capitalist economy, and industrialists and merchants are moved as much by fads, noise and misinformation as any banker or financier. To be sure, the U.S. financial system performs miserably at its advertised task, but this means only that today's vulgar economists are no more illuminating about the inner logic of today's economic system than were the conventional economists of Marx's time. The irrationality and instability that we see in today's financial markets are nothing but the effects of the inner logic of capital, of capital in its financial form. And when the current financial wizards are moved by fads and misinformation, they are still acting, to use Marx's term, as bearers of capital, as bearers of financial capital.

WALL STREET DOES A MASTERFUL JOB of demolishing falsehoods that the mainstream press and the economics profession perpetuate about the U.S. financial system, but after unmasking Wall Street's gurus and priests as liars and swindlers, the work does not fully enter the realm of thought and analysis which its own demolition opens up. Henwood shows us that the neo-classical, Keynesian, and post-Keynesian approaches to today's financial markets will not do, but he does not break fully with these traditions to provide a Marxist, fully class-based analysis of the inner logic of financial capital.

But all of this is friendly criticism. Mounting a successful attack on Wall Street's lies and false prophets is no small achievement, and a non-dogmatic, fully class-based Marxist analysis of today's financial system has not really been attempted by anyone. This reviewer wishes only that *Wall Street* had done more. The general reading public, the financial press, the mainstream economics profession, and especially the Marxist left can all learn a great deal from a serious reading of this brilliantly disturbing and dangerously powerful work.

The Law's Relation to History

LAW AND HISTORY: THE EVOLUTION OF THE AMERICAN LEGAL SYSTEM by Anthony Chase. New York: The New Press, 1997.

Reviewed by Larry Beeferman

ANTHONY CHASE'S STATED GOAL IS "to help unravel the mystery of law's seemingly intricate yet important relationship to history." To map the "law's trajectory," he suggests that "four wars, four key periods of development, four basic spatial or topographical metaphors that illustrate conflicts at the heart of our national politics and that constitute the dynamic element in legal history." The four wars are the Revolutionary War, the Civil War, World War II, and the Vietnam War. The four key periods are pre-capitalist, "market", "liberal capitalist," and state capitalist phases. The four metaphors relate to four dualities: the first, "inside/outside," divergent perspectives from within and without the legal system; the second, between "economic base" and "legal institutions"; the third, between "liberal (left) and authoritarian (right) forms of capitalism"; and, the fourth, "north/south," reflecting "class and regional conflicts."

Central to Chase's exposition are the second and third "metaphors." His explication of the meaning and impact of those dualities drives his understanding of the other metaphors. It also lends coherence to his placement of events within the framework of wars and development upon which he relies. Therein lie the challenge, strength, and weakness of his effort which may be summarized as follows:

In his first chapter, Chase attends to the two critical metaphors. "Inside/outside" distinguish the perspectives of those outside and those within the legal system. "Up/down" reflects the relationship between legal institutions and economic base. With regard to the former, he describes the plasticity of the language of law — of necessity, expressed in words — which allows it to maintain at least a surface continuity in face of dramatic changes in social conditions. The latter metaphor captures what Chase terms "materialist jurisprudence." For him, that jurisprudence reflects what is empirically true, that law is socially produced.

However, a material jurisprudence does not suffice for Chase. Dialectic or "contradiction" is also essential to his inquiry. For him, this describes the dynamic relationship between economic base and legal superstructure. Chase sees the legal system as caught between a desire to maintain doctrinal continuity and the need to accommodate to dominant societal interests. This, he contends, is either done openly by legislatures or courts frank enough to assert their policy preferences, or covertly by artful judicial reinterpretation of law.

Having so stated, Chase, traces through successive periods — commencing with the American Revolution — relationships between aspects of the le-

LARRY BEEFERMAN *teaches Constitutional Law, Administrative Law and other related courses at the Massachusetts School of Law at Andover.*

gal system and the mode of production. However, even before launching this effort, Chase exhibits some ambivalence or uncertainty. On one hand, he views the former as largely steered by the latter. On the other hand, he seems to acknowledge that law also serves to resolve intra-class and manage conflict between political rulers and the citizenry. Moreover, he appears to concede that opponents of the existing order, too, take the rhetoric of the legal systems at its word and employ it as a weapon in their struggle.

Chase's conceptual organization of American legal history envisions four periods following the predicate achievement of "political independence": "the general elimination of precapitalist economic formations"; the elimination of "homegrown, American mercantilism"; and "destruction of the slave south, the last remaining obstacle to construction of a unified national marketplace under the auspices of liberal capitalist social and economic leadership."

Although Chase concedes that the American Revolution left class relations and social structure largely untouched, he deems it as the opening movement in the rise to power of the market, of capitalism. This was effected by the destruction of both Native American and European pre-capitalist economic formations. The former was achieved both by the infusion of market values into Native American culture and the physical dispossession of Native Americans not only by force and other means justified by a legal system which did not recognize their right to their land. Chase offers an illustration of how the latter was achieved by appealing to scholarly studies which suggest a shift to market forms of economic organization in post-Revolutionary Massachusetts was accomplished (or rationalized) primarily within existing legal forms. He employs other such studies to trace what he considers to be a shift in legal superstructure — dating from a seminal New York state court decision in the early 1820s — which facilitated and justified a shift from social control over prices to market-driven, exchange-determined prices.

HAVING IDENTIFIED SUCH A DEVELOPMENT IN PRIVATE CONTRACT LAW, Chase finds a corresponding one in federal constitutional law. This is evidenced by the Supreme Court's interpretation of the Contract Clause of the United States Constitution. That provision bars States from passing any law "impairing the Obligation of Contracts." Chase focuses on the Court's approach in the case of Charles River Bridge v. Warren Bridge.[1] In that case, the Court held that Massachusetts, which had previously granted a charter to the Charles River Bridge Company to operate a toll bridge across the Charles River, was not barred by the Clause from subsequently granting to the Warren Bridge Company a charter to operate a competing bridge. The decision was cast in terms of a close (and narrow) reading of the first grant which rendered the decision arguably consistent with prior ones. However, Chase views the decision as a technical legal cover to justify the triumph of competitive or entrepreneurial capitalism over mercantilist capitalism.

Chase views the Civil War as the achievement through war and constitutional law of a victory over a slave South and the achievement of a national market economy. With respect to constitutional law, he regards as most important that portion of the Fourteenth Amendment, which denied former slave owners' claims for loss or emancipation of slaves. However, he also describes how other portions of the Civil War Amendments arguably framed to benefit the newly emancipated slaves — especially the Due Process Clause and the Equal Protection Clauses — rather than being construed by the Supreme Court to afford those former slaves much protection, were interpreted in a way which largely protected those "`substantial interests'" which dominated the emergent and triumphant national free market.

Chase then turns to what he describes as the transition to the period of "state capitalism." He does this first by an exploration of the possible relationship between the differing forms of state capitalism and legal structures. More particularly, he argues, after extended discussion, that the emergence of the legal principles of strict liability and fault liability in Germany and United States, respectively, were the corresponding reflections of American market and German statist solutions, i.e., what he terms liberal and authoritarian capitalism in the late 19th and early 20th century.[2]

Chase then deals relatively briefly but sweepingly with what he describes as "four phases that together constitute the state capitalist period in American history." The first, 1917-1932, according to Chase, corresponded to dramatic changes in the jurisprudence of tort and contract law. The second, 1932-1947, Chase views as encompassing the "most dramatic, shift in the legal superstructure — the Supreme Court's famous about-face on constitutionality of New Deal legislation." The third period, running from 1947 to an uncertainly defined time just before the unraveling of the New Deal state, is, for Chase, characterized by the Warren Court revolution in individual constitutional rights, and dramatic changes in private law which survive today.

Lastly, Chase contends we are in the midst of the fourth, "global capitalist" phase of development. He predicts that the critical legal superstructural issue will be the resolution of tension between the dominance of the capitalist nation state and a world economic system which tends to render state boundaries unnecessary or irrelevant. Cassandra-like he warns: "If citizens do not fight back now, 'offshore politics' may obviate existing legal structures — either formally through treaty agreement, or informally, through the delegation of power by national government to international trade commission. Such gambits add up to what Jeremy Brecher calls the 'loss of national economic control.'"

ON THE WHOLE, THE FOREGOING STORY SET FORTH IN THE MAIN TEXT of Chase's relatively spare 200-page book is readable and engaging. He offers a lay reader conversant with economic, social, and political thought a sense of the broad sweep of the history of American law. For that reader, Chase maps out a large-scale framework — both conceptual and temporal — within which certain changes in the American legal system may be viewed. He introduces the reader to a range of existing scholarly sources which point to a "fit" between that framework and the legal system. Correspondingly, he suggests correspondence between changes in that framework and changes in the legal system.

As such, Chase's book is a welcome addition to the library of educated lay readers, whose sympathies are stirred and whose intellectual commitments are elicited by appeals to both a "materialist" and "dialectical" vision of the world. Chase's argument gives some substance, offers some perspective, and yields a measure of clarity and depth to that vision. To a degree, Chase's argument is pressed forward by his extensive footnotes. On the positive side, these notes link the discourse to the thought of prominent figures with whom most readers of *New Politics* are likely to have some acquaintance, e.g., Marx, Engels, Hegel, Marcuse, Lukacs, etc., and other, probably less familiar individuals, among them, scholars in the field of law and legal history, e.g., Morton Horowitz, Grant Gilmore, etc. On the negative side, some footnotes (a few up to nearly a page long) feed episodic, virtuoso-like digressions in the main text which slow and in some ways interfere with the logic of Chase's argument.

If an on-the-whole readable and engaging, broad brush-stroke approach to the subject matter is the limit of Chase's ambition, then he is, for the most part, successful. However, as suggested by the introductory paragraphs of this review, Chase has his eyes on loftier heights. The journey he maps through the dimensions of his argument is daunting and the goal proves to be an elusive one. Chase's typology-topography is a suggestive one but it serves in only the loosest way to organize his analysis. Although he seeks to track "law's trajectory," within the compass of the small volume, he can offer only snapshots of the legal system and the socio-economic-political order. Chase is, of course, acutely aware of and attentive to the dynamics of his subject. However, here, too, even if it is a moving picture rather than a snapshot Chase proffers, it takes the form of very brief clips.

However, Chase faces a more challenging problem, the clarity of his methodological focus. Although, as noted, Chase embraces a materialist and dialectical approach to his inquiry, he does not offer clear definitions of the terms he employs to ground it. This is one of the main reasons why Chase does not get beyond the broad-gauge characterizations noted above. The other is because Chase does not commit himself with precision to any model of the processes by which the legal system and the socio-economic-political order interact, relate to, influence, etc., one another.

One illustration will suffice to make the point. Consider the question of how one should view legal discourse. Early on in his book, Chase refers to law as a "game," played by "insiders" who employ the language of the law to justify changes in "social conditions." The implication is that the game is a dishonest or disingenuous one because the inferences which law interpreters draw from previously articulated legal rules may be largely if not completely unwarranted. Chase goes further to suggest, however, that those "outsider" lay persons — among them, he hopes, readers of his book — increasingly see through the game, perhaps even viewing it is a sham.

IT IS TRUE — INDEED, AS CHASE POINTS OUT — that changes in law are effected both through statutory enactments and by judicial decisions. The change worked by judicial decisions is, on occasion, articulated overtly in terms of "social policy." At other times, the modification is predominantly justified by reference to prior or current legal rules whether framed by a legislature or fashioned by a court. However, there is no sharp dichotomy between both kinds of decisions. Judicial decisional power is exercised in light of a variety of considerations. One among them is — for want of a better phrase — the configuration of value commitments which inform not only the particular statutory or decisional law in controversy but also other law understood to have some relationship to that which is in dispute. In some situations, the legal norm fashioned to embody those value commitments does not seem problematic and easily yields a conclusion. In a sense, the words of the legal norm appear almost to speak for themselves. The legal norm is, as it were, almost self-applying.

Why so? Roughly stated, there is an appositeness of the configuration of values to which the judge perceives "society" is committed and those which are embodied in the law which he or she is obliged to construe and apply. That is, insofar as the judge can envision what results would be entailed by acting upon the value commitments embodied in the legal norm (and, in some measure, his or her own value commitments), they appear largely consistent with what an initial reading of the legal norm in question would prescribe.

However, the former and latter results may differ, at times even significantly. So, even if the legal prescription is, on its face, "clear," the appropriateness of accepting the mandate is not. To adopt the "obvious" result is troubling when it appears to be at variance with the result to which the society is committed. The judge may look again. Surely the legal norm could not have "meant" this, whatever its "literal" terms. Or perhaps, in other circumstances it could have meant this, but not under the present ones. Following the literal terms did not do violence to those value commitments, indeed it fulfilled them, but in the present circumstances, they do not.

What then? The considerations are manifold. Among others, they relate to the particular position of the judge in the judicial hierarchy; the degree of monitoring and discipline exercised from above; the judge's self-understanding of the appropriate exercise of judicial power; the extent to which the judge is a risk-taker; the perceived relative importance of the value commitments in the societal hierarchy; the judge's own value commitments and the extent of their variance from what are perceived to be societal ones; the societal impact of the decision; the classes, strata, groups, etc., with whom the judge identifies or appeals in sorting through these other considerations; etc.

None of the foregoing brief characterization is necessarily inconsistent with Chase's analysis at the level at which it operates. Rather, the point is that until and unless the inquiry is pressed in accordance with a characterization of that sort, discussion of neither the relationship between "law" and "history" nor for that matter, "law" or the "legal system" or the "legal superstructure" and the "economic base" or "mode of production" will advance beyond what as a practical matter are broadly framed propositions about the game of the "law." Indeed, the issue is not one of seeing law as a "game" which one "sees through."

Rather, it more plausibly an exercise in understanding what the game "is." It may be a matter of understanding the nature of the game, the rules of the game, the players, the circumstances under which it is played, to what extent it is or has to be a game in which there are "winners" and "losers," and to that extent, who the winners and losers are. By doing so, in light of our own value commitments and the circumstances in which we find ourselves, we may bet-

An Innovative History of the Left

IMAGES OF AMERICAN RADICALISM by Paul Buhle and Edmund B. Sullivan, Hanover, Ma., The Christopher Publishing House, 1998. $60.00

Reviewed by Louis Proyect

IMAGES OF AMERICAN RADICALISM IS A REMARKABLE ACHIEVEMENT. It consists of photos, drawings, old magazines, leaflets, posters and buttons from the 1600s to the modern era, with extensive informed commentary. As you turn from page to page, you are both edified and entertained. The biggest pleasure is finding out about leftist connections to the broader culture that you never dreamed possible. Buhle's and Sullivan's vision of the American left is inclusive and nonsectarian. This means that the images are drawn from Socialist, anarchist, Communist, Trotskyist and other sources. Whatever your particular affiliation, there is rich material here to educate and inspire.

Here are some tidbits:

• A cartoon protesting the invasion of the Philippines from 1901. It is a mountain of skulls being guarded by American soldiers. The caption says, "And this is what they call civilization!"

• A 1935 painting of Metacomet, the Pokanoket Chief who led an allied Indian force in 1675 to defend southern New England Indians against appropriation of their lands. The artist is Thomas Hart Benton, who was sympathetic to leftist causes.

• Various advertisements from the International Socialist Review in the 1910s, including one on how to become a "successful socialist speaker." For only a SASE with 2 cents postage, you will get word on the "WINNING METHOD" that is used by lawyers, orators and leading socialist speakers.

• A photo of a May Day parade in NYC, 1940. The marchers include members of the pro-Soviet International Workers Order (IWO) in baseball uniforms from their IWO chapter teams. Their signs demand: "Admit Negroes into Big

LOUIS PROYECT *is a computer programmer at Columbia University who has been active in socialist and peace politics since 1967.*

League Baseball"

If *Images of American Radicalism* consisted only of such striking graphics with informed commentary, that alone would make the book worth purchasing. What you get in addition, however, is a sweeping history of the American radical movement that is as captivating and informative as Buhle's classic *Marxism in the United States.* But *Images* is much more inclusive and incorporates the various social movements such as the populists, suffragists, and abolitionists as well as more recent developments like ecology and gay liberation.

The first chapter, titled "Green Dreamers," takes a fresh look at the utopian traditions of the 18th and 19th centuries. We discover that the Shakers, for example, believed that space, talent, fruit, animals all belonged to God and were temporarily loaned to Man while he was on earth. This meant that recycling of buildings and other materials was proof of his adaptive genius, but also the power of faith.

The second chapter titled "Class and Culture" examines the birth of both the socialist and organized labor movements in the post-Civil War period. Unlike the "green dreamers," this generation was determined to change the larger society itself along more humanitarian lines. We learn about the Knights of Labor founded by carpet weavers in Philadelphia in the 1870s which grew rapidly in 1885 when railroad workers joined it in order to take on the Wall Street manipulators like Jay Gould.

Chapter three, "The Golden Age of Radicalism," continues with the labor and socialist movements as they gained mass influence through organizations like the IWW and the Socialist Party of Eugene V. Debs. The emergence of mass-circulation magazines and newspapers in this period provides Buhle and Sullivan with a rich lode of graphics. We are treated to the front page of the "Progressive Dentist" from 1913, which features an article on "Prosthetic Dentistry As It Is and As It Should Be," as well as "Why a Doctor Should Be a Socialist." There are also beautiful color pictures of Socialist Party campaign material, including a poster for the Debs-Hanford ticket of 1904 that has the power of a Grant Wood painting, with workers placing their vote in a ballot-box for the socialist ticket against a backdrop of a steam locomotive and a team of horses in a hayfield.

Chapter four is about the "Old Left," while the fifth and final chapter covers the current period. Those who have lived through these times will value the book for these chapters especially. Since we were probably too busy making the leaflets and buttons that are represented in the pages to reflect on them as art, we can only be grateful to Buhle and Sullivan for collecting them and allowing us to savor them once again.

Reading through *Images of American Radicalism* you cannot help but conclude that there is a living continuity between one historical epoch and another. Veterans of the 1930s labor movement made their influence felt on the civil rights and peace movements of the 1960s. The notion that 1930s or 1960s politics and culture completely disappeared and that each new generation of radicals has to start from scratch is false, a concession to bourgeois ideology. *Time m*agazine and similar venues are anxious to prove that all the radicals of the 1930s, or the 1960s, surrendered to consumerism and patriotism. Buhle and Sullivan offer powerful documentation that the left continued to exert its influence, even when the radical movement appeared to be in low ebb.

Some of the most interesting revelations have to do with the continuity between one generation and another in the cultural field. For example, as the Truman cold war unfolded in the late 1940s, radical artists took a stand against what Buhle and Sullivan call "the crazed rationalism of the welfare-warfare state." A new magazine called *Circle* connected André Breton, a 30s era surrealist friendly to Trotskyism, with a young San Francisco poet named Philip Lamantia, who played a major role in the new poetry movement of the 1950s. This literary movement, which included other left-wing San Francisco poets like Lawrence Ferlinghetti, the New York City beats, and unaffiliated voices such as the green-minded Zen Buddhist rebel Gary Snyder helped to shape the literary consciousness of many young radicals in the early 1960s, including myself. *Circle*'s final issue in 1948 called for "a culture which fights for its freedom, which protects the economic interests of its workers in all fields including the arts, and which can create for itself new forms and new voices, against reaction and the threat of war. . ."

It was only with the arrival of the 1960s that the radical message once again explicitly came to the surface. Now that McCarthyism had been defeated and communism was no longer a dirty word, young rebels no longer regarded the older left traditions as beyond consideration. Moreover, they came up with their own contributions to leftist politics and culture. One of the most interesting examples of how the older generation influenced the new was the creation of the alternative newspaper *Los Angeles Free Press* in 1964. The founder was Art Kunkin, a former secretary to C.L.R. James.

Images of American Radicalism is a tremendous resource to scholars and writers who are trying to understand the grand narrative of the left in this country. Furthermore, it inspires activists who will inevitably gain confidence from the knowledge that they do not stand alone. And for the sheer joy of being a radical in the United States, there is no finer source book.

Subverting the Democratic Process

COVERT NETWORK: PROGRESSIVES, THE INTERNATIONAL RESCUE COMMITTEE, AND THE CIA by Eric Chester (Armonk, NY: M.E. Sharpe, 1995).

Reviewed by John Willoughby

ERIC CHESTER HAS WRITTEN AN IMPORTANT CAUTIONARY HISTORY for contemporary Leftists. While his book on the International Rescue Committee may seem the telling of an obscure tale of an obscure sector of the obscure, mid-century anti-Stalinist Left in America, I believe that Chester's story is of great significance for progressives today.

JOHN WILLOUGHBY *teaches economics at the American University in Washington, D.C.*

Chester outlines in detail the dense interconnections among American intelligence agencies, government-sponsored "proprietary" or front organizations, and more independent non-governmental organizations now often considered the backbone of civil society. This covert network began to emerge during World War II and then matured and took its contemporary form during the Cold War. Although shaken by revelations during the Vietnam crisis, there is little evidence that these secretive arrangements have diminished. Indeed, today's apolitical environment has probably permitted the strengthening of the intelligence apparatus even though the Cold War has ended.

Chester's story focuses on the evolution of the International Rescue Committee. Today, the International Rescue Committee is a pillar of the establishment. Henry Kissinger, Daniel Patrick Moynihan, and Felix Rohatyn serve on its board. It, along with other non-governmental organizations, depend on significant governmental funding for their operations. The Rescue Committee niche is to support refugees from geopolitical conflicts in which the United States government is deeply enmeshed.

This orientation began during the 1930s when a group of anti-Stalinist social democrats and revolutionary socialists from Germany and Austria found refuge in the United States from Hitler's terror and made alliances with American socialists and trade unionists to rescue socialist activists. The eagerness of left-liberals and many socialists to confront the Hitler regime permitted these small groupings to make quick contact with the highest levels of American government. Eleanor Roosevelt, in particular, served as a crucial intermediary for the Emergency Rescue committee — one of the two groups which merged to form the International Rescue Committee in 1942.

It is difficult to criticize the decision of revolutionary socialists desperate to defeat fascism to cooperate with the United States government — although not all socialists did. The postwar period, however, led anti-Stalinists into more problematic territory. In Part II of his book, Chester documents the slow, steady collapse of an independent radical politics as anti-Stalinist socialists who had participated in intelligence during the War formed alliances with revivified capitalist governments in order to confront and defeat Stalinist regimes.

Part II of Covert Network is a fascinating documentation of the International Rescue Committee's efforts to market its connections with social democratic Russian and East European refugees in order to attract government funding and assist the CIA and its predecessor organizations to collect intelligence, organize psychological warfare efforts, and even engage in terrorist, paramilitary operations. As Cold War ideology became solidified, these former activists became increasingly unable to maintain their political independence. The McCarthy era, in particular, witnessed the rapid decline of any socialist orientation within the International Rescue Committee. Instead, the organization became a quasi-independent front for U.S. imperial interests, and its members became important players in the foreign policy establishment.

THE INTERNATIONAL RESCUE COMMITTEE REACHED ITS NADIR when it championed Ngo Dinh Diem as a progressive anti-Stalinist reformer and helped form the CIA-funded front group, the American Friends of Vietnam, to support government attempts to prop up this puppet regime. That one of the key leaders of this effort was former socialist radical Joseph Buttinger only added to the sordidness of the effort.

Another important strand of Chester's book is his documentation of the way that organizations like the Ford Foundation played key roles in the formation of the covert network. As with many of the Rescue Committee's projects, the Foundation's activities combined genuine scholarly and humanitarian goals with covert intelligence operations. There is little doubt, however, that the Foundation's activities provided important cover for the American foreign policy establishment's efforts to destabilize Stalinist regimes.

Chester documents all of his findings meticulously. His use of archival material is impressive, and it will be difficult for many of those people and organizations named in his book to deny their involvement with the covert network.

It is unfortunate, however, that many readers might miss the significance of *Covert Network*. It is not until the conclusion that Chester makes a forceful argument criticizing those who participated in the International Rescue Committee. He argues convincingly that participation with the American elite subverted the very democratic processes that this part of the Left initially defended and that progressives initially involved in anti-fascist and anti-Stalinist campaigns through the Rescue Committee ultimately served as a cover for capitalist reaction during the postwar period. In the process, many independent socialists and social democrats transformed themselves into effective supporters of imperial interests.

This process has not stopped with the end of the Cold War. Many progressives have intimate connections with the foreign policy establishment through their participation in academic research, development projects and human rights work. Much of this activity is admirable, but it is also true that the need to maintain financially struggling solidarity organizations often leads to the development of strategies to attract mainstream funding. Chester's book suggests that this embrace of the American government must transform the individuals and organizations involved in soliciting such financial support. In particular, the search for financial solvency often means that commitments to radical social change and organizational democracy wither. Not all such processes lead to the direct submersion of Non Governmental Organizations into the covert network, but the bureaucratic transformation of progressive organizations still has its insidious effects.

I wish that Chester had drawn out these contemporary lessons more forcefully linking the eras of World War II and the Cold War to the present. Nevertheless, *Covert Network* is an important study of the formation of a key structure of postwar America.

The Dialectic Re-Examined

LENIN, HEGEL AND WESTERN MARXISM: A CRITICAL STUDY by Kevin Anderson. Urbana, University of Illinois Press, 1995

Reviewed by Paul Buhle

THE MARXIST VIEW OF PHILOSOPHY AND, IN PARTICULAR, G.W.F. Hegel's contribution to philosophical understanding, has changed enormously and unpredictably over the generations. Consider, for instance, the late 19th century popular understanding of socialism's transhistoric perspective in which (according to William Morris or the creators of socialist hymns and visual symbols), capitalism was only an interruption in the largely cooperative history of homo sapiens. The Hegel of this tradition, heir to the Communards of the Radical Reformation, was nearly the same as the unpleasantly mystical Hegel whom a score of outspoken American pragmatists, from William English Walling and Max Eastman to Sidney Hook and James Burnham, determined to banish into the dark ages of unscientific thought. And the same as the ghost that Louis Althusser later sought to vanquish once and for all. But he was hardly kin to the wise philosopher praised by other brands of eclectic socialists before the Russian Revolution, to the Hegel rediscovered by the first excited readers of Marx's *Economic-Philosophical Notebooks*, and to the most philosophical-minded critics since the collapse of Stalinist hegemony in the Left.

Posing the question of Hegel's meaning and value in the Marxist tradition has been, since the 1920s, further complicated by the question of the "real" Lenin. The author of *Materialism and Empirio-Criticism* (a text quite rightly described by Lenin's political rival, Anton Pannekoek, as crudely mechanistic) is not the same as the author of the revolutionary leader's "Notebooks on Hegel," just as the author of *What Is To Be Done?*? is not the same as the forceful advocate of the Soviets. Two Lenins? Too easy. Kevin Anderson has a better if vastly more complicated answer, situated within the traditions of Marxist thought after 1914.

Anderson sets out with a comprehensive and nearly exhaustive internal account of Lenin's views on Hegel, indicating both an initial revelation and a subsequent backtracking into what is keenly described as "ambivalent, secretive Hegelianism." Stalinists and likewise orthodox Trotskyists (including, of course, Trotsky) who liked to depict Lenin as a Man of Iron, could never have credited the ambiguities within which Lenin slid around the subject. Ander-

PAUL BUHLE's *latest volumes are* Images of American Radicalism (*Christopher*), *co-authored with Edward Sullivan, and* Tender Comrades: a Backstory of the Hollywood Blacklist, *co-authored with Patrick McGilligan* (*St. Martins*).

son stresses that “the concept of self-movement is the key to Lenin’s whole concept of dialectic” (105) and this is convincing up to a point. This does not banish what Anderson describes as a “tug of war in Lenin’s mind”(106) between the Marxism of his youth and that of his Hegel reading.

More than one reader will likely have asked by this point a question that would scarcely have occurred to generations of Marxists: So What? A typically American, exceedingly frustrated socialist of the 1890s once complained that leftwing intellectual pedigrees interested him just about as much as the controversial afterlife of the late Christian Science founder Mary Baker Eddy (as far as he was concerned, she might as well be buried in Boston Baked Beans). He wanted doctrines that worked. To this inevitable line of query, Anderson offers several good answers. A reinterpretation of Lenin on Hegel casts significant light on what W.E.B. DuBois called the great division of the 20th century: the color line. Lenin’s published writings on imperialism over-simplify the *Notebooks On Imperialism*, Anderson persuasively argues, and ironically seem closer to the Bukharin that Lenin criticized for failing to see the explosive contradictions and potential mass movements set loose by the Empire-builders. Lenin’s vision of national liberation becomes, here, an often hidden key to his post-1914 dialectical vision of world revolution seeking to reconcile national and proletarian aspects of the revolutionary process.

In the long run (up to the last years of the 20th century, at any rate), Bukharin actually seems to have the best of the argument: Imperialism has proved capable of swallowing virtually all the resistance to it. But this baneful reality may actually shed more light on Lenin’s sharp post-1917 critique of bureaucracy, the very mark of the failed post-colonial state in the second half of the century. Once again and for the final time in his life, the Lenin of Bolshevik Party discipline seems to contradict that late-life Lenin who sought desperately to find a way for workers and peasants to replace the bureaucracy in an isolated Soviet Union. Much as Western Europe’s socialist leaders resolved the theoretical problems of Empire in their own minds by supporting their own empires in 1914, so Stalin settled the issue of bureaucracy — at a price of blood and suffering for which the world is still paying today.

THE LAST THIRD OF ANDERSON’S VOLUME, which seeks to follow the story into the post-Lenin world, straddles a more complex set of political issues, philosophical notions and diverse personalities. Although he covers aspects of thinkers like Gramsci, Korsch, Lukacs and Lefébvre, the main burden of Anderson’s effort is the work of Raya Dunayevskaya. This last he treats in close and admiring detail, befitting both his political allegiance and his own hard exegetical work. He argues convincingly that the Russian immigrant and former secretary to Trotsky first conceptualized the break of philosophical thought in Lenin’s notebooks and the consequences for his subsequent perspectives.

He does not succeed in covering the wider ground of the continuing Lenin and Hegel controversy comprehensively, because it is simply too large for a few chapters’ work. Members of the 1960s-70s political generations interested in such questions will likely remember the philosophical scope of discussions considerably broader than Anderson’s version. In part responding to the anti-dialectical currents of Althusser (along with that philosopher’s then-prestigious sympathizers) and in part elaborating a Marxist phenomenology burgeoning from Italy and Eastern Europe to corners of the United States, new revolutionary Left-Hegelian currents could be felt in *Telos*, *Radical America*, the surrealist journal *Arsenal* and elsewhere. A movement arrested by the political downturn and the drastic shift of *Telos* rightward, this tendency and its familiars has proliferated from leftish religious seminaries (with markedly strong reverberations in Liberation Theology) to film classes — where the ideological stranglehold of Structuralism eventually yielded to a plurality of Left perspectives.

Anderson is quite right in saying, in his conclusion, that the ongoing global crisis of capitalism and the realities of neocolonialism will inevitably bring the questions of Lenin and the dialectic back to light. As it returns, not only postmodernist Jacques Derrida will call for a fresh exploration of Marxism. But we don't know how Lenin's philosophy and the familiar questions of spontaneity and organization so sharply debated during an earlier industrial age will find their place alongside today's pressing questions involving the crisis of the environment, or the rise of global communications. We cannot, in short, predict how generations raised on Afro Pop will make use of Plekhanov's heirs. Anderson lays out the issues of intellectual history, at any rate. It remains for all of us to pick them up and see what use they can be put to as we move away from a disappointing 20th century.

DISCUSSION

Al Shanker: Another View

To the Editors:

Paul Buhle's piece "Albert Shanker: No Flowers" (Summer, 1997) offers a wealth of misinformation and distortion of one of the great progressive figures in organized labor.

Buhle doesn't even know the difference between a local like the Teacher's Union (TU) and the Teacher's Guild and the national organization, the American Federation of Teachers. The Guild, in large measure led by founders of the movement to unionize teachers — Linville, Lefkowitz and Dewey — made an exodus from the TU when it came under the iron control of the Stalinists. Later the Guild, which became Local 2 of the AFT, was enlarged by the departure of radical teachers from the TU—Socialists, Trotskyists, and Lovestoneites. Despite its political differences with the TU, the Guild opposed teacher loyalty oaths, and the denial of teaching posts to Stalinists.

Both Shanker and I joined the Guild after all this happened. Al taught math in a junior high school and I taught the social sciences in what is now the New York City Technical College of the City University of New York. The Guild was one of the "57 Varieties" of teacher organizations — divided around system-wide categories (elementary, junior high, high school), by subject matter, by sex, by religion, by borough. The teachers were powerless, limited in their protestations to the revolving door of begging before the superintendent and the budget hearings before the Board of Estimate.

Early on, Al Shanker recognized the need for teacher unity. He and organizer Dave Selden fashioned a single salary schedule applicable to all teachers regardless of division. This was based on differentials based on the acquisition of Master's Degrees. Negotiations with segments of the High School Teachers Association (HSTA) resulted in the creation of the United Federation of Teachers. Al took a leave from teaching to become an AFT field organizer developing a better perspective on the tasks of unionizing the profession.

The power base that the UFT represented had to be harnessed to a procedure that could effectuate change. Talk and agitation alone would not make a program of decent compensation, professional working conditions, and job security a reality. A cry arose at a Delegate UFT Assembly for collective bargaining. Mayor Wagner responded by appointing a labor advisory committee which recommended that a referendum be held among teachers. The results were overwhelmingly in favor of collective bargaining. The formal election procedures were held under the reactionary Taylor Law which outlawed strikes of public employees. The election results were decisively in favor of the UFT. The HSTA disappeared and the TU dissolved with its members joining the UFT.

When the board of Education refused to implement collective bargaining and negotiate a badly needed salary increase, a stormy membership meeting was held. A closed ballot vote called for a strike. I chaired that meeting and can attest to the new vigor which animated the teachers. The walkout lasted one day when money was “found” by Governor Rockefeller with the aid of UFT organizer Dave Selden to finance the fist union contract for teachers in New York City.

In 1964 Al became the UFT president, succeeding Charles Cogen who was elected to head the AFT. In 1967, Al led a three week strike in defiance of the Taylor Law and served 15 days in jail.

IN 1963, BELIEVING THAT COLLEGE FACULTY REQUIRED A SEPARATE IDENTITY, I applied to the AFT for a separate charter. Al opposed that move feeling it would weaken the unionist base. Nevertheless, the AFT granted the charter for the United Federation of College Teachers (UFCT). The UFT provided office space and equipment without charge. In 1966 the UFCT called a strike against firing 32 professors without charges or hearings. Al Shanker was in the van securing aid from AFT locals and other unions. Our kick-off rally was addressed by AFT President Cogen and Bayard Rustin. Father Peter O’Reilly and I who led that strike, amassed a huge strike benefit fund enabling us to sustain that struggle for six months.

Civil rights were no strange phenomena for Al Shanker. He marched with Martin Luther King, Jr., A. Philip Randolph, Bayard Rustin, and James Farmer from Selma to Montgomery. He rallied with unionists at that historic March on Washington in August, 1963. In the AFT nationally, when Al was active in the Teachers Guild, the Guild delegation to the AFT conventions led the fight to expel all AFT locals which refused to end the practice of racial segregation. Over 3,000 members were lost in Tennessee, Georgia, and Louisiana. This occurred well over a decade before the AFT’s rival, the National Education Association (NEA), desegregated.

While Al, initially sought to have parents, teachers and the school community involved in a common effort to improve education, he became appalled at the power play of “community control” developed by Rhody McCoy and Sonny Carson, in forcibly transferring teachers from the Ocean-Hill-Brownsville area without charges, hearings or due process, all in clear violation of the UFT contract. To cave in to “community control” operators would mean the unraveling of the union agreement with the Board of Education. And so, in 1968, a strike was called and in 1969 Al again landed in jail, this time, for 15 days.

While many sought to cast the strike as racist, others including the mass of teachers, held that it was a life and death struggle for the union. The integrationist approach of the UFT went beyond rhetoric with the institution of the paraprofessional program which resulted in hundreds of minority members – mainly black or Hispanic women — to gain positions in public education. At this writing, investing district boards with the authority to hire principals and oversee schools turned out to be an unmitigated disaster marked by political cesspools of graft, corruption, and favoritism.

Elected president of the AFT in 1974, Al Shanker retained his UFT presidency and had to lead yet another strike to make certain that the union contract remained in force. Despite the arrogant anti-teacher stand of Mayor Koch, Al found a way to save the city from bankruptcy by getting the Teacher’s Retirement system to invest $500 million.

AL'S BELIEF IN UNION DEMOCRACY EXTENDED FROM WITHIN THE UFT, where he inaugurated a public review board to hear member grievances against union leaders, to areas where unionists within the AFL-CIO were victimized by dictatorial leaders. Internationally, he implemented the AFT convention resolution supporting Solidarnocz which I introduced, by providing material assistance in the face of the brutal Jaruzelski regime. His actions extended to Czechoslovakia, the Soviet Union and South Africa. He fought the Pinochet regime in Chile and, in the International Rescue Committee (IRC), furthered help for the Cambodian boat people together with Liv Ullman. The Spanish Refugees from the Civil War were also aided by Al and the IRC.

He had profound faith in the public schools and fought all efforts to privatize them or weaken them by the device of vouchers. He was for instituting standards of excellence to salvage teachers who suffered from loss of effectiveness, and wanted younger teachers to benefit from a mentoring relationship with experienced personnel. Teacher unity remained a goal which he couldn't fulfill because of his bout with cancer, but negotiations with the NEA may be completed soon under the banner of the AFL-CIO.

Al Shanker must be judged by what he said and did. To tie Al to unsavory individuals without any evidence is an unworthy McCarthyite tactic. Al Shanker was a social democrat, a militant trade unionist and a believer in democracy as a value as well as a process.

At the memorial meeting for Al in the N.Y. State Theater, 2,500 teachers and friends in the audience heard moving testimony about Al, including a tribute from the current president of the AFL-CIO John Sweeney. I am proud of my long term association with him and have no compunction about providing "Flowers for Al Shanker."

ISRAEL KUGLER
Founding President of the United Federation of College Teachers

Paul Buhle Responds:

I REGRET DISAGREEING WITH ISRAEL KUGLER because I am very much in sympathy with the secular Yiddishism and the socialism (even if not my brand) that he has long espoused. Indeed, the historical legacy of the Jewish left, at least until the rise of the labor bureaucracy, is as dear to me as to him, even though I regard his views on such matters as the post-1920 American left, the Cold War, the AFL-CIO (until 1995) and the "Jewish state" as profoundly mistaken.

I am compelled to disagree, however, because Kugler is so determined to draw positive conclusions from Albert Shanker's early and energetic devotion to teacher unionism. I don't question Shanker's energy level, although many oldertimers also recall "Al" as an overbearing Sammy Glick-style careerist altogether typical of Cold War unionism. My essay aimed mainly to discuss the net effects of his leadership during the later 1960s when, for his own malign purposes, he determinedly exacerbated racial tensions and avidly supported the Vietnam war; and after, when he became the staunchest supporter of the Kirkland clique and their program of global business unionism, including widespread intelligence activities and overlooking human rights abuses from Latin America and the Middle East to Asia. It is as arch-enemy of union reform and revival that Shanker deserves to be remembered, here and abroad.

I would not choose, even now, to dwell upon Shanker's sins, except that the typical patterns of business unionism and, indeed, criminal behavior (such as bribes, threats and underhanded cooperation with business against workers) in international labor policies remain very much alive in certain quarters. According to reliable sources, the huge slush fund of CIA and conservative foundation cash which for decades passed through the International Department of the AFL-CIO is now finding new channels. Indeed, cashiered officials and advisers of the discredited International Department have reportedly moved on to the AFT, the Bricklayers and other unions headed by conservative hardliners, eager to subvert the new AFL-CIO program of world labor solidarity.

Not only do these union leaders seek to maintain Meany-style influence abroad, but they look to the day when they can return to the center of power in the AFL-CIO itself. Jimmy Hoffa, Jr. is their grandest hope at the moment; and knocking out Richard Trumka as potential successor to Sweeney is likewise high on their agenda. This is Shankerism, pure and simple. We who look forward to a revived labor movement as an interracial, egalitarian movement for social change would be foolish not to resist the intended return to the mean-spirited, self-defeating demeanor of the 1950s-80s.

The Nature of World War II

To the Editors:

I WAS VERY APPRECIATIVE OF JULIUS JACOBSON'S ARTICLE "The USSR and the Nature of WW II" in Vol.6 No.1., Summer 1996. Thinking back on those days and expanding on his remarks somewhat, it seems to me that after all the debate and discussion, most of us were very concerned with what we as individuals should do. If this was an imperialist war, should we have refused to support it? Was "Revolutionary Defeatism" a proper response? That is, as Lenin put it in a time long gone, "A revolutionary class in a reactionary war cannot but wish the defeat of its own government. This is an axiom." Another question was: Should we report for the draft? And if so, should we, as Trotsky implored us, "be the best soldier in the Army"?

Reduced to basics, we had very few choices. If you answered the draft call and were physically able (i.e., Is your body warm?) you were in the Army. You could become a Conscientious Objector and go to jail, which as some CO's later told me turned out to be a prisoner-of-war-camp type operation. Or, you could get frozen into a strategic war industry, which is what happened to me. I answered the first draft call sometime in the Autumn of 1940, while in the Merchant Marine, when I reached our first American port but was frozen for the duration after Pearl Harbor Day. What I am trying to say is that nobody had a clear view about how to "escape" being drafted. Later, after Pearl Harbor, the demand for having a strategy became most pressing. In short, everybody ran for cover to escape being drafted into the armed forces, a fate considered the ultimate indignity.

How did the subjective side, that is, the various political tendencies on the left look at the time? Things couldn't have been more hopeless. As soon as Hitler attacked the Soviet Union, the Stalinists declared class peace and became the best soldiers in the Army. They got into the war effort wholeheartedly and without reservation and became what may best be described, in one of my favorite Lenin phrases: Lickspittles of Imperialism! The Socialists were still smarting over Norman Thomas' alignment with the right-wing isolationists and by the following December were in the same boat as the rest of us. Most of the Trotskyist left, Socialist Workers Party and Workers Party, either got into the war industries or were drafted. The ultra-left (Oehler, Field, Weisbord) completely disappeared from the scene and were never heard from again.

At the time, as I recall, many of us were unclear on the concept that Arthur Koestler made famous when he said: "We are fighting a total lie with a half truth." That is to say, we must defeat Nazi totalitarianism by aligning ourselves with bourgeois democracy. This of course in spite of the fact that another total lie, Stalinism, was forced to throw in on the side of the very bourgeois democracy it hated up until June 21, l941. But that wasn't our fault. The relationship of forces (I haven't used that phrase in 50 years!) threw Stalinism and bourgeois democracy into the same bed, both fighting for their lives. True, as Jacobson points out, the ruling classes of France and England, despicable as their position was during that entire period, especially on the non-intervention issue during the Spanish Civil War, didn't give us much hope. But the fact remains that they saw their interests as requiring the elimination of the fascist states and it was incumbent upon us to recognize that and support the war but reject class peace.

What I'm trying to say is that none of us realized that we were supporting the war effort, albeit critically, one way or another, in that we tried to fight a total lie with a half truth. Although we consciously did not admit it at the time, and did what we could to save our hides, we were all hoping for the defeat of Naziism and other forms of fascism or as you say, the fascist states. When we look back now, with our brilliant 20/20 hindsight, had the U.S. not entered the war, Hitler could have damned well won it! And no matter what sort of scenario one could conjure up, the fact of the matter was that our future as a civilized society would have been doomed.

Jacobson's concluding paragraph also rings true. "As a result of the war, half the people of Europe were condemned to live in a society no less repressive . . . than the defeated fascist states. . . " But whose fault was that? The combination of the American ruling class and Stalinist totalitarianism routed the devastated nascent progressive movements which were barely regrouping into a "third camp." And the rest is the history of the Cold War. In short, we were never strong enough to turn it our way. . . and to this day remain not strong enough.

JOE GLADSTONE

Julius Jacobson Comments:

TOWARD THE END OF HIS AMIABLE LETTER, Joe Gladstone writes that if Hitler had triumphed in World War II, "our future as a civilization would have been doomed." What I believe Gladstone infers is that even though he accepts many of my arguments opposing World War II, it was nevertheless an error for those small numbers of left-wing socialists, pacifists and anarchists to withhold their support, or "critical support," of the Allied war effort.

I don't know if Gladstone literally accepts the apocalyptic notion that a Hitler victory would have doomed civilization. I, for one, find it hard to imagine that a victorious Wehrmacht and all of the other agencies of Nazi repression in concert with their Quislings could have permanently subdued all of Europe, Russia included, and beyond.

What is certain, however, is that while a hypothetical victory of the Axis forces would have plunged all of Europe into a state of barbarism previously unimaginable, the destruction of the Nazi state did not, in fact, lead to a liberated Europe but to the consolidation and extension of a parallel and equally savage totalitarianism: Stalinism. As a logical consequence of the war it was possible for Stalin to consolidate his stranglehold over all of Soviet society, to heighten the level of terror, to enslave and kill tens of thousands of Russian soldiers for the crime of having been taken prisoner by the Germans, to prepare new purges and to murder any number of Jewish intellectuals in preparation for a massive pogrom, forestalled only by his fortuitous death. And beyond the borders of the Soviet Union — itself a prison-house of nations — the Kremlin was afforded the opportunity to create a vast empire from the Baltics to Eastern and Central Europe with Russian troops on guard duty in the artificially created satellite of East Germany. An imperium that not even the most ambitious of the Romanovs could have imagined.

But it can and has been argued that even if one accepts all this, things would have been even worse if Hitler had won the war. I do not doubt that for a moment. The defeat of Hitler did at least make it possible to preserve bourgeois democracy in Western Europe, it destroyed the fascist system in Italy and in the Western half of a divided Germany. Since it is self-evident that bourgeois democracy is preferable to totalitarianism, in the absence of a third camp as a viable contending force, I preferred a victory of the Allied army. For that reason, as I explained in my article, Lenin's notion of revolutionary defeatism (always a somewhat hazy concept) was neither relevant nor tenable. Lenin could reasonably call for the defeat of the Czarist armies during the Russo-Japanese War because Russia was the most reactionary power in Europe and its military defeat could have had progressive social consequences. In World War I where there was an equivalency of evil there was a moral and political imperative for socialists to maintain an unqualified opposition to both sides in the imperialist war, a mandate rejected and betrayed by most mass Socialist parties.

However to recognize that World War II was different, to acknowledge that a defeat of the German armies was preferable to a defeat of Allied forces does not imply *support* of the war or invalidate opposition to it. To have "supported" the war, if the term has any operational significance, would have meant an unacceptable level of commitment to the Grand Alliance, a muting of criticism, a willingness to subordinate the struggle for economic, political and social justice to the over-arching objective of "winning the war."

To have supported the war would have meant obscuring the truth about the bourgeois democratic camp as inherently incapable of fighting a war against fascism, i.e., a war for democracy. Support was hardly compatible with the obligation to expose the inbred deceit, hypocrisy and chicanery of the British bourgeoisie which had already made clear its penchant for fascism in Spain and contemplated an anti-Russian alliance with an uncooperative Hitler. Nor did support of the war lend itself to revealing that the French bourgeoisie and its military establishment and gendarmerie was befouled by fascism, corruption and treachery. To the extent that the French bourgeoisie did reluctantly fight (ever so briefly and feebly) it was to preserve its empire and its social and economic rewards, not to preserve France from the ravages of fascism as was made amply clear after its fall.

And the U.S. — that paragon of bourgeois democracy — was no more capable of subscribing to the principles of the Four Freedoms than its European counterparts. The Roosevelt Administration was complicit in maintaining a segregated army. For FDR an alliance with the Dixiecrats was more important than leading a democratic war at home against racism. It was the Roosevelt Administration that turned a deaf ear to pleas to open the doors to German Jews menaced by Naziism. It was the Roosevelt Administration which embargoed arms to the Spanish Republic knowing full well that it would help bring Franco to power, a prospect that clearly did not faze the President who was, in any case, far more concerned with winning Catholic votes at home than winning a war against fascism in Spain. What stock could one place in this country's commitment to the Four Freedoms when it herded 120,000 Japanese Americans into detention camps and prosecuted and jailed socialist critics under the notorious Smith Act?

What opposition to the war meant at home was that we were free to support and encourage all struggles for economic, political and social justice. Concretely that meant to aid and participate in working-class struggles, to resist the no-strike pledge, to rally support for the March on Washington and all other campaigns against racism and never to compromise these commitments on the specious ground that they interfered with the prosecution of the war.

Opposition to the war also meant political resistance to the manner in which the war was fought by each of the three partners in the Grand Alliance. Saturation bombings and dropping the bomb on Hiroshima and Nagasaki were criminal acts. The Soviet Union, in turn, fought the war no less ruthlessly than the Germans, using the war as a pretext for genocide against several of its national minorities. It allowed the Wehrmacht to exterminate the Polish resistance in Warsaw before "liberating" the devastated city. While the world was properly horrified by German massacres of Russian prisoners, much less was heard from supporters of the war against similar atrocities committed by the Russians against hundreds and thousands of German prisoners executed outright.

In brief, World War II was not a war for democracy but for colonies, markets, power and privilege. For all its complexities, it was an imperialist war which could not have been supported (not even critically) without compromising a commitment to socialism and democracy.