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Book Reviews

RATIONAL IRRATIONALITY

James W. Davis: *Terms of Inquiry: On the Theory and Practice of Political Science*. (Baltimore and London: The Johns Hopkins University Press, 2005. Pp. x, 280. $45.00; $19.95, paper.)

A few years ago, *The New Republic* made public long simmering divisions within the insular community of political scientists. The article lamented the domination of the discipline by rational choice theorists committed to creating "universal explanations for political behavior . . . by treating it the way physicists treat atoms and subatomic particles" (Jonathan Cohn, "Irrational Exuberance," *The New Republic*, October 25, 1999, 25). This "quest for universal and logically consistent theories" robs the polity of statesmanlike scholars whose work addresses the same issues that confront policymakers (26). Despite huge research grants and great success in the academic marketplace, positivist political science, *The New Republic* suggested, had not produced anything relevant to political life or of help to the polity. "When," it asked, "did political science forget about politics?" (25).

In *Terms of Inquiry*, James W. Davis expresses the same frustration and disappointment with the discipline as *The New Republic*. The scientific study of politics has apparently failed "to produce either robust theories capable of both explaining and predicting political events or generic knowledge relevant to the needs and questions confronting policymakers . . ." (2). The effect has been the end of scholarly statesmanship. "Very few policymakers consult the leading academic journals or bother to seek the advice of recognized experts in the field. For their part, academics have tended to return the favor" (2). Addressed to an empirically trained audience, *Terms of Inquiry* (with excellent notes and bibliography) presents two central arguments. First, relying heavily but not entirely, on postmodernist arguments, Davis contends that the failure of the scientific study of politics does not result from poor science or the failure to adhere "to the proper 'rules of inference,'" but from the inherent limits of the scientific method (3). Second, hoping to avoid "the radical extremes of postmodernism . . . [which reject] any standards for judging among competing truth claims," Davis seeks a "middle way" between the reigning scientific paradigm and radical postmodernism (93). This "middle way" understands the science of politics to be a practical science, analogous to medicine rather than physics, and one that can bridge the chasm dividing the study and the practice of politics.

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Central to Davis's critique of the dominant scientific paradigm is the theory dependence of all scientific knowledge. We think about and order the world of experience through concepts, but our ordering of experience is not the result of "direct access to the world, but rather an experience of the world mediated by language" (42). Concept formation is a process of abstraction and does not proceed from a tabula rasa. Rather, how we see the world and select what is relevant within it is shaped by our dependence on the theory implicitly contained within the culture of language. What we know is not the world but our conceptualizations of the world—conceptualizations conditioned by language and culture. "There is no one-to-one correspondence between even the most basic features of the physical world and the concepts we use to apprehend, describe, and comprehend it. Different linguistic traditions give rise to different ways of experiencing the world, which in turn affect the way we think about the world" (30).

The basic concepts given by language "provide the building blocks for higher order theories that help us make sense of experience by guiding observation toward putative relationships among concepts" (45). The scientific community, a linguistic subculture, constructs scientific concepts and theories from these basic building blocks. Created to organize and explain our experiences, the validity of a concept or theory is dependent upon its acceptance as meaningful within the scientific subculture. "A *scientific concept* is the intersubjectively valid linguistic expression of a concept used to explain some aspect of human thought or experience. . . . The criteria for judging the scientific status of a concept are whether it can be given linguistic expression in a fashion that generates *some* shared meaning, and whether it is useful for making sense of the world we live in. Concepts that cannot be expressed in a way that generates a minimum degree of shared meaning or that cannot be used to help generate explanations of the world are unscientific" (51).

Because of theory dependence, concepts both within and between linguistic communities can best be described as having, in Wittgenstein's terms, "blurred" or fuzzy borders with graded membership (33–34). In other words, they express some, but not identical, shared meanings. Such concepts are not defined by necessary and sufficient conditions. Rather "the ultimate bounds of fuzzy concepts are unknowable by their very nature" (129). This necessitates that the Popperian model of positive science and "the criterion of falsification and the methodology of testing associated with it are flawed" (112). "[T]he status of relationships among variables across a fuzzy set is always provisional. As individual instances of a phenomenon are moved in and out of the set, the status of any previous 'tests' for which they constituted data—whether corroborating or falsifying—is subject to reevaluation" (129).

More importantly, Davis challenges whether "generally valid covering laws" about norm-governed behavior "that are subject to falsification by

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means of empirical tests" can ever be developed (136). Political action takes place in a contingent world, and how a norm will influence behavior in a particular case will depend upon the actor's analysis of the contingent circumstances of the particular decision. There can be no empirical test of norm-governed behavior, then, because there can never be a prediction of how a norm will govern behavior in a specific case. "The behavioral implications of a general norm for specific cases cannot be established a priori through the application of logic. Rather, they result from processes of practical reasoning, which at best are accessible through the analysis of discourse . . ." (152).

In place of the doomed-to-fail quest for a positive science of politics, Davis proposes a renewed emphasis upon case studies and the building of theories from the bottom up rather than the top down. Such studies "contribute to the creation of knowledge that is general, more than speculative, and useful for both theory development and purposeful social action" (175). Davis here comes close to suggesting that a case study approach will enable political science to critically clarify the concepts by which political actors understand their own behavior and the contingencies within which particular decisions are made. An analysis of a single case "can be applied to other cases" by converting such "historical data into a suitable theoretical or 'analytic' vocabulary . . ." (176). The goal of this case study approach is more limited, realistic, and practical than the search for a general theory of political behavior. It seeks "to uncover general mechanisms and processes that *might* recur and that might contribute to the development of more encompassing theory" (178). Moreover, political scientists "may provide actors a point of access for purposes of intervention" by concentrating their analyses on "critical junctures" within processes (187). Like the medical doctor prescribing several possible courses of treatment, the political scientist might provide an analysis of possible outcomes of action to aid the political actor's decision making. "We may not," Davis says, "be able to forecast a single 'most probable' future, but well-developed middle-range theories should allow the construction of a handful of likely or possible scenarios, positive or negative contingencies, which, when coupled with adequate diagnostic procedures, would allow us to act in ways consistent with our underlying values and goals" (187).

Davis's work deserves wide circulation for its persuasive critique of positive political science and for his call to refocus the eye of the discipline upon political life and the needs of policymakers. Still, one suspects that Davis, in articulating a middle way between positivism and radical postmodernism, may have slipped from the tightrope and fallen into the chasm. He does not move the discipline beyond the Weberian view that social science is purely instrumental knowledge. Political science, for Davis, can provide knowledge "to act in ways consistent with our underlying values and goals," but cannot say anything about the values and goals themselves. In fact, the discipline does not even formulate the important questions

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that it investigates. "[W]hat are the important questions that should guide the development of social science theory? And which policy responses would be consistent with our values? The answers to these questions cannot be delivered by an empirical social science limited to the search for explanations of causal regularities. For such answers, we need to rediscover and acknowledge the centrality of philosophy and religion to the practice of science. For if social science has a foundation, it will be found in collectively held beliefs about what constitutes the good life" (187).

The dependence of social science on philosophy and religion presents a number of questions one desires Davis to address more directly. For example, is there a guarantee that the scientific community's vision of the good life is the same as the political community's philosophically and religiously informed vision? Does not the scientific enterprise itself imply an underlying belief about what constitutes the good life? Could not the scientific subculture be antagonistic toward the political culture within which it exists? Such questions, and these are not the only ones that can be raised, are most troubling when Davis's distinction between science and religion is considered. "Science prospers," Davis writes, "on the skeptical search for meaning guided by the human capacity for reason. Religion challenges us to suspend disbelief and reason, and offers meaning in return" (60). If this is true, then Davis seems to be suggesting that the rationality of science is in the service of the irrational. The history of the twentieth century and our brief experience of the twenty-first would seem to offer ample empirical evidence of the dangers of an instrumental science in the service of irrational visions of the good life. *Terms of Inquiry* does not overcome the irrationality of either positivism or postmodernism, but it is an interesting effort suggestive of the need for a political science not "limited to the search for explanations of causal regularities."

–Joseph V. Brogan

LITTLE PLATOONS OR IGNORANT ARMIES?

Richard Boyd: *Uncivil Society: The Perils of Pluralism and the Making of Modern Liberalism*. (Lanham, Maryland: Lexington Books, 2004. Pp. xiv, 351. $25.00.)

Despite the many differences separating red and blue states, liberal theorists and communitarian critics, it is reassuring to learn that there are some issues upon which all sides seem to agree. One is the value of civil society as a mediating presence between individuals and government. While culture war combatants clash over abortion, assisted suicide, and the welfare state, they tend to find common ground in the belief that various intermediary institutions are indispensable aids to liberal democracy. Richard Boyd, however, in his excellent new book *Uncivil Society: The Perils of*

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Pluralism and the Making of Modern Liberalism, shows how this contemporary praise of associational life overlooks serious reservations about groups that have shaped liberalism from its very inception.

In order to reacquaint today's theorists with these concerns, Boyd provides an intellectual history of liberalism that pays close attention to the ambivalent standing of civil society in the eyes of liberal thinkers. With chapters on Hobbes, Locke, Hume, Adam Smith, Burke, Mill, Tocqueville, Oakeshott, and Hayek, Boyd offers a synoptic and nearly encyclopedic picture of how groups have been viewed throughout the history of Anglo-American liberalism. But perhaps the chief virtue of this work is that Boyd does not merely offer a serial presentation of one thinker after another but also an original and interesting thesis about how two radically different visions of group life came to be conceived within that history.

From the seventeenth to eighteenth century, early architects of liberalism, such as Hobbes, Locke, Hume, and Smith, expressed an almost paranoid anxiety about how membership in groups transformed individual reason into collective fanaticism. Locke, Hume, and Smith developed many of the familiar features of liberal constitutionalism, such as the magnification of the scale of pluralism and constitutional neutrality, as ways of defusing group conflict and preventing it from spilling over to the public square. Boyd thus argues that early liberalism grew at least as much in practical response to the perils of pluralism as it did in direct pursuit of the abstract liberation of the individual (c.1–3). In the late eighteenth and nineteenth century, however, Burke, Mill, and Tocqueville began to adopt a far more positive attitude towards groups, conceiving of them as "little platoons" that could serve both as checks on the state and as vessels for self-government. Still, despite their praise for group life, these figures retained worries about those groups that posed a threat to personal autonomy or public civility (chs. 4–6).

Boyd concludes by drawing lessons from this history for contemporary theorists. Above all, he believes that liberals and communitarians should replace their largely structural and value-neutral understanding of civil society with a more evaluative one (40–42; 313–17). Currently, they tend to conceive of civil society as the space between the individual and the state and speak of its promotion in largely binary terms; either you have an active civil society (which would be good) or you don't (which would be bad). Boyd suggests that civil society should, instead, be conceived as a society which is composed of groups informed by the all-important virtue of civility. Consequently, public policies should be formulated that will encourage the formation of civil groups and discourage the formation of uncivil ones. We don't simply need more group activity but more groups of the right sort.

Boyd is surely right to point out the significance of the perils of pluralism for the thought of early liberals. The American founders, whom Boyd only briefly considers by way of Madison but who were deeply indebted to the

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developments in political theory of this period, famously argued that "had every Athenian citizen been a Socrates; every Athenian assembly would still have been a mob" (*Federalist 55*). Moreover, they identified their "great object" in constructing the Constitution to be to secure the public good and private rights against majority faction while still preserving the forms of popular government (*Federalist 10*).

Still, one wonders whether Boyd goes too far in stressing the defensive nature of early liberalism. Concerning Hobbes, for instance, Boyd argues that what he was attempting to overcome (religious sectarianism) may have been more important for his thinking than where he thought he may have been headed (absolute state power or moral individualism) (11). But to fully explain Hobbes's concerns about religious sectarianism, one would have to explain exactly *why* religious sectarianism posed such a problem for him. To do that, one would eventually have to describe the positive goods such as the stability of the state or the peace and security of the individual that Hobbes believed were threatened by religious conflict. Thus, the ideals, it would seem, are necessary to help explain the perils.

Boyd's discussion of the second group of theorists, Burke, Mill, and Tocqueville, is likely the strongest section of his book. His analysis of Burke as a "conservative liberal," whose critique of the anti-associational bias in early liberalism was made ultimately in the name of securing liberty, presents a far more complete and compelling picture of Burke than has been offered by more narrowly liberal and conservative renderings. Boyd similarly offers a subtle reading of Tocqueville that emphasizes both his well-known defense of intermediary institutions as a check on individualism and his less familiar concerns about how such institutions can devolve into militancy without the proper cultural nourishment.

Boyd's attempt to connect this superbly written and well-researched history to contemporary debates contains some promising insights but also certain claims that are inaccurate and others that require further elaboration. On the one hand, his very attempt to shed light on these debates with the data of intellectual history is an admirable model for those who seek to bridge the gap between contemporary political science and the history of political thought. On the other hand, his assessment that civil society is an object of unqualified praise and fascination among contemporary political scientists is simply incorrect. Robert Putnam, for instance, whom Boyd frequently faults on this score, has drawn attention to the "dark side of social capital" and noted how certain forms of associational life "can be directed towards malevolent, anti-social purposes" (*Bowling Alone*, 21–23; 350–63). Amy Guttmann and Xavier de Souza Briggs have expressed similar concerns.

Finally, Boyd's suggestion that contemporary analysts take seriously the virtue of civility as an essential mark of healthy group activity in a democracy is promising and yet underdeveloped. Boyd does an effective job showing how his defense of this virtue should not be seen as an appeal to classical, conservative, or Christian values. In the end, however, Boyd is

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clearer about what civility is not than what it actually is. At different times, he refers to it as the possession of easy and sociable manners, law-abidingness, orderliness, tolerance, prudence, reasonableness, inclusiveness, moderate public spiritedness, and the recognition of moral equality. While all of these qualities are admirable, one is inclined to wonder how they all cohere together under the rubric of one single virtue and what they look like when practiced in everyday life. Boyd is to be commended for prompting contemporary theorists to raise these questions and to be encouraged to write another book (or at least an article) in which he seeks to answer them.

–Derek Webb

PRINCIPLE AND PRACTICE

George Klosko: *Democratic Procedures and Liberal Consensus*. (Oxford: Oxford University Press, 2004. Pp. x, 271. £ 21.00, paper.)

Klosko's study is thoroughly Rawlsian insofar as it tries to determine how just moral and political union is possible for Western pluralistic societies, especially our own. But unlike Rawls and most other Rawlsians, Klosko is particularly intent in working out the extent to which our actual political attitudes are, in fact, compatible with the principles of just moral and political union. He aims to "present the political principles that can be most clearly justified to the large majority of liberal citizens, because people either hold them already or they follow from other important principles they accept." (29). In short, Klosko wants to determine whether we possess political and moral values sufficiently robust and homogeneous enough to sustain principles of liberal consensus. Hence, Klosko's book is more empirical than it is normative though normativity never disappears from view.

According to Klosko, current tolerance studies conducted in Western democracies suggest that whereas most citizens display reasonably strong support for democratic principles stated abstractly, they often understand these principles very differently in practice. Whenever they apply these principles to hard cases especially, many typically exhibit considerable intolerance. That is, although citizens of Western democracies universally embrace a conception of basic democratic rights of some sort, they disagree about the menu, scope, and comparative significance of these rights. Everyone agrees that rights matter. Everyone takes them seriously. But not everyone agrees on much more than this.

Not surprisingly, religious fundamentalists in Western democracies tend to be more intolerant and, therefore, more inclined to compromise basic rights. According to Klosko, studies repeatedly show a strong statistical correlation between fervent religious belief, on the one hand, and intolerance, prejudice, and right-wing authoritarianism on the other hand. Consequently, citizens

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who take their religion seriously are less able to bridge their political differences with others. They are less motivated to seek democratic consensus and, therefore, less able to find it. So while everyone, indeed, takes rights seriously, unfortunately, not everyone takes them as seriously in the same ways.

Similarly, citizens in Western democracies generally agree that wealth should be distributed according to merit as long as everyone enjoys reasonable equality of opportunity. Americans, in particular, sanctify this principle as the centerpiece of distributive justice. However, depending on their class circumstances, Americans disagree deeply about whether U.S. society is, in fact, fair. That is, no general consensus exits in the United States about whether American capitalism provides real equality of opportunity for all and whether it is, consequently, distributively just. Again, consensus on principle loses its way in the bad weather of practical application.

In sum, for Klosko, while liberal societies display general agreement on the value of democracy, rights and distribution according to merit based on equality of opportunity, liberal citizens typically disagree profoundly about how to specify and legislate rights and equal opportunities in practice. These facts prove that the kind of robust overlapping consensus sought by Rawls simply does not exist as an empirical fact, especially in American society. Rawls's overlapping consensus would not be "recognized by a large percentage of the American populace." (198). And Rawls, in both his earlier and his later writings, never provides evidence that liberal citizens, again especially in the United States, agree on the intuitive ideas required to sustain liberal overlapping consensus that he merely conjectures they widely share.

Rather than mere conjecture and controversial speculation, Klosko proposes that Rawlsians start from ideas that liberal citizens actually accept. Instead, Klosko recommends that we first "generate principles" that would empirically "fit" the actual normative views held by most liberal citizens and then "work up from ... ones that different members of society would view as normatively preferable." We can then "move on to argue for preferred conceptions" of rights, democratic procedures, and distributive justice (190). But Klosko never clarifies how his more empirically grounded constructivism is supposed to work. Presumably, we are supposed to take basic normative political principles as we find them in our culture, look for overlap, and then somehow try to refine and make this overlapping consensus more coherent and systematic. And by refining and systematizing this overlapping consensus, we effectively deepen its justification. If this is, indeed, what Klosko is proposing, then he has helped us appreciate more than ever just how much Sidgwick lurks in the recesses of Rawls's justificatory project, as well as his own, more than he is probably aware. But Sidgwick could at least appeal to the principle of utility as a criterion for systematically "work[ing] up" our shared normative views. By contrast, Klosko's practical reasoning hangs in air without criteria.

–David Weinstein

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KNOWLEDGE FOR THE SAKE OF HAPPINESS

Christopher A. Colmo: *Breaking with Athens. Alfarabi as Founder.* (Lanham, Maryland: Lexington Books, 2005. Pp. x, 210. $24.95.)

In *Breaking with Athens*, Colmo skillfully demonstrates how Alfarabi breaks with the Greek philosophical traditions of Plato and Aristotle to view philosophy in a fundamentally different way: philosophy becomes both knowledge and action in the service of human power and happiness. Colmo provides equally insightful interpretations of the political implications of Alfarabi's understanding of the role of philosophy. Grounded in the Alfarabian corpus, Colmo makes his arguments primarily on the basis of Alfarabi's trilogy: the *Attainment of Happiness*, the *Philosophy of Aristotle*, and the *Philosophy of Plato* (see Mahdi's *Alfarabi's Philosophy of Plato and Aristotle*, Cornell University Press, 1961).

The first chapter investigates how Alfarabi bridges the gap between philosophic knowledge and philosophic practice by subordinating religion, as an imitation of philosophy, to philosophy. The legitimacy of the ruler now derives from philosophic knowledge rather than from religious obedience, such that religion becomes the "handmaiden of politics" (16), what Colmo identifies as Alfarabi's belief in the hegemony of the political, an idea found later in the works of Machiavelli and Hobbes. Inspired by Galston's work, the second chapter analyzes how Alfarabi replaces the distinction between practical and theoretical sciences with a distinction between natural and voluntary actions. The new emphasis on the practical sciences and on the notions of will and "natural virtues," in Alfarabi's *Attainment of Happiness* eliminates any need for the mediation of an active intellect. A means to an end, philosophy now assigns greater role to human will in the discovery of moral virtues grounded in the experience of the community rather than in the theoretical faculties. Inspired by Druart's work, the third chapter is on theology. Colmo identifies two seemingly incompatible functions of Alfarabi's First Cause, the cause of existence, as necessary cause "from which existence overflows to no purpose" and as "object of our desire and fulfillment toward which we move" (36). Thus, Alfarabi can be shown to move gradually away from ontology (and metaphysics). The fourth chapter demonstrates how Alfarabi is critical of Aristotle's theory of demonstration as a means to the attainment of any certain knowledge of an eternal order and prefers, instead, an inductive process as an alternative to Plato's and Aristotle's conception of certainty in logic and, by extension, in politics. The following chapter studies Alfarabi's notion of true virtue and the relation that he establishes between perfection and happiness. Colmo argues that, contrary to Plato, Alfarabi implicitly understands philosophy as a means to human happiness. The first part of the chapter argues for the absence of a doctrine of recollection, in Alfarabi's *Philosophy of Plato*. Human knowledge now emerges as limited, since it is not present from

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the outset to be recalled. The second part analyzes the relation between Alfarabi's notions of perfection and happiness and how his idea of virtue points to a natural teleology in which the means become equally virtuous as the end. In the third part, true virtue is found in human happiness itself, as the end. The fourth last part of the chapter relates the idea of true virtue to the idea of individual perfection. Contrary to Plato, Alfarabi treats happiness as an end and philosophy a means to that end. The sixth chapter analyzes how philosophy as a means can become an ideology at the service of the ruler who will rule over and use philosophy, in Alfarabi's *Book of Religion*. Colmo interprets Alfarabi's "new politics" (103) as a subordination of theoretical philosophy to the rule of practical philosophy, providing the theoretical basis for the autonomy of the political. For Alfarabi, it is philosophy, not revelation, that judges truth and falsehood. The following chapter explores the notion of happiness in this world and in the hereafter, that is found in Alfarabi's in *Principles of the Opinions of the People of the Virtuous City*, to show how worldly happiness is grounded in human experience, irrespective of any claims to the soul's immortality. Hence, the distinction in the religion/philosophy relationship becomes blurred and where all happiness appears to be political happiness. Colmo's creative reading of the political regimes, their rulers and rule, and the fate of their inhabitants identifies a shift from metaphysics (theory) to methodology (practice). Using Alfarabi's *Aphorisms* to revisit positions found in such works as Alfarabi's *Principles of the Opinions of the People of the Virtuous City*, Colmo neglects, however, to provide discussions on the historical and doctrinal relations of Alfarabi's different texts. The eighth chapter investigates Alfarabi's Neoplatonic solution to the theological difficulties posed by the First Cause. Colmo holds that Alfarabi's Neoplatonic negative theology, whose origin is internal to Islam, provides Alfarabi with another argument for the limitation of human knowledge. The last chapter uncovers in the *Attainment of Happiness* an argument for the abandonment of the quest for certain knowledge, a move away from metaphysics or ontology. The quest is limited to only humanly possible knowledge. Knowledge thus remains pluralistic. These views are grounded in logic and epistemology. Theoretical knowledge, as can be seen in the *Philosophy of Aristotle*, now becomes subordinated to philosophy "as practical knowledge of the philosophic way of life" (164), as philosophy needs to become actualized in each and every individual.

Colmo certainly needs to be commended for an original, at times, heavily interpretative, exploration of Alfarabi's philosophy by fleshing out the political implications of Alfarabi's move from metaphysics to methodology. This move, he argues, anticipates modernity (equality, social contract, human rights). The originality of Colmo's work rests with his close reading (in translation) of Alfarabi's silences, which he interprets as a desire to preserve philosophy "through a new class and the hegemony of the political over religion" (16). Politics can occupy a truly autonomous sphere, at the service of the ruler,

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since Alfarabi "liberates statesmanship from the tutelage of philosophy" (167.8). Colmo does not fail to raise a number of issues with Alfarabi's philosophical system, nor does he fail to point out many instances where Alfarabi appears to depart from the tenets of Islam to argue for the autonomous sphere of politics. Colmo's reading is grounded in much previous scholarship on Alfarabi with which he often astutely takes issues, (Lameer, Mahdi, Wolfson). Furthermore, Colmo often pursues some of the insights of other writers, such as Galston and Strauss. Although never explicitly acknowledged, Colmo is much indebted to Strauss on whose works he provides reflections to support a number of the latter's arguments, but with whom he also engages (*passim*). On a final note, although the work does not make extensive use of transliteration, more care could have avoided some mistakes. The work includes notes, references, and an index, which would have benefited from the inclusion of references to Alfarabi's various texts, and a bibliography, which omits Plato's *Republic* and whose *The Two Philosophies* should read "*Philosophy of Plato and Aristotle*."

–Roxanne D. Marcotte

RECOVERING PUBLIC SPACE

David Novak: *The Jewish Social Contract: An Essay in Political Theology.* (Princeton and Oxford: Princeton University Press, 2005. Pp. xxi, 249. $39.50.)

David Novak has become an influential thinker on two fronts. He advocates what he describes as traditional Judaism (and what others have described as a more conservative variant of Conservative Judaism), and he brings traditional Jewish thought to bear on a wide range of modern problems. He regards these as two sides of the same coin, and his eleventh book, *The Jewish Social Contract*, explores the connection between religious tradition and identity and public life in a multicultural state. This book will be of great interest to people who may wonder whether a multicultural polity dedicated to democratic liberty requires them to put their religious identity aside as a precondition for toleration and pluralism, as well as to those interested in the question of whether social contract theory is ultimately about the rights of individuals or the rights of groups with specific cultural identities.

The Jewish Social Contract does not directly address the arguments of social contract theorists such as Rawls. Instead, it focuses predominantly on Jews and Jewish thought, reasoning that multiculturalism assumes that all groups are minorities, and "Jews have experienced minority status probably longer than any people on earth" (10). Novak walks the reader through a dazzling tour of Jewish thought on covenants, contracts, laws, and kingship,

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connecting questions of personal religious practice with larger questions of theology and political theory. The extraordinarily lucid chapter on Spinoza and Moses Mendelssohn, for example, provides an accessible summary of their thought and a provocative discussion of the roots of modern secularism.

Novak begins *The Jewish Social Contract* by explaining, "This book has been written as a reply to a more general question. The more general question is: How can anyone participate actively and intelligently in a democratic polity in good faith? But none of us is merely 'anyone.' Each of us comes to actively and intelligently participate in his or her democratic polity out of some prior particular identity. . . . So the question is more accurately formulated as: How can I participate in my democratic polity in good faith?" (xi). The beauty of the book is that it argues that this question cannot stand by itself. If separated from the Jewish tradition, then claims to personal rights degenerate into something reminiscent of what Theodore Lowi called "interest-group liberalism." "The only cultural minorities," Novak asserts, "who can resist the tendency of the secular state to turn all alternative societies into private corporations . . . within its own purview are religious minorities" (15). The belief that people are created in the image of God allows the state to recognize that people have rights that they acquire prior to entering into the social contract. Their minimal claim on secular society "is to be free from social interference in their cultural life. Maximally, it is a claim for social recognition, even at times support, of that cultural autonomy because of its positive contribution to the common good of that society as a whole" (21).

The heart of the book makes a distinction between a secularist state (which he favors as alternative to a state where religious claims rule) and secularism. A secularist state creates a space where people of different religions can maintain their identities without compromising their status as citizens. Novak uses the concept of secularism in two ways. In terms of political practice, secularism is the idea that religion is private and has no place in politics. However, he also defines secularism as "the view that society requires no transcendent justification for its existence and its moral authority" (237). Groups or individuals with no such transcendent orientation or universalizing ability, such as racially based cultures, have no foundation for demanding respect from others. If it is impossible for people to claim historical or ontological priority, their own claims for respect and autonomy are compromised. "Lacking a truly transcendent source from which to make their religious-cultural claims, they are left with the immanent option of presenting themselves as a merely human group, whose religion is a private matter" (28). Novak has little interest in the alternative of a religious state, but *The Jewish Social Contract* turns its attention primarily to a critique of secularism, perhaps because secularism is the only alternative to an overtly religious state—and the only foundation for pluralism and multiculturalism—that most people can imagine.

Novak rides the edge between the argument that religious people who believe in a transcendent God in their personal religious practice and who

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believe in a higher power than the state can make legitimate claims on society and the argument that they can do so more effectively than secularists or atheists. He insists that he is only setting out to do the former, but in the process of doing so, he aggressively moves to the latter. Liberal or secular Jews, he argues, "cannot make claims on civil society that are as powerful or as consistent as the claims made by those traditional Jews who speak with more historical and ontological weight, and who know how to enter civil society discourse intact, and also exit it intact" (29). To the extent that Jews, Christians, and Moslems share a belief in a transcendent God, they can enter into a social contract with one another that respects their individual claims to recognition and respect.

Novak deliberately avoids forays into the culture wars, but it is clear that *The Jewish Social Contract* is based of his conviction that politically conservative Jews may find better allies among politically conservative Christians than among liberal Jews and atheists. If the foundation of *The Jewish Social Contract* is Novak's assertion that religious Jews are in a stronger position to assert the rights of Jews as a minority than secular Jews because religious Jews are able to appeal to a universal that will be compelling to Christians, the corollary is his belief that the time is right for Christians and Jews to reach accord with one another. Christians may be particularly receptive to better relations with Jews on the basis of their shared belief in a transcendent God who created us in God's image, rather than on the basis of a secularism that tries to put religion aside as a precondition of peaceful coexistence. Christians and Jews may have an added incentive to form such an alliance with one another in the fact of opposition by secularists.

This points to a strength of the book that will backfire for some readers. Novak's inspired ability to join questions of personal religious practice to larger issues creates a tension that culminates in specific policy recommendations. Novak urges Jews to express public proposals in terms of their religious obligations rather than their private preferences. "The first question any Jew should ask him- or herself is not 'what does the Jewish religious say about X?' but rather, 'what does *our* holy Torah require *us* to do in situation X?'" (227). The concluding chapter, which uses as an example the question of whether Jews should support government aid to religious schools, takes his argument either too far or to its logical conclusion, depending on the reader's point of view. Either way, this section seems uncharacteristically rushed and simplistic. It is one thing to point out that the Torah commands Jews to educate their children in the Torah and Jewish tradition. But to leap from this fact to the conclusion that the Torah requires Jews to support government aid to religious schools makes Novak sound less like a scholar than an ideologue with an agenda more partisan than religious.

In the end, *The Jewish Social Contract* returns to an argument about political alliances. With whom do we make common cause? "Traditional Jews," he contends, "cannot, in good faith, make common cause with such secularists in our society, even though too many traditional Jews still do not understand

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this point very well. But Jews can make common cause with those traditional Christians (the chance of any common cause with Muslims at the present time is remote because of the Arab Israeli conflict) whose immediate and long-range public interests are threatened by the type of militant secularism that opposes any public support of religious education" (237–38). The parenthetical comment is significant because elsewhere in the book, Novak identifies Muslims as people who share with Christians and Jews a belief in a transcendent God, and with whom Jews can, therefore, find common political and moral ground. Thus, the argument about strategic alliances is the outcome of his theological-political approach, but it is also in tension with it: theology may lead in one direction, but political prudence may demand another, as Novak acknowledges.

But different people will make different political judgments, and in the end, Novak's argument paradoxically threatens to become simply the expression of one private preference among many others. Early in the book, Novak contends that civil society as a secular space emerges out of an agreement between different religious communities that need to make alliances with one another. The social contract is in this way a form of foreign relations. In its simplest form, Novak's argument is that only those members of minority religions who have faith in the transcendent origins of their religion can negotiate the social contract in good faith. "The cogency of the claims Jews can make in the ongoing negotiation of their engagement with the social contract are largely determined by the cogency of their commitment to the Jewish tradition" (21). Some readers, however, will consider this to be a restatement of the original problem rather than its answer. The flaw in the argument is not that it privileges religion, but that it assumes that those who believe in a transcendent God who created human beings in the image of God will respect people of other religious faiths and that a majority religion will act like a minority religion. If one may be permitted some skepticism about this assumption, *The Jewish Social Contract* becomes less convincing but no less rewarding.

–Joshua Kaplan

CONSISTENT TO ITS WAY

Mark and Louise Zwick: *The Catholic Worker Movement: Intellectual and Spiritual Origins*. (New York and Mahwah, NJ: Paulist Press, 2005. Pp. ix, 358. $29.95, paper.)

In their fine study of the intellectual origins of the Catholic Worker movement, Mark and Louise Zwick say their book was prompted, in part, by a sense that the movement is no longer considered relevant. They need not have worried on this score. The Catholic Worker continues to fascinate and inspire many, while, as the *New York Times* reported last year, even the FBI

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has apparently taken an interest, monitoring the movement in its counterterrorism investigations as a semi-communistic group. This book will be useful to both sets of people. Those who are drawn to the movement will find a thorough examination of the ideas behind it, and the FBI will find reassurance that the Catholic Worker is neither terrorist nor communist in its leanings.

Dorothy Day and Peter Maurin, the founders of the Catholic Worker, were both great readers. They drew on a remarkable array of spiritual and philosophical thinkers for inspiration and guidance, and the Zwicks' primary purpose is to "mine some of the richness" of these deeply intellectual roots (29). The book is an intellectual history, but it is thematic rather than chronological. The Zwicks organize their chapters according to the primary thinkers and concepts that influenced Day and Maurin. These include saints such as Francis of Assisi, Teresa of Avila, Catherine of Siena, and Therese of Lisieux; philosophers and theologians such as Dom Virgil Michel, Nicholas Berdyaev, Emmanuel Mounier, and Jacques and Raissa Maritain; novelists and intellectuals such as Dostoevsky, G.K. Chesterton, A.J. Penty, R.H. Tawney, Peter Kropotkin, and Thorstein Veblen; and concepts central to the movement such as the works of mercy, monasticism, communitarian personalism, economic decentralization and distributism, and pacifism.

One of the strengths of this book is how it reveals the intellectual depth and seriousness of the Catholic Worker movement. While it is often better know for its social activism, the movement has always emphasized the connection between thought and action. The Zwicks do an admirable job showing the richness of the thought side of this equation and how Day's and Maurin's social activism always flowed from their continual process of spiritual and philosophical contemplation. Day's and Maurin's wide reading meant the Zwicks had to cast a wide net as well, and they handle this diverse array of concepts and thinkers confidently, clearly encapsulating key ideas and then drawing on writings by Day and Maurin, especially decades worth of Day's writings in the *Catholic Worker* newspaper, to establish connections and trace lines of intellectual influence.

Many observers unfamiliar with the Catholic Worker are often struck by what seems like the movement's ideological inconsistency, combining ideas and styles that sometimes seem so radical and other times seem so conservative. As the Zwicks write, "Neither the right nor the left really knows what to do with Dorothy Day and Peter Maurin" (316). The book does a fine job showing why this is the case and demonstrating that, far from being ideologically confused, the Catholic Worker movement is instead ideologically unique and remarkably consistent in its own way. Its foundations are deeply rooted in a Catholic orthodoxy stretching back centuries, and so as a movement dedicated to articulating and living out this tradition in such a rigorous way, it is bound to strike many modern observers, including many Catholics themselves, as peculiar.

But then saints usually strike their contemporaries as peculiar, and this brings up a significant feature of the book. Authors who take an especially

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positive view of their subjects are often accused of engaging in hagiography, but rarely do you see a line as explicit as when the Zwicks write, "Our study of the Catholic Worker movement and of their lives has led us to the conclusion that both Dorothy and Peter should be canonized" (319). The Zwicks are themselves founding members of a Catholic Worker community in Houston (the book originated as a series of articles in the *Houston Catholic Worker* newspaper), and they write as people who deeply believe in and identify with the movement. In some ways, this is a strength, providing a rich personal understanding of the movement and of the difficult connection between thought and action that is at the heart of the book, as well as producing some thoughtful asides on life in a Catholic Worker community.

This personal closeness to the subject, however, may also be related to some of the book's shortcomings. For an exploration of the intellectual foundations of a movement, the book doesn't dwell much on intellectual tensions and difficulties. Day, Maurin, and those who followed them into the Catholic Worker movement faced significant philosophical and moral questions—for example, the connection between charity and justice, the nature of pacifism, or the relationship of the movement to trade unions or the formal institutions of government. The Zwicks mention such questions, but they often seem quickly and easily resolved. The book gives a strong sense of intellectual mining but not of intellectual wrestling as the Catholic Worker is taking shape. Even the sources Day and Maurin drew upon seem a missed opportunity. Such a wide and diverse array of thinkers will inevitably produce interesting contrasts and disagreements, but rather than presenting intellectual tensions and complications, the book often gives the impression that such varied ideas fit together smoothly and easily. Similarly, the book includes little discussion of intellectual growth and change over time or of disagreements among Catholic Workers and their intellectual allies. For example, the Zwicks mention changes in the philosophy of personalism as it developed in France and then moved to the United States through the Catholic Worker movement, and they allude to disagreements between Day and figures such as Jacques Maritain and Daniel and Philip Berrigan, but they do not pursue these issues in much depth. The book, in short, is alive with ideas, but at times it leaves the reader wishing for more critical engagement with those ideas and the intellectual difficulties they inevitably create, both from Day and Maurin and from the authors themselves.

Still, on balance, this is an excellent book on the rich intellectual roots of the Catholic Worker movement. It gathers together an impressive array of thinkers and their ideas, clearly and effectively drawing connections between them, on the one hand, and Day, Maurin, and the movement they founded, on the other. It is an outstanding source for anyone interested in the Catholic Worker and its ideals, even the FBI.

–David Carroll Cochran

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MEDITATIONS ON SIN

Otto Bird and Katharine Bird: *From Witchery to Sanctity: The Religious Vicissitudes of the Hawthornes*. (South Bend, IN: St. Augustine's Press, 2005. Pp. vi, 164. $24.00, clothbound.)

According to the book jacket, Otto and Katharine Bird, a father and daughter writing team, present a historical snapshot of several generations of the Hawthorne family, moving from William Hathorne of the seventeenth century to Rose Lathrop Hawthorne, the novelist's youngest daughter and a convert to Roman Catholicism. The point of the genealogy, as advertised, is to show "that religion, more than other social qualities, shaped the outlook of the family's principles," as the authors note the strands of Puritanism, Congregationalism, Unitarianism, and finally, Catholicism, which moved various members of the Hawthorne clan. Yet the genealogy is also supposed to illumine the life and writings of Nathaniel Hawthorne himself. On this point, the strengths and weaknesses of the book are most keenly felt, for the authors suggest a crypto-Catholicism in Hawthorne, a Catholicism eventually achieved by Rose's conversion and candidacy for beatification. The authors' choice to end with the story of Rose is also revealing, for the book is more than a marking of the religious vicissitudes of the Hawthornes; it is an indication that the family's religious choices improve over time, progressing from witchery to sanctity, with the novelist's own life and writings contributing to a developing Catholic sensibility. Though the book's overreaching account is ultimately unpersuasive, its middle section on Hawthorne's literature nicely examines the representation of sin in the romances and offers a valuable thematic introduction to the novelist's fiction.

From *Witchery to Sanctity* divides into three sections, with the first and the last most forcibly suggesting the family's religious development toward Catholicism; these parts seem methodologically and conceptually detached from the middle section on Hawthorne's literature. In the first section, the authors review the Hawthorne pilgrims to America all the way to Nathaniel's own father, but they begin with a family legend that tells of an ancestral Hawthorne who was told in a dream where to find buried treasure. That dream was interpreted as a vision from the Virgin Mary, and the authors suggest it was a legend that may have left "hidden influences" on the novelist Hawthorne, a man who was "especially attached" to the idea and image of Mary (4). Subsequent chapters focus on John Hathorne's role as prosecutor of witches before speedily turning to a discussion of how later generations of the family turned away from Puritanism. This section attempts to weave a description of the theological differences in Christian doctrine into the family history, showing the many divergences between Puritanism and other religions of the day on issues such as the Trinity or the constitution of the visible church. Unfortunately, the account is dis-jointed. The authors rightly observe that John's witch-hunting affected

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Hawthorne—the novelist admitted as much—but they also claim that the differences among reformed versions of doctrine contribute toward understanding Hawthorne's fiction, though we are seldom told specifically how (34). When reference to religious differences is made, it consists of an observation that *The House of the Seven Gables* favors the Puritan teaching on original sin instead of the Unitarian denial of it (91). That argument seems too broad to justify all the lengthy citations from texts such as Reverend John Cotton's Congregational plan of church government. If doctrinal controversies substantially influenced Hawthorne's fiction, the authors should have developed the argument more fully, especially because Hawthorne is sometimes viewed as an agnostic writer, who uses the political and religious contexts of his day to impart a humanist teaching.

The book's middle chapter addresses Hawthorne's literature at length, which seems a strange choice, given the book's overall approach. For the first and last sections, the focus falls on the Hawthorne family members, replete with miniature biographies, couched in religious contexts. Yet when the book approaches the family's most distinguished member, it turns away from biography and toward an examination of his texts, arguing a writer's fiction is not a "transcript of their own life's experience" and to assume otherwise denigrates the "creative powers of the imagination" (103). All this is maintained despite the earlier observation of possible hidden influences upon the author from his family's Catholic past. The book's methodology, then, moves from psychobiography to New Criticism, even as it declares these approaches incompatible. Exclusively examining Hawthorne in light of his fiction, the second section ignores his journals, letters, or friendships with Franklin Pierce or Herman Melville; instead, there is an analysis of sin in Hawthorne's literature. Though this decision doesn't fit with the authors' overall methodology, it is the most impressive portion of the book. Hawthorne's literature is examined as a meditation on the theme of sin, with emphasis divided among the three great romances, investigating the consequences of sin in *The Scarlet Letter*, the inheritance of sin in *The House of the Seven Gables*, and the education and even elevation of those who commit sin in *The Marble Faun*. While these sections ignore other scholarship, old or recent, they provide persuasive readings of the characters' changes, falls, or rejuvenations, and present Hawthorne as neither a Puritan nor enlightened follower of Emerson. Hawthorne is shown here as a keen observer of human nature, an author in possession of a sensitive grasp of how evil lurks in the human heart. Of course, this is a traditional way of reading Hawthorne, but one well worth continued examination. For a biographical look at Hawthorne, readers should turn to Brenda Winneaple's *Hawthorne: A Life* (Random House Trade Paperbacks, 2004), but they should read that account with the Birds' exegesis of Hawthorne's novels.

The third and final part of the book returns to the theme of religious development within the family, explaining how Hawthorne's own offspring fared.

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This section includes the religious upbringing of the children, Hawthorne's own approval of Catholic shrines and the Roman Catholic practice of confession, and focuses especially on Rose's conversion and establishment of a religious order to help those suffering from terminal cancer. Una Hawthorne, the eldest child and apparent model for Pearl in *The Scarlet Letter*, receives less attention, as the authors convey her unfortunate choices in love and eventual interest in Anglicanism and work with the poor. Julian Hawthorne is mostly ignored, and this choice is revealing, for one may imagine how his imprisonment for mail fraud does not comport well with the suggestion of the book's subtitle that successive generations of the Hawthorne family correspond to the greater infusion of sanctifying grace. The idea, too, that Nathaniel Hawthorne may have been a crypto-Catholic due to his admiration of confession or to his daughter's later conversion should be considered in light of the conventional picture of the author, which includes his negative comments on the Catholic clergy and ostensible sympathy toward Calvinistic teachings on original sin and predestination. Finally, the book's emphasis on Hawthorne's attraction to confession should be taken less seriously, for it emerges more from his understanding of man as riddled with failings than from any belief in the powers of apostolic succession to impart Christ's mercy through the sacraments.

Though the first and last sections of the book are somewhat slanted and disorganized, the survey of the family's genealogy provides a good introduction to the religious issues facing some of its members, and the account of Rose Hawthorne remains a fascinating tale. Moreover, the book's discussion of sin in Hawthorne's literature may be better related to its examination of the various religions practiced by some members of the Hawthorne family than I originally suggested, though not in the way the authors intended. For in returning to the theme of sin in Hawthorne's fiction and to the religious controversies vexing some of the novelist's family, the Birds remind us of the paradox involved in reading Hawthorne: an author who believed in the doctrine of original sin, but perhaps not in the metaphysical scaffolding of Christianity, and certainly not in any one institutionalized form of religious practice.

–Travis Curtright

UNDER GOD

Richard J. Ellis: *To the Flag: The Unlikely History of the Pledge of Allegiance*. (Lawrence, KN: University Press of Kansas, 2005. Pp. xx, 297. $29.95.)

The Supreme Court of the United States recently dismissed a challenge to the Pledge of Allegiance but likely will revisit the issue. Richard J. Ellis's timely and lucidly written book recounts the creation of the Pledge in the late

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nineteenth century and its place in today's politics and constitutionalism. It is indispensable for understanding the background of the contemporary controversy. Ellis presents a richly detailed narrative of the Pledge's roots in patriotic efforts to advance national unity after the Civil War, to assimilate large populations of immigrants, and to remind the nation of its religious roots despite the materialism accompanying industrialization. Ellis illuminates little-known episodes of resistance and enforced conformity to the Pledge; the well-known flag-salute cases of the 1940s; and the addition of "under God" by Congress in 1954 as part of the cultural battle against communism. The study further documents the increasing political salience of the Pledge since the 1980s, plus the current legal challenge to "under God" by the atheist-activist Michael Newdow. A central theme is that seeing the Pledge "as simply an affirmation of civic patriotism is to obscure the racial and ethnic anxieties that animated its creation" (pp. 32–33). Another theme is that it is insuperably paradoxical to require schoolchildren "to declare daily their allegiance to the state" in "arguably the world's most liberal nation" (xiv, 213).

Ellis's tone sometimes suggests that the Pledge is only simple-minded boosterism or jingoistic conformity, particularly when he too hastily dismisses the notion of exceptionalism in American national identity as a mere self-congratulatory myth that invites the nation "down the path to empire" (221) Still, Ellis knows that most Americans think the nation is somehow exceptional. Moreover, although it may discomfit atheists and annoy most of academia, until very recently, American political culture routinely and unashamedly acknowledged God as part of American national identity. One need look no further than the Declaration of Independence, Lincoln's second inaugural, or his recognition of the consecration of the Gettysburg battlefield with the blood of those who had fought so that the reunited nation, "under God," might have a new birth of freedom. Abundant additional examples could be adduced, and Ellis mentions some of them.

Ellis is clear enough about the importance of God to America; therefore, it is all the more notable how recent have been attacks by a minority on a voluntary pledge at the beginning of the school day as a violation of the First Amendment's establishment clause. (The Supreme Court struck down a compulsory pledge in 1943 [110–13]). For example, in a March 1953 poll, nearly seventy percent of respondents favored adding "under God" to the Pledge (131). In 1992, sixty-eight percent said that belief in God was "very important" or "extremely important" for a "true American" (279 n. 26). In 1991, seventy-eight percent thought "school children should be required to pledge allegiance to the flag in all US schools" (267 n. 41). Given such statistics, and given that under the California law at issue in the Newdow litigation the Pledge is voluntary and there is no legal sanction for student nonparticipation, it is striking that Ellis ignores the basic problem of modern rights litigation: the very real way in which the minority sets public policy for the majority. To put the point differently, it stands to reason that upon hearing a group acknowledge God, an atheist

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would feel left out (perhaps even "psychologically coerced" under one of the Court's latest standards). Does this make the Pledge an establishment of religion? In the wonderland of contemporary First Amendment jurisprudence, it may, as Ellis sees, but his treatment of the confused state of the law does not consider the Pledge's relation to the Court's ongoing constitutionalization of rights talk. Indeed, Ellis's treatment is notably bereft of any engagement with the flood of scholarly revisionism on the "wall of separation" metaphor that still beguiles contemporary thinking.

Ellis convincingly shows that among the factors in creating the Pledge were ethnocultural conceits that, although routinely expressed in the early twentieth century, bordered on racism and today are rightly unacceptable. But what of it? The transparent implication of irrationality in Ellis's relentless psychologization of the motivations involved ("anxiety," "fear," "insecurity") slights a basic question: was there—and is there—anything worthy of rational political concern in the historical developments which resulted in the Pledge, its amendment, and its defense? By not pursuing this question, Ellis omits the most important issues raised by his topic, issues which again seem pressing when today's students are more likely to recite violent rap lyrics than the Gettysburg Address, and when European capitals are under attack by immigrants and children of immigrants who reject utterly the political principles only flaccidly articulated by their adopted homelands.

Yet Ellis's evidence shows that the early schoolhouse flag and Pledge movement spoke of duties, even "patriotic duties and obligations" (49); the need for self-sacrifice and rejection of selfish materialism (7, 44); Union and concerns for the "future of the Republic" (4, 5); and the need to foster "local civic involvement" (13). But Ellis insists that it is paradoxical and anomalous for a modern liberal society to require "schoolchildren to recite [the Pledge] to display their allegiance to the nation" because it "reflects a commitment to the decidedly illiberal ideals of order, discipline, and the subordination of one's self to a larger collective or cause" (47). We must consider, as Ellis does not, whether any regime can endure absent the cultivation of some such illiberal ideals in its future citizens. Many observers would contend that perhaps the greatest weakness of liberalism is its inability to recognize that healthy and long-lived regimes find some way of teaching their children why they are good and why their preservation may merit citizens' self-sacrifice. Ellis's rich historical account foregoes such issues, but it does allow us to picture this common scene from the late nineteenth century: Union Civil War veterans, some of whom perhaps heard Lincoln at Gettysburg or at least knew what he said, presenting flags to schoolchildren in the hope that they, too, would love and come to know more deeply the principles for which so many soldiers gave the last full measure of devotion. The *amor patriae* displayed in such an action needs the support of unexamined belief, as Edmund Burke and the American founders well recognized. Affection or prejudice remains an indispensable pillar of political society,

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and like the Pledge itself, need not and should not be asked in every instance to demonstrate the reason and wisdom contained within it. Without veneration, Publius reminds us in *Federalist 49*, even the "wisest and freest governments" will likely become unstable, and the "most rational government will not find it a superfluous advantage, to have the prejudices of the community on its side."

Perhaps the Pledge is paradoxical and anomalous if one would prefer that America was not such a deeply religious nation, or if one believes that the resources of liberalism are sufficient for cultivating citizens who will defend it. Still, as Ellis hints but never says directly, we should be open to the claim that the Pledge is a bad or inappropriate way of transmitting American principles to schoolchildren—it is likely an unconstitutional way when measured by the tangle of current First Amendment jurisprudence. Nevertheless, in offering an eloquent shorthand expression of what it means to be an American, the Pledge at least attempts to accomplish something that will always need doing.

–Johnathan O'Neill

DIFFERENT MEMORIES

W. Fitzhugh Brundage: *The Southern Past, A Clash of Race and Memory.* (Cambridge, MA: Harvard University Press, 2005. Pp. xiii, 418. $29.95.)

In this book, W. Fitzhugh Brundage, William B. Umstead Professor of History at the University of North Carolina, Chapel Hill, dissects historical memory, specifically the conscious activities of remembrance by southerners to create their vision of the South's past. Not surprisingly, he emphasizes the role of race in this phenomenon, that is, the power of whites to insure that their view of the past, their memory, has been preserved as *the* view of life in the South from 1864 to the present.

In the first chapter, Brundage approaches his complicated task by discussing how white southerners consciously preserved the concepts of white supremacy and black inferiority. This effort was not government-driven; rather it was the result of organized voluntary groups. Particularly insightful is Brundage's discussion of how women led the effort, using it, like so many other opportunities, to deal with a world of fixed gender roles. Wives, daughters, mothers, and sisters surpassed their men in organizing the effort, raising funds to finance it, and preventing interpretative heresy. Southern women made sure that school textbooks and public spaces, like the town square, enshrined white supremacy.

Particularly important to this effort was a benign view of slavery and adulation of the Confederacy and the Confederate soldier. Unless the South's plantation system and Civil War effort were remembered as noble and

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those years as nostalgically wonderful for both races, the underpinning of the racist post-war world was in danger.

African Americans battled to preserve their own memory of the period. Having neither the power nor the finances to contend equally in the historical arena, blacks in the post-Civil War era used what they could, namely public celebrations. The Confederate soldier statue might stand tall in the town square, with no hope for similar such African American statuary, but blacks could still often march to that public space en-masse on special days like Juneteenth or Emancipation Day and celebrate and preserve important parts of their past through ceremonies and oratory.

At the turn of the twentieth century, state and local governments became directly involved in preserving white memory, professional historians took over from the amateurs and, in the process, women were pushed aside in favor of trained males. The result was not essentially different from the ideology already in place. Professional historians in colleges, universities, and museums buttressed the predominant white supremacy perspective, giving that view the blessing of professional male stature. Amateur females still had a role to play, but it was now clearly secondary to that of the male professionals.

Meanwhile, blacks increasingly looked to their segregated schools as the places to preserve their historical memory. Historians Luther P. Jackson and Carter G. Woodson, and the Association for the Study of Negro History and Life played important roles in this effort. Where previously blacks had marched into public spaces, now they utilized the autonomy of their segregated schools to attempt to preserve their vision of the past. Black history was insurgent; it attempted to counter the white view, to demonstrate that there were black heroes who overcame great odds to succeed, thus putting to lie the white insistence that blacks were inherently inferior. The problem was, however, that such views were generally found only within the confines of black schools and community. A few black historians were on the fringes of their profession, but they and blacks in general had little influence on white society.

Brundage sees the conscious commercialization from World War I to World War II of the southern past, its transformation into a commodity for purchase by tourists. These visitors wanted and bought the romance of the Old South, and the black role in that vision was as faithful servant (not slave) who shared in those wonderful times only imaginable to the present. The entire city of Charleston, to cite a conspicuous example, became a "memory theater" (208), a place where white culture was preserved and appreciated, and white memory received financial rewards. White people would travel and pay to see houses and to experience nostalgia. White memory, thus, had to be preserved for historical and economic reasons.

In the post-World War II period, urban renewal changed the face of most southern cities. White racial liberals supported it because they believed it would make their hometowns more aesthetically pleasing and more

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economically viable for everyone. Old-line segregationists argued against it, as they did against most federally supported programs, because they feared that it might benefit blacks. Black leaders saw a clear choice. "Support urban renewal and hope for the best, or oppose it and hand the segregationists a victory" (266). The result was tragic. White historical sites were preserved and enhanced, while key anchors of black memory were reduced to rubble; black neighborhoods were decimated or disappeared completely.

In contemporary society, the contests over southern memory continue, but there is greater equality. Blacks hold political office in unprecedented numbers, and, therefore, they have more power in the historical battles. For the first time, for example, school desegregation provided white children and adults exposure to black memory. Black History Week, for example, has become interracial. Institutions, even those like the Museum of the Confederacy, now include at least some aspects of the black past, and there are cultural institutions devoted exclusively to black memory. Now there is even commercialization of black memory. As the Confederate flag controversy demonstrates, however, the battle over memory is hardly settled.

Despite the breadth and excellence of Brundage's book, there are still issues that he passed over quickly or did not mention at all. Modern perceptions of the Civil War remain central to the twenty-first-century southern view of itself and include both racial and sectional elements. These continue to require detailed study. The recent insistence that there were thousands of black soldiers in the Confederate army (as a way to deny the role of slavery as the cause of secession) is a similar topic worth considering. The fact that many southern states officially celebrate Martin Luther King's and Robert E. Lee's birthdays on the same day demonstrates continued historical separation and deserves analysis, as does the success of some communities in celebrating Dr. King's day inter-racially.

Brundage, with profit, might also have discussed the significance of the South's political power on the national stage, the continued national fascination with things southern, the urban versus rural cultural clashes, the growth of religious fundamentalism, and the American attempt to hang on to some sort of anchor of certitude for the sake of personal order and safety in a confusing and threatening world. Finally, has the United States become more like the South than vice versa, and has southern white memory not, thereby, become the memory of the American majority?

In the end, no author can deal with everything when writing about such a complicated question. Brundage has done an excellent job in choosing topics and analyzing them astutely. His study provides guidance for those trying to understand historical memory generally or the South specifically. This is an important book with insights on every page for both scholars and an informed public. It deserves careful consideration if American society is to grapple honestly and effectively with its past-based future.

–John F. Marszalek

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MULTIPLE VISIONS

Adam L. Tate. *Conservatism and Southern Intellectuals, 1789–1861: Liberty, Tradition, and the Good Society.* (Columbia and London: University of Missouri Press, 2005. Pp. ix, 402. $49.95.)

In popular culture, the South is fixed by images such as Bull Connor's police dogs unleashed in Birmingham, sharecroppers photographed by Walker Evans, and Uncle Remus stories told by Joel Chandler Harris. Each of these images stylizes the South as a unified whole, unbroken in its racism, its grim poverty, or its romantic, folksy humor. The antebellum South, in particular, tends to be mythic, idealized in an ambiance of moonlight and magnolias, the region all the same in its political principles, its racial constructs, and its social values. Presiding over this period is Peggy Mitchell's late but roseate vision of the plantation with its gentlemen and belles. Historians have understood, of course, that the South and its ideology were never monolithic or static. Now, in *Conservatism and Southern Intellectuals*, Adam L. Tate demonstrates that the South, especially before the Civil War, was not entirely cohesive and certainly not unchanging.

Tate argues that southern conservatism between Ratification and Secession was rooted in Locke's notion that the state was a construct separate from society. Beginning with the old Republicans, southerners understood this separation as necessary for the preservation of freedom. The separation, however, raised a crucial question: "If the state and society were theoretically separate and the state's role was limited to a negative protective function in relation to society, then what should a newly free society look like?" (3). This question created a dilemma, for it required southerners to try to balance liberty and tradition to create a good society.

Tate's book, which grew out of his dissertation at the University of Alabama, traces the thinking of six, antebellum southerners—John Taylor of Caroline, John Randolph of Roanoke, Nathaniel Beverley Tucker, William Gilmore Simms, Joseph Glover Baldwin, and Johnson Jones Hooper—as they grappled with the difficulty of balancing liberty and tradition. Tate follows the sometimes subtle, sometimes substantive shifts in these men's approach to state's rights, republicanism, slavery, sectionalism, religion, and western expansion to conclude that they agreed largely on political and constitutional principles but differed substantially on the nature of the good society.

It would be interesting to know more about Tate's choices of these men as representative of the antebellum South. The balance between three political and three literary figures certainly invites consideration. Even though Tate offers no explanation for his choice, he does demonstrate that the differences among these men—all of the same economic class and all desirous of a unified southern society—preempted unanimity about the good society. He concludes, "The very diversity of southern conservative answers on

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the questions of slavery, religion, and commerce reveals that southern conservatives lacked a shared tradition of social thought, regardless of the republican, state's rights political tradition in the South" (356).

Taylor and Randolph, Old Republicans and the elders of the six, shared political principles, especially the idea that the people of the states, rather than individuals or Americans as a whole, were sovereign. They both held the "republican ideal of a homogeneous community united by a common end" (39), but they disagreed about the features of an ideal society. Taylor, who disliked traditional institutions as inhibiting liberty, advocated a society that would promote men of talent, while Randolph inclined to a more time-honored society characterized by Christianity, patriarchal structures, and manners. They were similarly divided about western expansion and slavery. Taylor thought that reason could unite easterners and westerners, but Randolph saw westerners as barbarians without traditional institutions. Taylor viewed slavery pragmatically as a matter of self-interest; it was a means to wealth in the South. He also believed blacks were morally inferior to whites, a belief, which Tate concludes, "violated his political principles" (116). Randolph saw slavery as a paternalistic, traditional institution; as such, it demanded that masters care for their slaves. In his view, as Tate notes, even "the master's coercion became a paternalistic virtue of charity" (118).

Nathaniel Beverly Tucker and William Gilmore Simms, representatives of the proslavery intellectuals in the period following Taylor and Randolph, came of age after the Revolution and the factional battles of the 1790s, but they faced the same dilemma Old Republicans had: "how southerners could create a society that respected both tradition and liberty without threatening either" (138). Like the Old Republicans, Tucker and Simms differed on traditional societies. Tucker held to the meritocracy championed by Taylor, and like Taylor, he limited that meritocracy to white men. Simms saw the family as the fundamental social institution because the family trained men to perform their duties, to practice restraint, and to work toward higher good.

Facing an incipient nationalism that Taylor and Randolph had not, Tucker and Simms believed that a strong economy based on commerce would make the South self-sufficient. While changing economic realities led them to revise the Old Republicans' positions on economic matters, they were gradualists with respect to change. Like their predecessors, they located sovereignty in smaller societies. Anxious about the power of the federal government, particularly the powers of the president, they believed the original Union was formed as a defense of liberty against these powers. They also believed that secession would become necessary when the Union defaulted on its duty to protect freedom. Their anxieties about liberty led them more and more to advocate southern nationalism.

Turning to a third generation of antebellum southern conservatives, Joseph Glover Baldwin and Johnson Jones Hooper, Tate argues that

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"Southwestern humor discusses the continuing American dilemma of balancing freedom with tradition, the unfettered life of the frontier with the demands of civilization" (247). In distinguishing them from the antebellum proslavery intellectuals, Tate shows that the experience of place and time shaped southern ideology. Though Baldwin and Hooper appreciated tradition, they also advocated an active government that took the lead in establishing order and underwriting freedom in the unstable frontier of Alabama during the 1830s. Unlike Randolph and Taylor, they supported economic modernization, including governmental direction of that modernization. "Where Baldwin and Hooper differed from the Old Republicans most significantly was in their views of the good society" (306). They championed voluntary rather than compulsory institutions in order to develop a good society. The West, for them, was a place of both disorder and of freedom. The disorder was destructive of and antithetical to traditional institutions and society, so law was necessary to impose order. But Baldwin wanted "to create [traditional institutions] on a voluntary rather than a coercive basis" (318). Hooper, too, "advocated voluntary institutions that respected individualism and renounced the principles of coercion" (323). They were suspicious, however, of parties and disliked governmental backing of virtue.

Throughout this lucid book, Tate traces the development and evolution of Old Republican ideas in the South between 1789 and 1861 to conclude that "the divisions in antebellum southern conservatism limited the chances of forging a uniform southern conservative society or movement" (355). Despite the South's tradition of state's rights and republicanism, conservatives held different views of slavery, religion, and commerce. Tate might go on to study the succeeding eras in southern history, choosing figures from the post-bellum period, the New South, the early twentieth century, the Civil Rights era, and the contemporary South to analyze how southerners in each of these periods balanced liberty and tradition to create a good society. Such a study might give the lie to other totalizing images.

–J. Robert Baker

OLD MYTHS REVIVED

Tsuyoshi Hasegawa: *Racing the Enemy: Stalin, Truman, and the Surrender of Japan*. (Cambridge, MA: The Belknap Press of Harvard University Press, 2005. Pp. 432. $18.95.)

The American use of atomic bombs against Hiroshima and Nagasaki in August of 1945 provoked a series of disputes and debates that made this the most controversial decision of Harry S. Truman's presidency. Such debates arose from a rejection of the arguments put forth by policy-makers like Truman and his secretary of war Henry L. Stimson that the atomic

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weapons brought the war to a quick end, avoided the need for a bloody invasion of the Japanese home islands, and thereby saved both American and Japanese lives. Especially after the appearance of Gar Alperovitz's influential *Atomic Diplomacy* in 1965, various writers challenged the notion that the atomic bombs were needed to defeat an imperial Japan that supposedly lay on the brink of surrender. Instead, argued Alperovitz and like-minded scholars, the bombs were dropped as part of a diplomatic offensive to intimidate the Soviet Union. To say that this view took a firm hold over a generation of American diplomatic and political historians probably understates the matter. Despite the immediate efforts by capable historians such as Robert H. Ferrell and Robert James Maddox to reveal that Alperovitz misused evidence and built his approach on a quicksand of faulty assumptions, especially as regards the likelihood of an early Japanese surrender, his distorted thesis became a staple of revisionist accounts of Truman's foreign policy.

Fortunately, over the past decade, the careful research of scholars like Richard B. Frank and Sadao Asada succeeded in dismantling key elements of the argument that the bombs were dropped on an already defeated Japan so as to gain diplomatic advantage in the developing contest with the Soviet Union. The historian J. Samuel Walker, noted for his efforts to find middle ground among the rival interpretations on the use of the bomb, thoughtfully conceded that the recent literature "has gravely undermined if not totally refuted the fundamental revisionist tenets that Japan was ready to surrender on the sole condition that the emperor remain on the throne and that American leaders were well aware of Japan's desire to quit the war on reasonable terms." (See J. Samuel Walker, "Recent Literature on Truman's Atomic Bomb decision: A Search for Middle Ground," *Diplomatic History* [April, 2005] 29: 333). One might have thought that the moment had arrived to put to rest the distorted Alperovitz thesis and to clear away the fog of confusion that it generated. Alas, this is unlikely to occur anytime soon as a result of the publication of the book under review.

On surface appearance, *Racing the Enemy* is an impressive work. Based on research in Soviet, Japanese, and American archival materials, the book seemingly has all the scholarly accouterments of the much-favored approach of international history. Published by a leading university press, it already has been hailed in various blurbs by luminaries in the field as "groundbreaking," and as a "tour de force." The book admirably promises to provide a definitive account of the end of the Pacific War by exploring "the complex interactions among the three major actors: the United States, the Soviet Union, and Japan"(2). And yet, despite its extensive research and commendable goals, one cannot join the chorus of praise that greeted this book's publication because it perpetuates flawed interpretations about both the military necessity of the atomic bombs and the American intention in using them. The genuine contribution of the book—which lies in its revelations of the rapacious Soviet efforts to get in on the kill and to extend military control over as much of Japan as possible, even after the Japanese formal

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surrender—cannot compensate for its limitations. Only a mere sense of these can be provided in this review.

Hasegawa contends that as of June 1945, "while Japan began its desperate effort to extricate itself from the war, the race between the Soviet Union and the United States to achieve Japan's surrender had begun" (89). This argument is misleading on a number of fronts. First, it ignores the fact that only some Japanese demonstrated any eagerness to end the conflict and, thereby, downplays the role of the dominant military faction that planned to repulse any invasion. More seriously, however, it misconstrues the efforts of the United States to secure Japan's surrender as participation in a race. This notion, which undergirds much of *Racing the Enemy*, is simply wrong as is made patently clear by evidence which Hasegawa includes in his book. Where, one might ask, is evidence for a race when Truman instructed Chinese Foreign Minister T.V. Soong on June 9 to abide by the Yalta Far Eastern Accords so as to facilitate Soviet entry into the war? Why would Truman have traveled to the Potsdam Conference in July 1945, intent on confirming Stalin's commitment to enter the Pacific War if he truly was engaged in such a race?

The account in *Racing the Enemy* of Truman and Secretary of State James F. Byrnes at Potsdam is painfully slanted against them. Hasegawa charges that the American decision-makers insisted on the terms of unconditional surrender in the Potsdam Declaration primarily to assure Japanese rejection, and so to justify the use of the atomic bomb. Byrnes' comment in his memoirs that "had the Japanese government surrendered unconditionally, it would not have been necessary to drop the atomic bomb," is twisted by Hasegawa to mean "if we insisted on unconditional surrender, we could justify the atomic bomb" (135). To say that there is little evidence to support such speculation is overly generous. But such contortions are necessary in order for Hasegawa to push his argument that Truman raced to use the bomb before the Soviets could enter the conflict. Further manipulation of evidence is needed for Hasegawa to argue that Truman felt a "sense of betrayal" at the Soviet's eventual entry into the war and that he was a "disappointed man" because of the Soviet action (193–94). This portrait of the president completely ignores Truman's confirming (with some satisfaction) to his aides on August 9 that he had gone to Potsdam "entirely for the purpose of making sure that Stalin would come in [to the war] then [August 15] or earlier if possible." (See Diary entry, August 9, 1945, in Robert H. Ferrell, ed., *Truman in the White House: The Diary of Eben A. Ayers* [Columbia, MO., 1991], 62.) Tellingly, Hasegawa fails to clarify that the Americans understood full well that the Soviets would have their way with the Japanese in Manchuria whatever else happened in the Pacific theater.

Hasegawa's eagerness to question and criticize the motives of the American officials predictably leads him to challenge Truman's claim for the military necessity of the atomic bombs in securing the defeat of Japan. In an attempt to dispute the conclusion of Richard Frank in his *Downfall:*

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The End of the Imperial Japanese Empire, Hasegawa contends that it was primarily Soviet entry into the war on August 8, rather than the bombings of Hiroshima and Nagasaki, which compelled Japan to surrender (see 296–98). Surprisingly, he criticizes Frank for relying too heavily on contemporary sources and for emphasizing Emperor Hirohito's Imperial Rescript on August 15. Yet, the evidence he marshals to sustain his case is hardly convincing. Most Japanese sources noted both the atomic bomb and Soviet entry into the war as factors in forcing surrender, and surely Frank is right to emphasize the emperor's motivation since Hirohito's was the decisive vote. Hasegawa's extraordinary claim that "without the Soviet entry into the war, the Japanese would have continued to fight until numerous atomic bombs, a successful allied invasion of the home islands, or continued aerial bombardments, combined with a naval blockade, rendered them incapable of doing so," simply fails to persuade (298).

Hasegawa's questioning of the military necessity of the atomic bombs allows him to declare as a myth Truman's view that the bombs brought about Japan's defeat and saved lives. But *Racing the Enemy* regrettably perpetuates a myth of its own—an updated variation of the atomic diplomacy thesis that Alperovitz fashioned four decades ago. The book is but the most recent exercise to be written from a post-Hiroshima perspective, which focuses excessively on supposed alternatives to the atomic bombs. Perhaps inevitably, it blatantly distorts the thinking and actions of American decision-makers who operated in a pre-Hiroshima world and found no need to search for alternatives to what they judged as a weapon of war. Anyone seeking a more accurate and fair-minded treatment of the surrender of Japan and the end of the Pacific war is better advised to turn to *Downfall*.

–Wilson D. Miscamble, C.S.C.

THE MAN BEHIND THE CURTAIN

David M. Barrett: *The CIA and Congress: The Untold Story From Truman to Kennedy.* (Lawrence, KS: The University Press of Kansas, 2005 Pp. x, 542.)

Thanks to magisterial research, David Barrett here much increases our knowledge of the relationship between Congress and the CIA during the early Cold War years. He reminds even readers old enough to remember the 1950s of the powerful, driving anti-communist consensus among the era's public figures. The images of a Democratic Party led by Richard Russell and Stuart Symington fighting a republican president for bigger military outlays and of Hubert Humphrey, the premier liberal of his day, suggesting that America assassinate its enemies in the Middle East, should provoke the thoughts of younger readers.

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The strength of Barrett's book is that it shows exactly what his research turned up as well as what questions must remain open because evidence is lacking. The book reports recurring efforts on the part of CIA officials to limit the amount of information they were giving members of Congress, all of whom were supportive of the agency, none of whom were security risks, and nearly all of whom wanted to increase the CIA's budget. And it chronicles members (and presidents) trying to find out, after the Soviets exploded their atom bomb, after the Communist invasion of Korea, after the Hungarians revolted, after the Soviets reversed their attitude toward the revolt, after Sputnik, after Castro turned out to have been a Communist, what the CIA had known about the impending events. The book's weakness stems from the author's decision to examine these matters strictly in terms of the relationship between CIA and Congress, and largely to abstract from their substance.

Hence, the book never addresses the questions that its narrative leads the reader to ask: Why were the CIA people so jealous of their secrecy? And, conversely, why did the CIA fail to shed light on the key events of the age? The book's point of departure is that Congress established CIA in order never again to suffer surprises such as Pearl Harbor, but worried lest its creation become some sort of Gestapo. But the series of bad surprises that began with the Soviets' explosion of their atom bomb has yet to end, while, in fact, the CIA has never ceased to meddle in U.S. politics. Why? And why (as Barrett points out in his last page) has latter day expanded congressional oversight neither improved the agency's performance nor curtailed its politicking?

Although Barrett does not answer explicitly, his account points to the heart of the matter. The CIA never made itself capable of gathering the kind of information that would prevent surprises such as actually occurred from 1949 to September 11, 2001, or since. Hence, from the beginning, there has been an enormous gap between what presidents, Congress, and the public expect of it and what it can really deliver. From the beginning, the agency has used its own judgments to fill the yawning voids between the occasional tidbits of privileged information it gets. Hence, because its estimates consist mostly of opinions, they are inherently political documents.

Therefore, the CIA guarded information about its sources and methods not because they are so valuable and sophisticated but rather because they are so sketchy and inept. Secrecy guarded an inflated reputation. The secrets that the CIA was protecting were like those of the Wizard of Oz.

Barrett shows that the congressional overseers so supported the CIA's mission, were so respectful of its professional prerogatives, so occupied with other matters that they never sought to second guess its management, to force it to perform better. On the other hand, members of Congress, like presidents, recognized that the CIA's estimates are weighty weapons in political controversies. They also suspected that these estimates reflected political agendas rather than facts. Hence, politicians have sought to use the CIA's products for their own purposes rather than to improve them.

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Barrett's research provides heretofore unknown documentation of one of the CIA's congenital features: its relentless campaign to secure a monopoly of the bureaucratic authority to interpret foreign events for the U.S. government. The nascent agency's struggles to limit (and eventually eliminate) the capacity of the military services for clandestine collection and to subordinate the judgments of all other parts of the US government to its Estimates, the production of which it controls, is well known. Heretofore undocumented was the CIA's campaign to eliminate congressional funding of a nameless civilian organization that had grown out of World War II. Unlike the CIA, this "organization's operatives posed as other than US employees and often as foreigners. They practiced operational security far more strict than the CIA's. Barrett tells us that respected members of Congress recognized that it had produced more good intelligence for less money than the CIA. Nevertheless, the CIA eventually killed it bureaucratically.

Less uniquely but still powerfully, Barrett details some of the early CIA's relations with the press. The agency's show of concern with secrecy never kept it from using toward the press the same strategy it employed towards Congress itself, namely to pick out influential individuals and secretly to feed them its own version of the world and of itself. It seems, however, that some members of the press were able to resist the flattery inherent in being chosen as privileged channels and made dispassionate evaluations of the CIA. Hence, Barrett quotes the *New York Times* legendary correspondent Hanson Baldwin's judgment that the CIA was filled with "chair warmers" and "empire builders." He noted that the agency had bungled its initial operations. Later, Fulton Lewis Jr.—perhaps the 1950s' most influential radio commentator—figured out that the CIA had few sources within the Soviet Union, "if any."

All of this leads the reader to conclude that, from the beginning, the CIA endangered America not by excesses but by deficiencies. Its lies protected little other than those very deficiencies, and they enabled petty politics. Occasionally, a congressman like John Taber (R- NY) or a senator like Henry Jackson (D- WA), (or in another age, senators like Daniel Moynihan [D- NY] or Malcolm Wallop [R –WY]), had the interest and the staff to try improving CIA. But CIA remains unchanged because it has continued to control the relationship between itself and Congress.

In the forty plus years after the end of Barrett's narrative, Congress and presidents have reacted to disappointment with the CIA's performance by appointing commissions to review it and recommend changes. But with few exceptions, the CIA has influenced the makeup of the commissions—and, above all, of the commissions' staffs. The CIA prefers commission members who are easily awed. It is always ready to suggest staff that is already familiar with the agency's workings and is easily cleared. People likely to be overly critical just don't get the cooperation they need to do their jobs. When all else fails, the CIA accuses the unfriendly commission of some sort of security breach. The most egregious example was the

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treatment of the Presidential B team of 1976. Hence, the reports have seldom strayed beyond what is acceptable to the CIA itself.

In sum, the CIA that Barrett describes has not changed as it has gotten older. It has become more so.

–Angelo M. Codevilla

YOU SAY YOU WANT A REVOLUTION

Jung Chang and Jon Halliday: *Mao: the Unknown Story.* (New York: Alfred A. Knopf, 2005. Pp. xii, 814. $35.00.)

The reaction to Jung Chang and Jon Halliday's unknown story of Mao Zedong is perhaps more intrinsically significant than the book itself. Strictly speaking, little in this biography was unknown to specialists; but it challenges received opinion in curious ways. Its scholarly reception has been overwhelmingly negative.

The reception, however, is nowhere nearly as overwhelmingly negative as its portrait of its protagonist. Chang and Halliday think Mao deserves to be placed in the same category as Hitler and Stalin. The book is excellently written: it is fun to read, more so than much fiction. In this story Mao was a bad seed, rotten if not from birth at least from very early in life. The authors cite a letter he wrote to his dying mother, probably the one person in the world he ever came close to loving. Young Mao explains to his mother that he will not visit her, since it would upset him to see her in such bad shape: for Mao, it was always all about him. Mao enjoyed reading, but was otherwise very lazy. The authors have found another letter in which the future Chairman whines about how he sometimes has to work as much as three or four hours at a stretch, at a desk, of course, not physical labor. In the course of a peasant uprising in his native province, this malevolent buffoon discovered the joys of inflicting pain and death. From then on, he never looked back.

The authors are husband (Halliday) and wife (Chang). Jung Chang is the more famous, the author of *Wild Swans*, one of the better Red Guard memoirs. She comes from a fairly important communist family, and her connections presumably helped get access to persons in China and perhaps to collections of documents. Some critics take an ad hominem tack, noting the authors' leftist connections and hinting at their hypocrisy and bad faith. Jung Chang's brush with radicalism, however, came as a fourteen-year-old Red Guard. Her family suffered during the Cultural Revolution, and some observers point to this to prove a personal animus against the Chairman. It may as easily show that some people are capable of learning from experience. Halliday seems a more conventional English leftist, the sort George Orwell used to ridicule. Halliday has

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written screeds against (post-World War II) Japanese imperialism and the American imperialism that backed it, and as late as 1988, a few years before work on the present volume began, collaborated in an apology for the North Korean regime. His contributions to the Mao biography include the gleaning of material from Soviet and, of all things, Albanian archives.

The more serious criticism focuses on the documentation for the authors' claims. The bibliography runs to about sixty pages, but there are no numbered notes in the text. Reviewers have complained of the clumsy citation format, one sometimes used in non-fiction trade books. At the end of the text is a list of page numbers with a phrase from that page beside it, and then the source of the information indicated by that phrase. Here five or six sources may be listed for a single phrase, making it difficult to locate the real source.

The source material sorts itself into several categories. Written sources include writings of Mao's early opponents inside the Communist Party, KMT material, and Soviet critiques of Mao produced after the Sino-Soviet split—information unduly discounted in conventional scholarship. Another trove is Soviet and Comintern archives, used here to discredit the old accepted view that Mao somehow represented an independent or anti-Soviet tendency in Chinese communism. Another general category is Chinese works, both official and popular, written since Mao's death. The authors of some of these works had access to Communist Party archives as well as to interviews with participants. Chang and Halliday also conducted their own interviews (some, allegedly, in a very casual manner). They claim to have seen certain internal archives or documents whose nature and location they are not free to reveal: information of a validity analogous, say, to the *Tiananmen Papers*.

This book displays a curious and apparently arbitrary intermixture of the official pinyin and the older Wade-Giles systems in the Romanization of Chinese names: thus, Mao Tse-tung and Liu Shao-ch'i (not Mao Zedong and Liu Shaoqi); but Lin Biao and Deng Xiaoping (not Lin Piao and Teng Hsiao-p'ing). An initial hypothesis is that the authors use the more familiar form, although pinyin is now universally prevalent. In any case, the name of Mao's father, known only to the most erudite, is rendered in Wade-Giles. Fairly or not, this quirk of style suggests scissors and paste, a delegation of the donkey work of research, and a failure really to engage the sources. But this is only suggested; it doesn't follow with any Euclidean rigor.

Perhaps the most disputed claim is the authors' take on the 1935 battle at the bridge on the Dadu River during the Long March, celebrated in story and oil, with the depiction of the heroic Red Army warriors charging across a suspension footbridge, its wooden planks having been set on fire, under a hail of bullets from the opposite bank. Chang and Halliday, however, have found an aged resident of the area, someone no one else has been able to

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locate, who says she saw the crossing and that there was no battle. Some critics, learned in the history of the Red Army, say there was actually token resistance from unmotivated, poorly armed, opium-sodden warlord troops. This has been corroborated, according to second-hand testimony, by Deng Xiaoping. The Chang and Halliday account would seem to be nearer the truth than the official version. However, this revelation may be as significant as learning that George Washington did not stand up in the boat while crossing the Delaware.

Another amazing claim is that Chiang Kai-shek allowed the communists to escape during the Long March because his son, Chiang Ching-kuo, was being held hostage in the Soviet Union by Stalin (the use of Wade-Giles here, by the way, conforms to conventional practice). Ching-kuo was, of course, in the Soviet Union at the time, but no evidence other than constant repetition suggests he was being held hostage; and there are plausible reasons to believe that he was not sympathetic with his father at the time. It also seems unlikely that the elder Chiang would allow personal sentiment to stand in the way of political advantage. On the other hand, the narrative does incline one to believe that Chiang, for whatever convoluted reasons, may well have gone easy on the Red Army once it had been evicted from its southern Chinese base.

Another curiosity, more a matter of interpretation than fact, is the contention that Lin Liguo, Lin Biao's son, who tried to organize a coup against Mao, is China's equivalent of Klaus von Stauffenberg, the aristocratic German officer who tried to kill Hitler. OK, if they say so.

The problem with the book is not the validity of any particular contention (it's easy to make mistakes, and there is much that is still contested). The problem is the manner of presentation, calculated to show Mao always in the worst possible light. Soviet archives are used to show that Mao was a servile Stalinist, in no way a Chinese patriot or independent thinker. But the writings of Peter Vladimirov, Stalin's representative in the communist capital of Yan'an, which surfaced in what might generously be called edited form in the early 1970s during the height of the Sino-Soviet quarrel, are brought in to show that Mao was a Chinese chauvinist utterly indifferent to internationalist duty. The idea, of course, is that Mao never in his whole life had any commitment beyond the gratification of his appetites for comfort, power, and pleasure. The narrative grossly oversimplifies historical events and omits episodes from Mao's life that would be useful for an understanding both of him and his times but don't unequivocally contribute to the portrait of a monster.

It is obtuse to treat, or even criticize, the book as an attempt at scholarship. It is a polemic. This is not to say that it doesn't have a scholarly value—it can be treated as a source itself, but only with caution, either with an eye to additional evidence and alternative interpretations or with some sort of qualifying phrase: "If Chang and Halliday are to be believed, . . ." In this respect, too, it is similar to the *Tiananmen Papers*.

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Why has it been the object of such antipathy? A reason, probably, is the suggestion that Mao belongs in the same bolge as Hitler and Stalin. But why is this so offensive? A generation or more ago, of course, Mao had a kind of cachet with the more fatuous and influential segments of the western intellectual left, and this had some impact on the western study of Chinese politics. But few, if any, of Chang and Halliday's critics are prepared to argue that Mao was really a hell of a nice guy; most would allow he was a loathsome human being. There may be an irrational tacit premise that there would be nothing wrong with an unremittingly negative portrait of Stalin and Hitler, and, indeed, that there may be something indecent in an attempt to humanize them, especially Hitler. But why should not Mao, who also slew his millions, share in their ignominy? Is it because the regime he founded survives as a respectable member of international society, and that regime has not itself officially repudiated its founder? Or what?

Recent works have, in fact, drawn more nuanced pictures of Hitler and Stalin, as is appropriate. On the shallowest level, we should appreciate that these malefactors are not monsters from hell or outer space but were, like the rest of us, born of women (and in their cases pretty nice women); and that they were (in the Nietzschean terms) böse enough, but also, like the rest of us, merely schlecht; and also, like the rest of us, not utterly devoid of attractive or admirable features. The demonization of Chairman Mao is refreshing and entertaining, but not unambiguously helpful.

Mao's personal failings must be of secondary importance. Political life in all countries attracts lots of loathsome human beings. Bookish narcissists, oblivious to the needs and desires of anyone other than themselves, ready to impose burdens they would never dream of taking up, are a dime a dozen in university faculties and administrations, doing little harm beyond those they are in daily contact with. Beyond Mao's personality is the Maoist system, for which he personally has only partial responsibility. The system was shaped by China's modern history and that of the world, by technological and demographic changes, and by organizational and ideological innovations informing the contemporary world. Chang and Halliday touch none of these. An ideological expression of the Maoist system is the conviction that all of human life can be incorporated into the realm of politics. In *Wild Swans*, Jung Chang did discuss the Maoist system: "The idea was that everything personal was political; in fact, henceforth nothing was supposed to be regarded as 'personal' or private. Pettiness was validated by being labeled 'political,' and meetings became the forum by which the Communists channeled all sorts of personal animosities" (134). This sort of politicization can be fostered by democracy as well as totalitarianism; and traces of it flavor both this biography of Mao and its reception in the scholarly world.

–Peter R. Moody, Jr.

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POLITICAL PROBLEMS, ADMINISTRATIVE ANSWERS

John P. Burns: *Government Capacity and the Hong Kong Civil Service*. (New York: Oxford University Press, 2004. Pp. xvi, 468. $195.00, paper.)

Professor John P. Burns's highly readable book is a timely account on the Hong Kong Special Administrative Region (SAR) civil service, with insightful observations on how the institution has further evolved in the aftermath of recent changes to the system of government, including the new ministerial system introduced in 2002. The book is divided into two parts. Part 1 addresses political issues, with chapters on civil service structure, policies and institutions for managing the civil service, the administrative elite, accountability, and the Senior Civil Service. Part 2 addresses managerial issues such as staffing, performance management, compensation, and staff participation.

The various chapters are tied together by an overarching framework to examine the degree of governance capacity in Hong Kong. Following Hilderbrand and Grindle (1997), Burns acknowledges that governance capacity is determined by an array of factors—namely the broad political, economic, and social environment; the public sector institutional context; the task network; the structures, processes, and cultures of organizations; and the management of human resources (in this case the civil service). His emphasis on the performance and capacity of the civil service is underpinned by the view that in the present political system of Hong Kong, where "political appointees at the top lack a political base and mass support, the government continues to behave more like the civil service-ruled government it replaced rather than a government run by politicians" (3).

The key role of the civil service can be traced to the colonial era, where the bureaucracy was relied upon not just for the provision of public services (productive efficiency), but also in shaping allocative efficiency through policymaking. Burns argues that in spite of the many evaluations that rated the performance of the colonial Hong Kong government relatively highly, the management of the government's human resources had often been inefficient and ineffective (7). These did not receive attention during the pre-1997 booming years when a huge fiscal surplus could easily satisfy rising public demands for service expansion and improvements. It was the post-1997 crisis of public finance that forced the government to undertake the "first significant reform of the civil service since the Second World War" (2).

If one takes Burns observations of the various aspects of civil service capacity and performance, the final picture could be quite mixed in logic. The traditional civil service system contained features conducive to capacity building, such as high levels of prestige and trust; the central role of Civil Service Bureau in managing the civil service and setting related policies; the presence of an administrative elite which was "in the driver's seat" (142) in making and implementing policy; its increasing ethnic homogeneity

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(especially since 1997), which has enhanced coherence; and a good staff morale, the result of compensation policies favoring good pay. Yet, the traditional system has also been criticized as being too centralized, rules-bound, and rigid, with remuneration not based on performance. The administrative elite has suffered from problems typical of generalist systems, with a relatively weak capacity to analyze policy problems and to coordinate policy implementation (142). Government has failed to exploit fully the talent of professionals in the government for appointment to top administrative posts (219), and most appointments have not been opened up to outside competition due to a longstanding policy that protects grade career ladders. Formal and informal rules have, in some cases, legitimized work practices that are at odds with a performance orientation (257).

Burns is of the view that pay levels have been over-generous because "Hong Kong's system of civil service labor relations has facilitated the retention of high civil service salaries" (315). This point can be debated. Civil service pay level has always been tied to position rather than performance in order to minimize wage rivalries and maintain internal relativities for the sake of stability. Pay adjustment has always been based on competition/comparison with the private sector to ensure government does not lag behind; hence, the need to survey market trends and levels as pay adjustment mechanisms. However, before the Asian financial crisis pushed down private sector pay levels drastically, it is arguable whether civil servants were paid grossly more than their private sector counterparts. The difficulty to establish a pay regime effectively linked to performance is not unique to Hong Kong. It is always questionable if civil service managers can properly manage in a flexible system, given their risk-averse behavior partly induced by the value preferences of civil services worldwide in favor of stability, integrity, and uniformity.

During Hong Kong's political transition, the civil service was hailed as one of its pillars, which has to be preserved. The Basic Law has built in various constitutional safeguards to ensure that there will be no major changes to the civil service system. Article 100 provides that public servants serving in government before the establishment of the SAR "may all remain in employment and retain their seniority with pay, allowances, benefits and conditions of service no less favorable than before." Article 103 requires, *inter alia*, that "Hong Kong's previous system of recruitment, employment, assessment, discipline, training and management for the public service, . . . shall be maintained, except for any provisions for privileged treatment of foreign nationals." These provisions were, indeed, used by staff associations to challenge government reform decisions. Civil service reform since 1999 necessary to increase its contribution to government capacity has had relatively limited impact on the bureaucracy, according to Burns (47). On the other hand, it has caused rising tensions between government and staff sides.

If things seemed to work well in the past in the civil service, which was turned to by the colonial government to boost governance capacity

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through its public service delivery and productive and allocative efficiency, there would seem to be justifiable misgivings about civil service reform that serves to fragmentize the bureaucracy, introduce outsider elements, dilute the predominance of the administrative class, and render civil service pay and conditions less secure and stable. But reformers would argue that the traditional system has become redundant or unsustainable, either because of some inherent defects (such as its rigidity and closure) that must be removed, or because it is increasingly incompatible with the changing social, political, and economic environment.

Burns suggests that performance-wise, the Hong Kong civil service may not have declined, as some of the performance management problems identified are longstanding: "Although they existed during the economic boom years, because the incentives for productive efficiency were relatively weak, the government and the public largely ignored the performance management problems" (549). After 1997, when the economy declined, the government's performance-based legitimacy fell, too, making high capacity governance more difficult to achieve. The nondemocratic settings of Hong Kong have also provided more autonomy for the civil service to maximize its utility and to resist reform by a weak political executive (350).

So we are back to a fundamental problem—that civil service performance itself is inadequate to sustain governance capacity, even in a system like Hong Kong which used to regard the civil service as the "administrative answer" to its "political problems" (Cheung 1999). Burns's analysis, in a way, helps to expose the mirage.

One limitation of his book is that Burns deals with the allocative efficiency question only casually. He has only argued generally that due to Hong Kong's non-democratic political system, the mechanisms through which the community can express demands are unreliable, and the instruments of accountability are weak. Although there is a chapter (chapter 5) on accountability, it has more to do with the inconsistencies and inadequacies of the new political accountability system for principal officials than allocative efficiency per se (for example, in the making of social and economic policies to achieve distributive and redistributive impacts).

–Anthony B. L. Cheung

AMERICA'S APPETITE FOR OIL: THE PAST, PRESENT, AND A BUMPY ROAD AHEAD

Ian Rutledge: *Addicted to Oil: America's Relentless Drive for Energy Security.* (New York: I. B. Tauris & Co., Ltd., 2005. Pp. 269. $45.00.)

By choosing the title "Addicted to Oil" for his new book, Ian Rutledge attempts to strike a chord with opponents of the U.S.-led invasion of Iraq.

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By his own admission, the author wanted to be the voice of people throughout the world who think that oil was the decisive factor behind the U.S actions, despite the Bush administration's claims to the contrary. Yet even though this provocative title suggests a much-played "war for oil" interpretation of the Iraqi conflict, the argument that Rutledge makes is by no means unoriginal. Instead, the author traces the complex ways in which exponentially growing hunger for oil has shaped America's foreign policy for decades and, ultimately, supported the U.S. decision to invade Iraq. He analyzes how American society's deep-seated dependence on motor vehicles evolved, how scarce oil has become the key strategic goal of U.S. foreign policy in the twentieth century, and how the current Bush administration exemplifies the intersection between Big Oil and Big Politics.

The core thesis claims it is the geopolitical rather than geological shortage of oil that has prompted the United States to seek permanent influence over the world's oil resources. Consequently, the oil-producing states concentrated in the Persian Gulf pose the ever-present threat that for political reasons they might be "unwilling or unable to provide America, or the rest of the world for that matter, with an exponentially increasing supply to match their increasing demand (144)".

While many voices in the debate over Iraq allege that the war was fought for oil, Rutledge eschews simplistic explanations and bases his argument on an examination of the extent to which the American economy and society became dominated by the automobile, the discrepancy between the U.S. domestic oil supply and needs, and its impact on politics over the years. From this perspective, Iraq is but an episode in "America's relentless drive for energy security," the phrase completing the book's title. The author cites the following statistic for those underestimating the importance of oil to the United States: current motor fuel consumption in America equals 10.6 million barrels per day and is equivalent to the total daily oil consumption of South America, Africa, and the former Soviet Union combined.

Rutledge sees America's insatiable appetite for oil as the main culprit of increasing global competition, notably with China, for this resource, which may lead to conflicts or a world recession. Given that the oil crises from 1973 and 1979 burned deeply into the American psyche and that, like it or not, geology makes the Persian Gulf the leading global source of oil despite attempts at diversification (into the North Sea and the Caspian Sea, for example), the interests of Big Oil now strongly coincide with the American public's fears, which after September 11 virtually merged as one with the fear of terrorism. Rutledge aptly concludes that while the unresolved conflict with Iraq provided the immediate justification for expanding the U.S. influence in the Gulf beyond its long-standing alliance with Saudi Arabia, the need for such substantial presence in the region transcended the issue of the threat posed by Saddam Hussein's regime. Yet, persistent instability in Iraq undermines the U.S. energy security objectives and de facto renders this war for oil lost.

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Rutledge's otherwise meticulously researched and well-reasoned argument suffers from one significant problem: the book often sounds as if it were written for those who already agree with the author. His highly critical evaluation of the U.S. policies can be clearly felt throughout the book; his profound dislike for the Bush administration is evident; and his use of inflammatory language referring to Iraq as a part of the "American Imperium" or a "friendly and compliant oil protectorate" in the Middle East (11) may unnecessarily alienate readers who try to keep an open mind about other aspects of the book's larger argument concerning the role of oil in the contemporary world.

The book is also at times unduly pessimistic in its assessment of the Gulf States' unwillingness to keep boosting the supply of oil, which would allegedly lead to an inevitable global energy crisis. History has taught oil-producing countries that predictable supply and price stability are in their interest as much as in the interest of oil consumers, since the suppliers are relevant only if continuous demand exists. Should a major buyer such as the United States spin into a deep recession, the results could be equally catastrophic for everyone participating in today's globalized economy. The author may also be underestimating the longer-term positive impact of developing alternative sources of energy to which he devotes only scant attention, chiefly questioning the political will of the Bush administration to pursue meaningful policies that would help America diversify its energy sources.

Finally, the author implies that the only way to halt the exploding demand for oil would be to make Americans limit their gas usage. The counter-argument here is similar to objecting to the Kyoto accords: what good would placing limits on the U.S. oil usage do if a country like China continues unabatedly its rapid motorization? Rutledge himself admits that in order to reduce oil consumption significantly, the U.S. government would have to infringe upon the motorized lifestyle of ordinary Americans, which it is unlikely to do. Under a more plausible scenario, oil prices would end up permanently forced up by political instability in the Gulf. This simple economic incentive would arguably be enough for Americans—no doubt grudgingly—to seek smaller, more energy efficient cars similar to those prevalent in Europe, where, for instance, in Germany motor gasoline consumption per capita is 2.5 times lower than in the United States, or in Japan where it is three times lower.

Whether we agree with Rutledge's take on America and oil or not, the most striking aspect of his argument underscores something frequently lost in the public debate that depicts the United States involvement in Iraq as a consequence of dependence on foreign oil. Rutledge points out that even if America were self-sufficient, it would still not be able to isolate itself from global oil disruptions and price fluctuations without withdrawing from the global economy and ceasing to trade in oil. That is why it is the American and, indeed, international dependence on oil, not just American

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dependence on oil imports, that compels the United States to play the role of the world's gas station attendant who ensures that there is always enough at the pump. The implication of this rationale, which the author does not discuss but which should be worth considering, is the institutional weakness of the global oil management regime.

Here, then, is the final question to which Rutledge does not find an optimistic answer: since the United States has to stay actively involved in the world oil market in order to secure its own access to affordable and plentiful oil to fuel its car-loving economy, can it do so in ways other than through conducting—and likely losing—future wars for oil? If the answer is "no," it should force ordinary Americans to consider what preserving their way of life with respect to daily oil consumption means in terms of actual policies. And perhaps the time is ripe for a serious global debate on reevaluating whether mass motorization and economic development are necessarily compatible, and if not, how to find alternatives to a world addicted to oil.

–Anna Nadgrodkiewicz

RULES OF RIGHT CONDUCT

Ian Clark: *Legitimacy in International Society.* (Oxford and New York: Oxford University Press, 2005. Pp. viii, 278. $55.00.)

Jeremy A. Rabkin: *Law without Nations? Why Constitutional Government Requires Sovereign States.* (Princeton and Oxford: Princeton University Press, 2005. Pp. 350. $29.95.)

These books, while historical and theoretical in the treatment of their subjects, bear directly on contemporary debates regarding the American attack on Iraq and the future of world politics. Clark argues that legitimacy has defined international society since its inception, more or less, at the Peace of Westphalia; indeed, the history of international society can be written in terms of changing notions of legitimacy. Rabkin seeks to show that American constitutional government requires a national orientation and rejection of any form of outside authority, whether it be global governance, global civil society, international law, or the formal institutions of world politics, such as the United Nations. Clark's conclusion is that if international society is to be sustained, a new compromise must be struck that balances the requisites of American leadership with the independence of sovereign states. The disequilibrium in the international system, occasioned by American preponderance, gives rise to this need for recognition of the greater risks and responsibilities imposed on the United States, on the one hand, and the continuing need for the hegemony to

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secure some degree of legitimacy for its power to be effectively and efficiently applied.

Rabkin concludes that American constitutionalism requires that the United States refrain from subjecting its law to global institutions. He assesses the various means by which international legitimacy is established and finds that they pose unjustifiable limitations on American sovereignty. Rabkin poses the American experience against the European, showing why the United States approaches world politics in fundamentally different ways, and should continue to do so. Thus, whether the International Criminal Court, the United Nations, or the World Trade Organization is under discussion, Rabkin argues that, for American democracy to function properly, U.S. participation must be at arm's length, if at all. Achieving legitimacy for American policies by working through the United Nations or other global institutions is not a significant concern for Rabkin. Rabkin implies that efforts to rein in American power (forestalling the 2003 attack on Iraq, for instance) are largely self-interested and hypocritical attempts by countries, such as France, to pursue their own national interests, or they are inappropriate attempts to impose someone's vision of world order.

Clark's book has two parts, the first devoted to historical analysis of the development of legitimacy, as manifested in major post-war settlements. He surveys Westphalia, Utrecht, Vienna, Versailles, and the arrangements made during the Cold War. Legitimacy, he finds, has rested on a search for consensus to establish rules governing right membership and right conduct in international society. Legitimate membership has evolved from Westphalia's exclusion of papal authority and assertion of the international society's right to decide on issues of war and peace itself, to today's insistence that full membership in international society requires liberal democratic institutions. Clark shows that the constitution of domestic society has always been an important concern. Indeed, the diversity of legitimate forms seen during the Cold War was somewhat anomalous. Today's international society has become more exclusionary than during the Cold War, displaying a kind of two-tier system with liberal democracies forming the legitimate core. Right conduct depends, in great part, on the distribution of power, which for Clark is not contrary to or irrelevant to conceptions of legitimacy. This assertion makes sense because legitimacy is only relevant when the use of power is the issue. Hence, this is not a matter of opposing legitimacy to power; it is about the conditions under which the international community deems a given use of power to be legitimate. Clark argues, in line with prior British school theorists, that maintaining the equilibrium in the system became institutionalized as the guarantee of sovereign independence. This even manifested itself as striving for a just equilibrium in Europe. Thus, right conduct was judged in terms of the requisites of the balance of power, as well as moral and legal considerations.

Today, right conduct is more closely tied than ever to the definition of rightful membership; democratic institutions are both the marker of

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legitimate membership and the goal of foreign policy for the members of the democratic club. Yet, this creates tensions that have yet to be resolved. For instance, if popular will defines democracy, then how can international society impose a particular vision of what counts as legitimate domestic institutions as a condition of membership? Popular sovereignty might not lead to western-style liberal democracy, the Bush Doctrine's assumptions notwithstanding. This question is not of historical interest only, for it is being played out in today's confrontation between the liberal west and Islamist currents across Africa, the Middle East, and Asia.

The war to topple Saddam Hussein brings international society's current problems with legitimacy into sharp relief. Clark argues that legitimacy is the product of a number of factors, including moral, legal, and constitutional considerations. In the end, legitimacy is inherently political, a matter of how international society views a particular use of power. Thus, legitimacy also includes the distribution of capabilities and the political process. It cannot be reduced to some other element, such as law or morality. To the contrary, Clark shows that in different circumstances, legitimacy was conferred by legality when morality was questionable (the first Iraq war) and again when legality was questionable but morality seemed to require action (Kosovo). The problem the 2003 invasion of Iraq has created is, Clark says, constitutional, and that is why it has aroused so much more controversy than other instances of the use of power. The crisis of legitimacy the world has felt since 2003 stems from the lack of a consensus on the legitimate role of American power in international society. The Bush administration asserts that, given the country's special responsibilities, the United States deserves a high degree of deference, but opponents in Europe and elsewhere fear that the result would be that American hegemony would approach imperial rule. Iraq brought these contending perceptions to the forefront, and they are still unsettled, despite some moves toward accommodation between United States and world opinion.

Clark's analysis points to an important conclusion. The Bush administration's scant attention to questions of legitimacy is evident, and so American influence in the world has suffered. Cooperation in the war on terrorism has diminished, as the administration squandered the global support it enjoyed after the September 11 attacks. Rejection of the United Nations' own opinion on what was required to enforce UN mandates, exaggeration of the weapons of mass destruction threat, refusal to allow the UN inspectors to finish their task, failure to maintain order or provide essential services in Iraq, and imposition of a corrupt and dependent government on Iraq have made matters more difficult at every step. As Clark suggests, legitimacy bears a complex relationship to consensus. In some circumstances, consensus emerges from recognition of the correct course of action; in others, the fact that international society has arrived at consensus legitimizes the action. In Iraq, the United States has failed on both counts. Consequently, rather than representing a triumph of American hegemony, the removal of

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Sadam has, instead, revealed the weakness of power when it runs against international society's conceptions of legitimacy. Rather than enhancing American influence, the Iraq invasion has tied up a large part of American military capabilities in a fight against perhaps 40,000 lightly armed insurgents. Easy victory is not in prospect, and many informed observers fear that the American military is on the verge of breakdown. The lack of legitimacy of the operation has had serious effects at home as well. Americans will bear significant costs for a cause they see as righteous, but the revelations that the Bush administration engaged in mendacity in making its case for war has resulted in precipitous loss of support among the American people and rising calls for rapid withdrawal. Legitimacy, it seems, matters a great deal.

Rabkin, who accepts the Bush administration's discredited rationalizations at face value, would do well to take Clark's observations to heart. Rabkin's evident purpose in writing was that he finds objectionable any questioning of Republican presidents (going so far as to avoid mentioning that George Herbert Walker Bush ordered American troops into Somalia before Bill Clinton felt compelled to withdraw). Consequently, he wishes to show that the unilateralist policies of today have deep roots in American history. However that may be, Rabkin tries to wish away the fact that this is no longer 1789. His treatment ranges freely across history without recognizing either that we are in different worlds or that the multilateral institutions that have brought this world into being have been constructed largely with American leadership. Unlike Rabkin, American policy makers have, for many decades, recognized that these institutions, which help to confer legitimacy on actions the United States wishes to undertake, are essential to the efficient and effective use of American power. Yet, the current administration's apparent willingness to sweep away the results of decades of American diplomacy has obviously run up against the reality of the limits of raw power. Even the world's strongest military finds success difficult to attain without some degree of consensus on the legitimacy of its actions. As Clark notes, the dissension seen on the Security Council merely reflected the absence of consensus in international society, a reality only made worse by the administration's disdain for global institutions.

Certainly, Rabkin is correct that international law is weakly enforced, inconsistently applied, and subject to cynical uses in the pursuit of the national interest. If an American government were to turn over its policies to the higher authority of international institutions or actors, it would, indeed, invite constitutional problems. Nevertheless, the threat to the American constitution currently arises far less from the hypothetical possibility that human rights will be enforced by some higher authority than the current administration's insistence on its right to spy on the American people without probable cause, violate federal statutes prohibiting torture, and designate American citizens "enemy combatants" with no such

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constitutional protections as hearing the charges against them, access to legal counsel, reasonable bail, jury trial, or appeal. If Rabkin is truly concerned with the integrity of the United States Constitution, it is here that he should direct his attention, not to the rather weak claims of international law, global civil society, and formal organization to promulgate norms and exert moral pressure. Rather than worry that the European model might extend across the Atlantic, Rabkin might consider that constitutional democracy hinges on accountability, meaning that the government, within the bounds of prudence, should be truthful with the American people about such momentous decisions as going to war, rather than exaggerating intelligence and relying on known liars to make its case. Now that the chief of staff to the secretary of state has said that his part in the presentation of the case against Iraq was the lowest point of his career, there can be little doubt about the quality of the administration's case. Moreover, the integrity of constitutional government depends on open, honest debate on the issues. Character assassination and destroying the career of anyone who dares offer a dissenting view are far more dangerous to the American Constitution than the make-up of the UN's human rights bodies. Rabkin's overblown concern that a higher authority might come into existence that would threaten American constitutionalism leads him to neglect the very real threats to the constitution at home.

That said, Rabkin's book contains much that is useful. His expositions of the development of law are cogent and informed. He presents a provocative argument that is sure to generate attention and debate. It is unfortunate that false dilemmas, straw men, and improbable slippery slopes mar the solid contributions of the work.

Clark's valuable contribution, by the same token, has its frustrations. For one, the book does not draw out the theoretical framework until well into part 2, which robs the historical analysis of part 1 of critical edge. Until chapter 11 provides elaboration, one finds it hard to distinguish legitimacy from consensus, which would be a rather impoverished view of legitimacy. As noted, Clark does offer a much richer view later in the text. One wishes that Clark had fleshed out the theoretical perspective in an introductory chapter and then sustained the theme through the historical treatments. In addition, Clark indicates that evolving notions of legitimacy in European thought cannot be understood without reference to the world external to Europe. This proposition receives some development in regard to relations with the indigenous tribes of the Americas, but then it is largely dropped, to the study's detriment. For instance, one must ask whether Europe's post-war settlements from Westphalia to Versailles can be understood without reference to the Ottoman Empire. After all, Europeans engaged in fratricidal conflict had witnessed growing Muslim power entirely eradicate a Christian empire and then move into Europe to the gates of Vienna. Yet, despite Clark's promise to relate European ideas regarding legitimacy to outside forces, the Ottoman Empire receives little notice. It is hard to

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imagine that European Christians ignored this growing threat, as well as their contending colonial ambitions, as they formulated new ideas regarding legitimacy in international society.

In sum, both books, bearing on similar issues in international affairs and with considerable contemporary relevance, are worthwhile reads. Rabkin and Clark are erudite scholars, and their contributions to the debate over the legitimate springs of state action, however controversial, are likely to be widely read and discussed.

–John Barkdull

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