



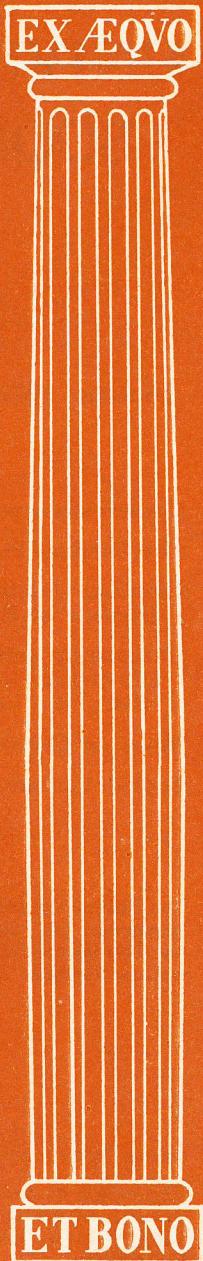
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The
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A Quarterly Review

Edited by Russell Kirk

AUTUMN • 1972



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Editor: Russell Kirk
Assistant Editor: James Gorski

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Conservatism and the Car

ROBERT BEUM

... the human mind is capable of being excited without the application of gross and violent stimulants; and he must have a very faint perception of its beauty and dignity who does not know this, and who does not further know, that one being is elevated above another in proportion as he possesses this capability. . . . a multitude of causes, unknown to former times, are now acting with a combined force to blunt the discriminating powers of the mind, and, unfitting it for all voluntary exertion, to reduce it to a state of almost savage torpor.

—Wordsworth, 1800

Protracted intercourse of human beings decreases their affections, their belief in their race, and accustoms them to devoting their entire aim and endeavor solely to the means of well-being. Their needs and the devices for the satisfaction of their needs become more complex; and the greedy man requires so much time to get to know them and to acquire skills in them, that no time is left for the quiet composure of the spirit, for attentive observation of the inner world. . . . A certain solitariness seems to be necessary for the thriving of the higher senses, and hence a too extensive association of persons one with another will inevitably choke out many a sacred stalk and frighten away the gods who flee the unquiet tumult of distracted societies and the transactions of petty occasions. —Novalis, 1799

TWO OF THE continuing frustrations of life in this century are the tyranny of the automobile and the failure of anyone to do, or even say, anything about it. "Conservatives" in particular are to be faulted: though there may be something like 57 varieties of conservatism, presumably all of them should disapprove of the radically monistic and innovative thrust of the modern car; but their animadversion, if it exists, is a well-kept secret. Of repudiation there has been very little; in fact, conservatives, like everyone else, have stayed on a car spree for a half-century now. One's impression is that the issue has been evaded. Perhaps we sense that an honest search would force us to choose: traditional Western values or the car.

Painful dilemma, especially now we've built not only the car but a car-centered world. Our four-footed Mercuries and monoxide Zephyrs are not the mere amenity or surface feature for which we seem inclined to take them, but are in fact a powerful and perhaps the single most powerful innovative—hence anti-conservative, anti-intellectual, and dehuman-

izing—material force in the modern world. The ideal car—the Nader Safe-T or the National Safety Council Model A-Plus—is only an ideal nightmare, and not only for conservatives or traditionalists, but for everyone who would stay (or become) reasonably human.

Such is my thesis. The car is, I repeat, a fact of life and one of the first facts; our very economy is geared to the four gears; we are well swallowed in the metal bellies of these proliferating abstract worms: The case against them is necessarily academic. But academic cases do have their utility. I would be well satisfied, for example, if some remark of mine caused even a moment of fluster or arrhythmia for one or more of my ultramedievalist, archreactionary friends and acquaintances, whom I have known to discourse coolly on the banality of modern habits and on the aesthetics of the Vulgate Magnificat while they floored it down the Interstate. As one reminds one's psychoanalyst, there are anxieties that ought to be encouraged.

The mindlessness of modernity is nowhere more evident than in its failure of imagination when it takes up this problem of the automobile. Cars are dangerous, drive safely—but do drive them, and buy them. How bold and helpful. We are shown horror films and horror statistics. Cars would be fine if only they didn't maim and kill—and, oh yes, pollute and kill off wildlife. This is the inane line that, it is hoped or believed, may yet pave the way to traffic without trauma. The whole approach is crude, quantitative, mechanical, materialistic, atomistic, mere American. The spiritual, neurological, and aesthetic implications of a car culture, which are immensely more important than loss of life and limb (our eventual destiny anyway), are ignored or slighted as minor matters: The mass mind, the mind of declining democracies, is incapable of seeing anything except the obvious fact, the immediate result, the thud, the blood flowing. And this crudely reformist line has proved ineffectual even on its own terms. The very fool knows in his heart that even with less than perfect driving habits he has, in fact, all the frightful films and figures of secular evangelism to the contrary notwithstanding, a far greater chance of winning than of losing at the driving game. The big crash is a bruited thing; it does happen to someone else. Only one person on the block has been visited by the angel of whiplash. Besides, proportionately more died in the plagues than die in the chassis. As for pollution, the U.S. chemists will, as always, ponder to the rescue at the last moment. As for the wildlife—well, to say nothing of porcupines and lynxes, masters who run over their own dogs commonly fail to turn the

license in. Possums are fine, but modernity forces us to live nine miles from the office.

I speak of tyranny, of monism. Here is our true horror, albeit unmentioned by our enlightened officials and journalists. Tyranny instead of choice, monism instead of life-giving variety, relentless obtrusion upon the spirit, the disappearance of sensibility and morale: This is our traffic. The first victims are those unexpended few, the men and women of higher but at the same time delicate nature, of sensitivity, wide-ranging talent, and good will, those whom no society can long frustrate or ignore or unwittingly decimate without falling to pieces, the natural aristocracy, that most oppressed of all minorities; and the next victims are all the rest of us.

WHEN I emigrated to Canada four years ago I found I could breathe easier in certain ways. One of those ways was my relationship with cars and the people who drive them. I had at least exchanged a greater for a lesser tyranny. In the fifty states, people suspect you if you happen not to power a Clean Late Model; you're at least a little contemptible; sometimes you'll be positively inadmissible. Americans—and people everywhere are becoming Americans, while ostensibly hating the breed—tyrannize with their cars. The prejudice of our liberals and the prescription of our libertarians alike have four wheels. If you want to be no one, simply walk, or pedal, or drive a veteran of rust and dents. Never in history has so much tyrannic vanity, so much pride of affluence, so much smart self-indulgence had such horsepower behind it. In the Middle Ages or in the ancient world one might have been able to escape the court of the local voluptuary sadist tyrant; the country life remained simple and clean. But what America traffics in is everywhere. Canada, east of Toronto and Montreal, at least, has been an improvement. I'm thankful not to have to be so much on guard against the ubiquitous snobbery of The People. Thanks to a little poverty and bad weather, the Maritimes still have great riches of charity. Yet the tyranny of four-wheel pride grows even in the appled land of Evangeline and on piscatorial Prince Edward Island. Charity falls from the air, along with the trees that fall for the new road, the widened street. Only a few years ago, Elm Avenue, the main artery of Charlottetown, was what its name suggests; today it roars and has been appropriately renamed University Avenue—and with pride, not lamentation.

And so the best live in chagrin; but the less sensitive may live only a

little better. The triviality, the emptiness, of technological affluence and independence, of which the automobile is the supreme instrument and symbol, is sensed even by The People, and the psychologists and sociologists find us all car-sick, and getting sicker: The tyrannizers are tyrannized. The modern masses (not unlike most modern intellectuals) rebut all medievalism and Hellenism with the rejoinder of the great plagues and of serfdom. But what of a plague not physical and sporadic but soul-wrecking and unrelenting? Our highways in their role as super-slaughter strips are bad enough, but lives will always be lost—storms, plagues, and wars do come; officials and bureaucrats and media men keep on making bogeyman displays of vehicular injury and mortality, which are still highly selective, while whole neighborhoods—homes, families, soul roots—are being scooped out of existence to accommodate the freeways, and whole nations and continents are losing their character, their morale, their charity, their soul. If human nature, and especially mass nature, is, as some of us believe, essentially incorrigible; if The People will sooner surrender the vote than this serious toy that, like the X, helps make them “as good as . . .”; yet it would at least be a step toward re-establishing right order if the safety sermonizers would recognize the existence of our souls and sensitivities as well as our bones. And where are the conservatives? Everybody drives and everybody drives the limit.

Give me Wordsworth or Novalis. Were they living at this hour they too might be forced onto the freeway: The tyranny holds; but they'd drive noble old jalopies, wagons with character and polluting on only six; and they'd still walk a lot; and be anxious about their concession. Walk, poets must; and have quiet; and so must the poet in all of us; so, in fact, must any man who would simply be vigorous and any woman who would be dynamically feminine. When men walked a mile to work and boys a mile to school they actually looked like males; which did wonders for their élan (even as they grumbled), and made women's hard lot a little easier; and at sixty more than a few of them had spring in their legs and arteries without traffic congestion; and they had the time and free spirit to behold the variegated way and even to muse a little if they chose. Wild boars and other fanged critters weren't as common or as aggressive as soft moderns suppose—and anyway there were safety trees. D. H. Lawrence, who was sometimes not at all right, could be very right:

It is this perfect adjusting of ourselves to the elements, the perfect equipoise between them and us, which gives us a great part of our life-joy.

The more we intervene machinery between us and the naked forces the more we numb and atrophy our own senses. Every time we turn on a tap to have water, every time we turn a handle to have fire or light, we deny ourselves and annul our being. The great elements, the earth, air, fire, water are there like some great mistress whom we woo and struggle with, whom we heave and wrestle with. And all our appliances do but deny us these fine embraces, take the miracle of life away from us. The machine is the great neuter. It is the eunuch of eunuchs. In the end it emasculates us all.

All arterials lead to Atrophy. The driver's and passenger's combination of physical passivity and technological complacency goes a long way toward explaining, say, the physique, physical condition, face, and demeanor of the contemporary American male. Tittering pipsqueaks proliferate; jowls and asses expand with the economy: gross national product. The car softens men, hardens women, and fattens everyone.

The rejoinder is that only the few (as usual) are offended. To be sure, The People seem undismayed by the shape they're in. Still, the rejoinder misses the mark. A soft, insulated, undisciplined folk write no poems strong for the race, and win no battles—if they can even bring themselves to appear, for weakness breeds cowardice, not confidence. And though democracy has degenerated to a mystique of numbers, it remains, in the nature of things, an egregious injustice to condone and perpetuate what wounds the goodly few. Indeed, our whole enlightened world seems to have forgotten the first axioms of real justice, one of which is that if a thing or situation is deeply repugnant to some and not clearly necessary or benevolent to others, the will of those who are dismayed should be allowed to prevail. Conservatives, in any event, ought to favor masculine men, feminine women, and health, nature, and poetry all around.

THEY SHOULD also want to conserve the basic courses of spiritual and social continuity or solidity: the authentic individual; the loyal and reasonably contented family; the variegated, personal, intimate, and intuitive level ever threatened in this century by the level of uniformity, impersonality, and abstraction. In ways far too intricate to exhaust, the car is again the prime suspect. It thrusts us toward discontinuity, fragmentation, constant change. An epic of analysis is possible—and perhaps heedful—at every turn here, but I have space for little more than epigrams.

The early cars were built to last, and often did. Henry Ford was not above a profit, but one charge we can't lay is that he marketed those Model As and Ts with the design of inducing the New Car czar; that, follow-

ing a familiar pattern, was the inspiration of the hucksters, who succeeded the engineers. The ease with which a large majority of the American public was converted to Late Modelism is an interesting commentary on the values and sensibilities of The People even after several decades of public education. Through the early 1950s most cars had at least the virtues of economy, metallic solidity, and gentleness or quaintness; a good many models had, as well, sound engineering, especially in the motor and electrical systems; basic parts were, as a rule, simply constructed, and cheap and easy to repair or replace; halfway sensible and virtuous beings would have held on to such creations—if in fact the making and driving of cars is not a sort of madness or *hybris* to begin with.

THE LIBERAL line, the consumerist or progressivist line, is that The People have all along been victimized by The Few—by the entrepreneurs and their servants, the clever devils of charismatic advertising: The People (being sacred to the secular mind) in this matter as in all others are blameless. Now this flabby and very tired but nonetheless perennially popular argument ignores two crucial facts: first, that even the masses are blessed with a measure of free will and are therefore accountable; second, that the devilish deluding few themselves are not men of the natural (or even of the titled) aristocracy, but are equally of the many: the Michigan and Madison Avenue sets are simply those of the would-be plutocratic multitude who have made it. History shows few if any spectaculairs of material waste and spiritual poverty to match the twentieth-century's exuberant annual scrapping (but not clean burying) of eminently viable and viewable motorcars. What's certain is that the New Car ritual has fostered a tremendously neoterist habit of mind in the body impolitic, complementing the swarm of other neoterist influences that have devolved from other institutions, including the myth of Progress, scientific and artistic experimentation, bold technological exploitation, and socio-political liberalism and permissivism. The man who's only too ready to switch to another brand or model may thereby be a little readier to switch wives, roles, or attitudes toward the living unborn. The car has been the vehicle of more than one type of mobility.

In any case, mobility the automobile is, and mobility is the antonym of continuity. The sociological and psychological case against the extreme physical mobility and range we in the "developed" (read: used up and cluttered) countries have achieved is impressive and fairly well known if unheeded. The essence of it is that human nature is essentially con-

stant and therefore requires certain things and the relative absence of certain other things if it is to realize itself and pursue or achieve any considerable degree of spirituality and benevolence; that the terrific pace and constant change (and of course other features) definitive of modernity are so unassimilable, so antithetical to human nature that the price-tag on our V-8s and Interstates is not tax dollars but inauthenticity, ennui, alienation, and neurosis and psychosis. We've chosen to have wheels rather than roots: The car, more than anything else, is the instrument of our mobility and evasion.

Cars demand roads. More cars demand more roads, and paved ones. A more and more affluent, soft, and self-indulgent driver or passenger demands perfectly smooth high-speed paving. More and more cars going faster and faster on more and more aesthetically sterile roads is a formula for social disaster. Cars mean roads that lead to the city, and jobs within the city: The cars' rubber and steel and glass plants and refineries; car-selling; car-repairing; car-refueling; car-created sales and promotion enterprises. The country folk, lured by the prospect of more amenities and of a less strenuous and more lucrative way of life, and propagandized until they feel obliged to be where the action is, sell their farms and join the flow to the city—and all its endemic problems which are thus aggravated. Overcrowding, overcentralization, overinsulation, overstimulation, instead of nature and the virtues of the small town; the impersonality of the farming corporations instead of the family farm; suburbias (reached by car) strangling the venerable downtowns and augmenting the pollution-hours. Serenity falls from the air: The tempo in itself means distractedness, brashness, let-downness, irritability, anxiety, nervous and vascular disease; means people whose thresholds are too high for real poetry or real philosophy or real simplicity, means the end of Keats and of contemplation. Gilbert Murray (no reactionary he!) put it well:

Excessive stimulus may well produce extraordinary energy, but it does, probably, produce ennui as well, and with ennui "a degrading thirst for outrageous stimulation." A man accustomed to the constant stream of external stimuli which are characteristic of modern city life, "amusements" mechanically laid on from outside, and "news" flung at them by the sensational newspapers which form his principal reading, is probably less able to appreciate beauty in literature or art than one who lives more quietly. His jaded nerves cry not for beauty, but for novelty.

Had Dr. Murray written that in 1972 instead of 1927 he would have deleted his two charitable "probablys." Young people at school who are too nervous, impatient, sensationalized, and already too jaded with living

too much, too fast (*Look* called it Bright Awareness and Earlier Maturity; the nerve doctors have other terms) to be attentive or responsive to quiet, unkooky intellectual and aesthetic experiences—I have had to face them for almost two decades. They drive, and ride, those kids, when they're not at the tube.

It's as much a case of what the car deprives us of as it is the wreck its noise and speed involve us in. Wrap a sheet of steel and glass around a man and you've properly insulated him from the natural world, that is, from what he was made for. Only a pedestrian can soar. The delight in observing and in the sense of having the leisure to observe; the delight in feeling *a part of* rather than *apart from*, in communion, in getting to know the faces, windows, porches, flowers, children, instead of seeing them blur abstractly by; the health of being humbled to one's own motive power; all the pleasures of simplicity, all the serendipities of walking—so much, and more, is lost to the proud revver of *The Latest*. And this unmotored living is alone the base on which can be built appreciation of the other life-enhancing quiet pleasures, virtues, and studies. Only television rivals the car as an instrument of abstractness, passivity, and emasculation.

Mobility means change; our supermobility means *The Whirl*. Even the best of times sees too much change, at least for the sensitive; and in our times four years is an epoch. Friends move away; good houses are pulled down; a sweet store is replaced by an expensive, impersonal, and pretentious one; an empty lot where kids played ball becomes an abortion. We have only so much spiritual capital, however many credit cards we have come to manage, and forming and trying to maintain affections and friendships entails a great deal of spiritual investment; the breaking of those relationships, caused by change, consumes our life force. The economy of salvation inevitably asserts itself: Gods, but not men, can form one deep attachment after another and bury quickly and well the grief of the too numerous broken ones. And this helps explain the profound jadedness and emptiness of American faces and demeanors: We no sooner make a deep commitment to someone, or something, or some place than it becomes unrecognizable or simply nonexistent.

It's precisely our internal combustion mobility that has made the city a colorless kaleidoscope; that has brought noise and danger to the remote hills and made the fabulous country sleep a fable indeed; that has marred and ruined the countryside for hiker and equestrian by constantly dissecting it with roads and their whines, horns, and radios; that has put an end

to the neighborhood and thereby to a good pride, a spicy sense of variety, and an emotional security that are indispensable to the development of a reasonably fulfilled and humane personality. What meaning can a neighborhood have—the Little Italy I grew up in, or the Nebraska Little Bohemias so many of my friends thrived in—when the car makes it easy to move out for an hour or eight hours or forever, and makes it tempting to do so, and finally makes it imperative to do so because—surely, somewhere, there must be a neighborhood more serene, or more authentically lively, or at least one that's a little different? (Fast engines mean that where you're headed for has had the same things carried to it that you found in the place you're leaving; Windsor becomes Detroit; Japan becomes the U.S.; the whole world becomes Western.) Take any town in my lovely prairies (but once they were lovelier): splendid houses—white frames, bricks, stuccos, half-timbers; spacious, sturdy, charming, promising to children; but they're only individual houses now, lonely, incomplete, uncommuning, not knowing the quiet and the settledness that make neighborhoods possible, and not linking up with a past full of people who knew how to take pleasure in small things that didn't break up neighborliness or the neighborhood. And the gas stations—more and more are needed—encroach; arrive; multiply; and expand.

TYRANNY, monism: one thing, always. The cars, their danger and obtrusion: their noise; their smell; their pride; their ballyhoo; their abstractness and anonymity; their bare boulevards where not so long ago silver maples and red oaks and climbing houses pulled spirits and poems up to be with them; their supermarkets, stark with fluorescent lights and pretentious with carpet and Muzak, where no shopper knows another or has a chance to practice the sweet discipline of charity, of that give and take once the bonus of the neighborhood grocery; their refueling zones exploding with neon; their monotonous stretches of viewless and unvarying black macadam and dirty white concrete where not long ago the footpaths wove and waved with saxifrage and queen-of-the-meadow, and the rosy brick and the homely green-gold cobbles, no two alike, wandered in moonlight and morning light and made a light of their own.

The tyranny holds: I still have to drive. But my charger's venerable, and quiet, and I drive him less and less. I walk a lot, and I tell my children and my fellow conservatives what I keep telling myself: Walk a little more—the soul you save may be your own.

The Reading Problem Entire

Consider the printed image of the word.
Survey the text. . . . Imagine this accord

Between the pedagogues of *now*, and *then*,
Progressive ones, and earlier Magnus men:

Read not to voice the worth of sense and sound;
Be still, and let typography abound.

Mark not the rhythm of the speeding horse:
The pacer oscillating on his course
(Reputed winner of a classic purse),

The trotter's hoofbeats on a smooth dirt track,
The tightened finish, and the wheeling back.

Not hear the cuckoo's cry that hangs on air
In Cumberland, and not imagine any shire

Where one in mowing-time would lean to hear
The whisper of his scythe in meadows there. . . .

Not ever taste the food and drink of literature,
Or prove the goodness of our Saxon earth,

Ignoring the roast beef and potato
Found lacking once in the good Greek of Plato,

Who (Landor said) was nice, but never hearty,
And so would not let Homer join the party.

Be unaware of guile in school, or state,
Of eloquence, the higher kind. The higher rate

Of reading what the pampered ghosts have said
Is open index of the blight they spread.

Read rapidly, yes, to be informed:
Reading to read let this be termed,
The reader as inquirer quite disarmed.

Read but to look: divine without delay
What quick-dividing throat can sing, or say.

Reading is practice movement for the eyes,
The *rectus* muscles: morning exercise

To see what words a minute they can see,
Perhaps to cut the record, Britishly. . . .

The speeding eye must never stop, or blink;
The racing mind, it may not pause to think.

The eye that gathers ink is all we need,
And psychologues will teach us how to read.

—AHM

Troubled Questions of Reapportionment

REAPPORTIONMENT IN THE 1970's, edited by Nelson W. Polsby. Berkeley: University of California Press, 1971.

Reviewed by Charles W. Schull

THE appearance of this volume calls attention afresh to one of the durable and prickly problems of American politics. Edited by Nelson Polsby, this book is a series of essays, each by a reputable scholar, setting forth considerations with an accompanying criticism and rejoinder.

Robert G. Dixon Jr. writes about "The Court, The People, and One Man, One Vote"; Malcolm E. Jewell comments on this. "The Supreme Court and Reapportionment" is the theme of Alexander Bickel, with a commentary by Carl Auerbach. "Reapportionment and Political Democracy," by Douglas W. Rae, has David Braybrooke as commentator. Gordon E. Baker takes up "Gerrymandering," with Charles E. Press as critic. "The Effect of Malapportionment in the States" is the work of William E. Bicker, with Russell D. Murphy's commentary. Two essays discuss the districting of the national House of Representatives; Milton Cummings Jr. and David R. Mayhew are their authors.

The book is well written and edited. Indeed this evenness of treatment, compatible styles, and general cohesiveness are all major factors to which any reviewer of this book should point as distinct assets. This would customarily be ascribed to the acuity and acumen of the editor, but the individual authors in this case must each be given a chalk mark for their contributions.

There are other points to be made in favor of *Reapportionment in the 1970's*. The initial one is that of its timing. It is the first major treatment of its problem in this decade. There is then a certain perspective, a glance backward at the turbulent decade of the Sixties, and a forward look into a period for which the arrangements are just being made. No one writing on this problem of districting and apportionment later in the current decade will have the same tactical choices or the psychological equanimity as do Polsby and his cooperating authors.

A second distinctive feature of *Reapportionment in the 1970's* is that it does provide a clear review of the major court cases occasioning the so-

called apportionment revolution. Should any reader be concerned to learn what was held by the United States Supreme Court in the major controversies about apportionment or districting affecting either the state legislatures or the Congress of the United States, he may turn to this book to find accuracy and precision.

In this interlude between streams of controversy about apportionment and districting, between the departed 1960s and the onrushing 1970s, this book can present an apparent certitude and air of authenticity in approach and analysis. Even the commentators and the rejoinders are not harsh or rough with one another.

This aura of dispassion, extreme scholarliness, and detachment, of rise above the political, is attained by the submersion or omission of other problems or phases of the larger problem. Years ago in 1941 the author of this review pointed out that the problem of reapportionment was composed or compounded of four principal factors: number, time, mode or method, and representative basis. Well, it still is in the 1970s.

Reapportionment in the 1970's gives some consideration to the matter of number of members in legislatures with recognition that a larger number in any chamber means fewer constituents per member in one-man one-vote districts whereas a smaller number enlarges the popular constituencies per member. Of the other place where number enters the problem of apportionment, that of the number of chambers, there is no apparent realization. Certainly continued reliance on the principle of bicameralism does accentuate all the difficulties of the apportionment problem. This theme of unicameralism will recur later in this review. Again it should be noted that several of the authors do seem to urge a reduction in the membership, particularly of state legislatures, as helping to mitigate apportionment and districting difficulties—without in any wise seeing that the reduction in the number of chambers ordinarily will work a reduction in the total number of seats.

THE factor of time with relation to apportionment and districting would seem to be the one phase of the over-all problem most clearly solved if it is assumed that federal courts will persevere in the enforcement of the "equal protection" clause of the Fourteenth Amendment relating to the one-man, one-vote standard. Another element in the current situation and future projections which must be taken into consideration is the growth in size of suburban regions and the decline in the population of core cities. These will operate to produce recurrent apportionments, un-

like the earlier situation where central cities were concentrating population spectacularly. However, the authors seem to place their full reliance on judicial supervision to keep legislative structures up to date.

With regard to mode of apportionment this book has a somewhat ambivalent position. Sensing that state legislatures sinned in the past, and that they retain a finger in the pie of congressional districts, no conceivable credence is given to a return of this function entirely to them. Presumably much of the reworking of districts in the decade of the 1970s will still be court-ordered. Several authors—Dixon and Bickel—mention the use of a bipartisan commission with a tie-breaker included or made operative. There is some virtue in this although the reviewer has doubts about the efficacy of any bipartisan commission in this field vis-à-vis an equally bipartisan or bifactional legislative body. As for the entire commission proposing, court-ordered specification of plan type of solution in the event of division or in action on the part of a commission, the memory of a Michigan state supreme court declining to displace, in such a quasi-administrative capacity, a districting or apportionment which it has just before held unconstitutional can only provoke the equivalent of intellectual belch and vomit.

If federal courts are to retain jurisdiction over legislative apportionments, a good case can now be made for return to legislative determination of their districts. At least the track records of all commissions with the possible exception of that of Ohio is no more encouraging than that of the legislatures unless the wave of the future is to vest all policy determination in the judicial branch.

Dixon, Bickel, Baker, and associates fear that equal districts open the door to gerrymandering. The latter is most simply defined as the manipulation of electoral and representative lines to produce the most acceptable political rewards. It is part of the entire process of politics in the sense of power utilization or government. It is essentially human and if it—gerrymandering—ever were to be ruled unconstitutional, anarchy or inaction should befall mankind.

Requiring some use of political boundary lines to achieve districting results could contain gerrymandering, but raises questions as to how this is to be done; although some dicta of Chief Justice Warren (which he himself forgot or ignored) do exist to assist in reconstruction. The factor of representative basis is still crucial, although in a different way. Bicameralism seemingly requires diverse representative bases for each of its chambers or else the utility of the second chamber—whichever one

you call that—in its service as a prudent check is eroded and vanishes at the point where the base became the same.

It is strange to speak of apportionment and districting for the decades without mentioning on any page of the book or in any way perceiving that two chambers on the same basis are as useless for screening, for being a prudent check, as two sieves with the same size holes, cut in different positions. *Reapportionment in the 1970's* is not definitive; merely informative and provocative.

Christianity and Natural Rights

IMPUTED RIGHTS: AN ESSAY IN CHRISTIAN SOCIAL THEORY, by Robert V. Andelson, Athens: University of Georgia Press, 1971.

Reviewed by **Gottfried Dietze**

THE Democratic Dream was that more popular government would increase the rights of man. In England, this belief spawned the Bill of Rights; in America, the Declaration of Independence and bills of rights on state and national levels; and, in France, the Declaration of the Rights of Man and Citizen, and similar declarations in various constitutions. The people were considered the best judges of their own interests, the ideal promoters and guardians of their rights. Understandable as the acceptance of the principle *vox populi vox dei* was as a reaction to the doctrine of the divine right of kings, it implied the danger of democratic *hubris*, just as the doctrine mentioned could lead to royal tyranny.

While Montesquieu felt that civil rights were quite safe in an unwritten constitution which had grown very gradually, Paine held that a constitution existed only if one could put it into one's pocket. Thus did Paine formalize constitutionalism and, so to speak, positivize the rights it implied. Human rights were to be determined by the people and their pretensions, to which no limits were set.

Today the pretentiousness of these pretensions has become quite obvious. It is as if, with the broadening of the suffrage, the People, delirious with their power, have rioted in their rights and brought about a veritable riot of rights. Traditional rights of man, implying the freedom of the individual from the government, have become rivaled by social rights which involve collective and, more especially, governmental effort—such as the “right” to social security, to work and education, an adequate standard of living, to culture and the enjoyment of the beauties of nature, even to periodic holidays with pay! Civil rights are now guaranteed not only by national laws, but also by international legislation such as the United Nations’ Universal Declaration of Human Rights.

Understandable as these trends may be in view of the ruthless oppression of the rights of man by modern dictatorships, it should not be forgotten that a riot of rights may easily degenerate into a chaos of lawlessness and disorder. Therefore, it is not surprising that there have come forth warnings against modern conceptions of civil rights, such as

Russell Kirk's *The Conservative Mind* (1953), Sir Isaiah Berlin's *Two Concepts of Liberty* (1958), Maurice Cranston's *Human Rights* (1963), and this reviewer's *Bedeutungswandel der Menschenrechte* (1971). The present well-written and attractive volume is a welcome addition to this literature.

Discussing the foundations of the rights of man, the author takes issue with the “radical humanist” (the term is not a happy one), utilitarian, and self-realization approaches. Observing that even most Christian theories fail to come to grips with the insight into human nature that is symbolized by the Fall of Man, and regretting that “one looks in vain for a definitive development of the theory of human rights for which Calvin offered such a firm, incisive starting point” (p. 21), Andelson aims at clarifying the implications of theonomy for human rights, building chiefly upon foundations laid by Calvin (p. 5). He sees the ground of rights in the will and grace of God, made manifest in the atoning work of Christ. “Freedom cannot be either justified or long preserved except in terms of what Lord Acton so eloquently speaks of as ‘the equal claim of every man to be unhindered in the fulfillment by man of duty to God—a doctrine laden with storm and havoc, which is the secret essence of the Rights of Man,’ ” he writes (p. 8); then proceeds to show that the function of the state is to provide and ensure a stable order which secures that claim. Whether or not one agrees with Andelson's thesis, it is well presented and closely argued. Perhaps he unduly omits the historical growth and traditional acceptance of human rights as a basis for those rights; sanctioned as such growth seems to be by God, traditional folkways do not seem to imply the dangers which are obvious in the modern conception of the principle *vox populi vox dei*.

WITH the author's definition and description of rights this reviewer finds himself in basic agreement. Andelson begins by positing a “primal right”—a general concept of freedom—and its “particularizations.” To him, freedom means freedom from positive coercion, not such things as freedom from want or freedom from fear. Rights are thus what Jellinek called “negative rights,” not what Berlin calls “positive freedom.” So that for Andelson, that government is best which governs least. Also, while mindful of the fact that human rights did not start with Adam Smith, he recognizes the latter's importance in illuminating these rights. His comments on freedom and its particularizations will delight all those who believe in the freedom of the individual from government, includ-

ing laissez-faire advocates, as well as those who reject socialism and the welfare state.

Believing in the defense of property, this reviewer regrets as much as Andelson that many men "are seduced by the pompous declaration that 'human rights are more important than property rights'" (p. 103), for property rights are human rights. Also, Andelson is right when he observes that organizations favoring free enterprise in this country cannot at one and the same time support tariffs to protect them from foreign competition. (He could also have mentioned the example of the American Medical Association, which poses as a defender of free enterprise, and yet restricts the admission of foreign doctors into private practice, while encouraging the training of more doctors in this country in an effort to eliminate competition from the outside.) He is right in many other respects: for instance, in his emphasis upon physical integrity. "Even if all one's other neighbors sincerely enjoy listening to 'rock-and-roll,' the invalid across the street has an overriding right to quiet. And if the man across the street is not an invalid but merely deficient (or civilized!) in musical appreciation, his right should nonetheless take precedence" (p. 93).

What with all of this, I have some doubts about the author's assertion that drunkenness and gluttony, sexual lewdness, promiscuity and perversion "are not, in and of themselves, grounds for coercive interference"; that "there is no reason why the state should concern itself with whether or not people decide to formalize their sexual ties by marriage, whether or not they opt to confine their choice of erotic partners to members of the opposite sex, or whether or not they choose monogamy in preference to a harem" (p. 89). I suspect that certainly Calvin would disagree, as would Wilhelm Röpke, another voice from Geneva whom Andelson ranks high and who, like our author, has tried to combine conservatism with laissez-faire liberalism or libertarianism. While law is, and should be, an ethical minimum, the question is how far an immoral maximum can be permitted to extend without jeopardizing the law and order of society. Today's crime problem seems to be largely due to a perverted overextension of civil rights which, in turn, is largely due to a broad acceptance of immorality. Someone who attacks Reinhold Niebuhr for suggesting that a criminal has a "right" to be forgiven (p. 60) cannot easily stretch permissiveness to a degree that promotes crime. For then, the Democratic Dream may indeed turn out to be just a dream resulting in a chaos of rights, riots and lawlessness. Clearly,

the tenor of this book as a whole is that this kind of a degeneration of rights must be prevented.

In spite of some points of disagreement, however, this reviewer considers the book a readable, refreshing, and valuable contribution to the literature on civil rights.

Notes on Contributors

Robert Beum, critic and poet, is professor of English at the University of Prince Edward Island. His most recent collection of poems, *Ten for the Light*, was published in 1971.

August Mason, emeritus professor of English at the University of Alabama, has contributed verse to various periodicals.

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Gottfried Dietze, professor of political science at the Johns Hopkins University, is the author of *America's Political Dilemma* and other books.

Books of Interest

Nineteenth Century British Novelists on the Novel, edited by George L. Barnett (Appleton-Century-Crofts, 316 pp.). A well-edited volume that will widen the interested student's understanding of the place of the English novel in the Romantic and Victorian periods. It is, as well, a generous survey of nineteenth-century literary opinion, ranging from Jane Austen and Sir Walter Scott to Trollope, Henry James, Stevenson, and Thomas Hardy. Unfortunately, Disraeli is completely neglected. But George Gissing's superb essay, "The Place of Realism in Fiction" (1895), more than makes up for the omission.

America's Great Depression, by Murray N. Rothbard (Nash Publishing, 361 pp.). In a new edition, this is a very provocative account that does much to dispel the fog surrounding the economic bust of 1929. However, like too many contemporary economists, Rothbard struts out a very graphic thesis that is, at times, far too narrow to accommodate all the historical forces that were brought into play. Still, this piece of analysis is vastly superior to the Galbraith analysis, and far closer to the truth.

The Permissive Society, by Boris Sokoloff (Arlington House, 254 pp.). This little book is crammed full of relevant (if somewhat frightening) information; but is most arresting in its discussion of the roots of our unhealthy society, and in its unsparing dissection of Freudian doctrines.

Hippies, Drugs, and Promiscuity, by Suzanne Labin (Arlington House, 264 pp.). Mme. Labin brilliantly surveys the main elements of the "counterculture," and makes a powerful brief for decency and standards.

Rumors of Mortality: An Introduction to Allen Tate, by M. E. Bradford (Argus Academic Press, 48 pp.). A very good brief exploratory essay on one of the last of the Southern Agrarians, and perhaps the finest American poet.

Red Guard: The Political Biography of Dai Hsiao-Ai, by Gordon A. Bennett and Ronald N. Montaperto (Doubleday, 267 pp.). Like the

Great Russian purges, the Chinese Cultural Revolution is one of those Communist nightmares that have been rather curiously glossed over in the West, in this "age of reconciliation." The book, largely an eye-witness account, is the biography of Dai Hsiao-ai, a Red Guard and student activist leader in the city of Canton. It is an absorbing piece of historical narrative, and a necessary corrective to "revisionist" theories of Chinese history.

Germany: A Modern History, by Marshall Dill Jr. (University of Michigan Press, 490 pp.). In a newly revised and enlarged edition, this is a most readable survey of the whole of German history up to the present time, as well as being a very thorough piece of scholarship.

Adam Smith, by E. G. West (Arlington House, 221 pp.). A fascinating short summary of the great political economist's life and works.

Christianity and the Class Struggle, by Harold O. J. Brown (Arlington House, 217 pp.). An interesting book that does a good job of defining the Christian's role in relation to Marxism and the "specter" of class conflicts.

Marx and the Intellectuals: A Set of Post-Ideological Essays, by Lewis S. Feuer (Doubleday Anchor Books, 301 pp.). Feuer explores very trenchantly the "alienation" of the Intellectual Elite in our time, and the reasons why "neo-primitivist Marxism" has become such a pervasive influence.

Social Security: Universal or Selective?, by Wilbur J. Cohen and Milton Friedman (American Enterprise Institute, 114 pp.). A bristling debate over the merits and demerits of our present Social Security system.

Lives of the Signers to the Declaration of Independence, by Rev. Charles A. Goodrich (Sighttext Publications, 460 pp.). A reprint of the 1829 edition of the sprightly and informative text.