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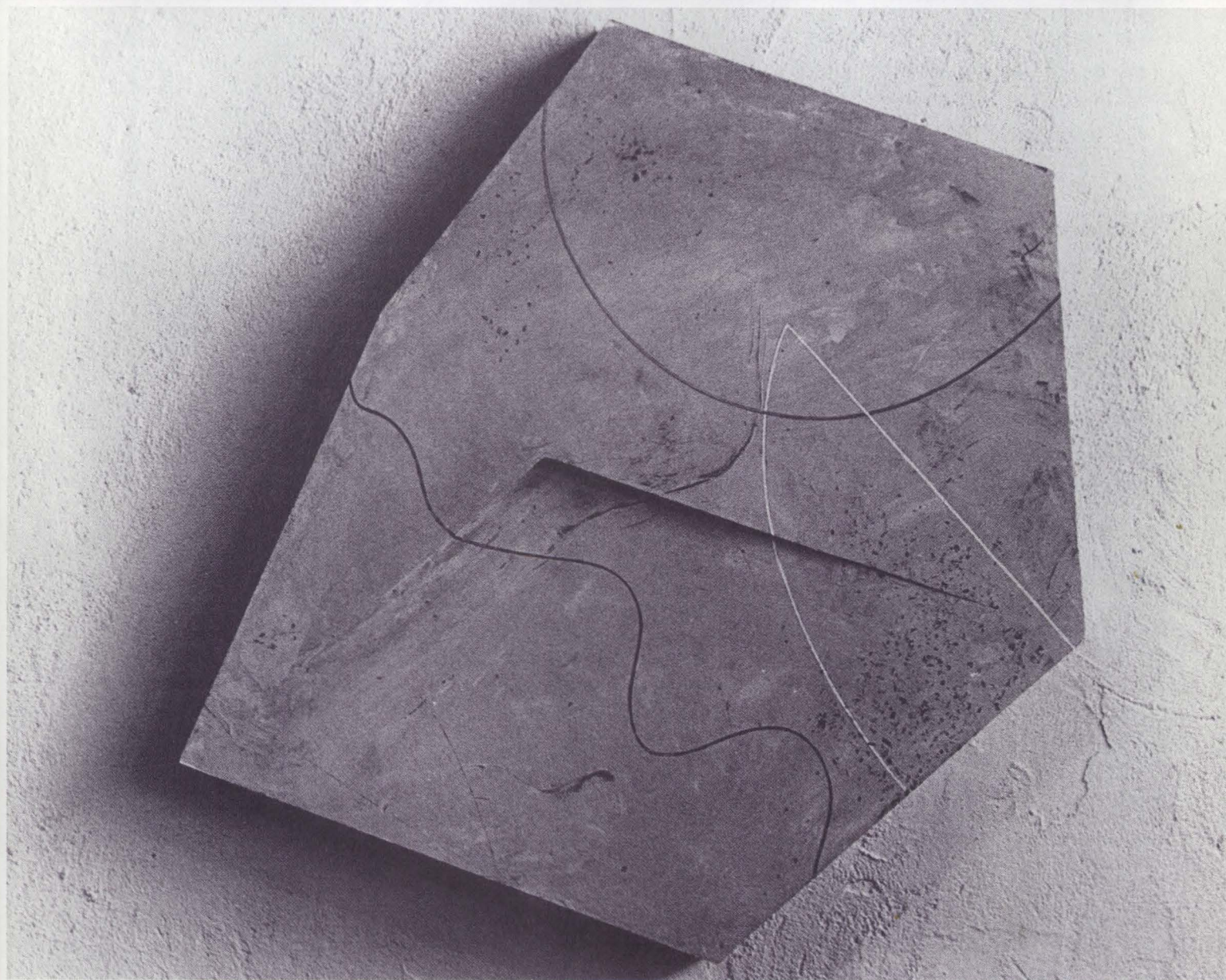


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C^{the} **CRESSET**



**A review of Literature, the Arts, and Public Affairs
April, 1985**



ROBERT V. SCHNABEL, *Publisher*
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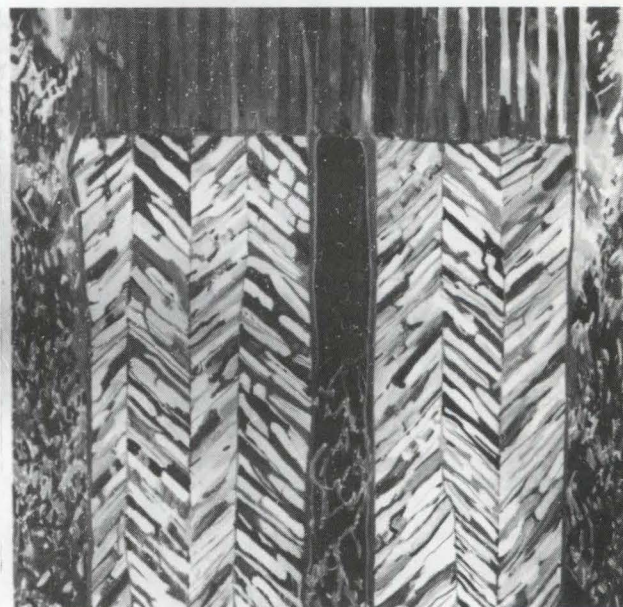
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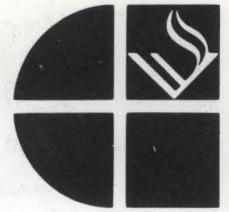


Above: Bill DeHoff, *Untitled*, 1984. Oil on canvas 47" x 47". Editions Limited Gallery, Indianapolis.

Cover: Robert Williams, *Space Blues*, 1983. Acrylic on plywood, approx. 34" x 32". Editions Limited Gallery, Indianapolis.

This art is from an exhibition of contemporary abstraction lent by Editions Limited Gallery to Valparaiso University Mar. 20-April 14.

RHWB



Comment on Contemporary Affairs by the Editor

Quotas in the Church

The temptation of which constitution-makers should be most aware is that of institutionalizing a mood. If it is too much to ask of founders that they write for the ages, it is not unreasonable to expect them to do their work with the long view in mind and with the sense that they should avoid putting in permanent place the enthusiasms of the hour. The Commission for a New Lutheran Church (CNLC), which has been charged with the responsibility for drawing up the framework for the proposed merger between the Lutheran Church in America, the American Lutheran Church, and the Association of Evangelical Lutheran Churches, deserves not to be judged definitively on its work until its efforts are completed. Yet it appears on at least one substantial point to have entrenched itself in a position that has no apparent theological warrant and that is rather the result of certain contemporary sociological fashions from which the church ought properly to keep its distance.

According to the proposed CNLC constitution, the new church will be required to arrange its elected and appointed structures virtually from top to bottom in ways that meet sexual and racial/ethnic quotas: all groups will have to include as many women as men and at least 10 per cent "persons of color and persons whose primary language is other than English." In its laudable desire to make the new church "an inclusive fellowship," the CNLC has established a comprehensive quota system that is both unworkable and unwise and that may very well work counter to the high-minded intentions behind it.

Lutherans have always been suspicious of legalism, and the quota system offers a good example of why those suspicions should be respected and heeded. The Body of Christ needs to encourage and recognize the diverse assets of the saints who compose it, but we don't know of any gifts of the spirit that are distributed according to sex, race, or ethnicity. If Lutheran Christians feel guilty about not having done enough in the past to recruit minorities or to listen to women's voices, then the solution is a more inclusive evangelism and a greater openness, not the imposition of a constitutional straitjacket that makes no organizational or theological sense and that will only cause the church to appear earnestly foolish. One imagines the good Lutherans of, say, South Dakota scrambling desper-

ately to find the requisite number of Blacks or Hispanics to sit on every organizational body they create, elected or otherwise—and, having imagined it, one then wonders what the CNLC could have been thinking of in ordaining such a prospect.

The irony is that the Commission has attached itself to an idea whose time has come and gone. Quota systems in the secular world have recently come under renewed legal and philosophical scrutiny, and they have not weathered the scrutiny well. The courts and political philosophers are on this issue just catching up with the great majority of Americans, who have from the very beginning indicated their overwhelming opposition to quotas. As in the secular world, so in the churches: one suspects that if the members of the CNLC paid less attention to ideological activists and more to the congregational rank-and-file, they would learn that the true consensus of the faithful on this issue is at a considerable remove from theirs. Quotas in the church, after all, have even less to recommend them than they do in the general society, where they can at least make an appeal, however ill-considered, to certain assumptions about interest-group politics. It is difficult to understand why the church should want to burden itself with schemes borrowed from secularity that the secularists themselves have begun to weary of.

Christians have an imperative responsibility to address the consolations of the gospel to people of every sort and condition. They also should conduct their internal affairs in ways that reflect the equal and unforced dignity that God's gracious love in Christ has bestowed on all men and women. But quotas have nothing to do with any of that, and the church should flatly and categorically reject them. ☩

Special Notice

This is the second of the four issues of The Cresset that the VU Alumni Association is sending free of charge to alumni during 1985. The Alumni Association hopes that this experimental venture will provide a service to the alumni, the Cresset, and the University. Comments on this venture are invited and should be addressed either to Walter Kretzmann, President of the Alumni Association, or to Richard Koenig, Vice President for Public and Alumni Affairs, at Valparaiso University, Valparaiso, Indiana 46383.



ACADEMICS AS A VOCATION

The Conundrum of Teaching and Research

"This is a terribly busy semester for me, so I do not have any time to do my own work." This standard lament, expressed literally hundreds of times a day among faculty members at colleges and universities everywhere, must count as one of the strangest occupational complaints in the modern world. Imagine a spot welder, after a record-breaking day on the assembly line, fretting with co-workers, over a cold pitcher of Budweiser, about his lack of productivity. Fancy a cardiac surgeon, after performing dozens of open-heart operations over a three-month period, feeling discouraged about her life because she "just is not getting enough of her own work done." Among spot welders and heart surgeons, not to speak of lawyers, butchers, bakers, and candlestick-makers, such a complaint, voiced under conditions of intensive labor, is inconceivable. Among faculty members, it is *expected*. Never mind the number of classes taught, courses prepared, papers graded, conferences held, and committees convened. Indeed, the more these activities increase, the more deeply the depressing conviction sets in: "I'M JUST NOT DOING ENOUGH OF MY OWN WORK."

One is tempted to ask, "Well then, whose work are you doing?" To which question the response would be instantly forthcoming: "You know what I mean; I'm just not getting enough writing/composing/experimenting done." Though this response *seems* to clear up a certain amount of conceptual confusion, it does so by evading the depth grammar of the original remark. In this case, we faculty *do* say what we mean: we think our own work *just is* writing, composing, and experimenting. The mystery remains: how did we come to talk and think this way? Or, to put matters a bit differ-

ently, how is it that we labor with a bad conscience?

Preliminary answers to these questions are not far to seek. The fact that we faculty tend to think that classroom teaching and collegiality are strangely *not* part of "our own work" is a tribute to the socializing power of our graduate schools. There we learn, regardless of our field of study, that research and publication constitute our task and that all other activities—teaching, lecturing, administering—somehow just go with the territory. The feeble effort that most graduate schools make to provide their students with "teaching experience" (it is rather like giving would-be doctors training in "bedside manner"; the training seems vaguely distasteful but it somehow must be done) merely reinforces the suspicion that pedagogy is not really a part of one's work. Leaving aside the very important question of whether or not any teacher-training program could be successful at the graduate level ("Tell me Socrates, can teaching be taught?"), the results of five to ten years of graduate training are unmistakable. Publication, graduate students discover, is *the* name of this game. To expect a recent Ph.D. to think otherwise would be the same as expecting a recent law school graduate to think like an engineer.

These truths of academic life are remembered by almost everyone in theory but forgotten by almost everyone in practice. We thus find it necessary to remind one another from time to time that teaching students is really a part of "our own work." And we should find it necessary, especially in this time of widespread reappraisal of higher education in America, to re-examine some of the basic assumptions that inform our sense of academic vocation.

In order to provoke such reflection, I offer here Part I of a two-part essay that will explore some of the problems that stem from current understandings and misunderstandings of our calling as academics. In this present part, I shall begin with some discomfiting facts of contemporary academic life and then propose some remedies for them. In the sequel next month, I shall try to expose some of the roots of our current situa-

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tion by considering together the classic analysis of academics as a vocation, Max Weber's *Wissenschaft als Beruf*, and a contemporary work that impels us to reconsider both Weber and ourselves, Jaroslav Pelikan's Jefferson Lectures, entitled *The Vindication of Tradition*.

II

Let us begin with some facts. A very large number of tenured faculty, a number that constitute a substantial majority at several institutions of higher learning, have not published, are not currently publishing, and will not publish anything of scholarly significance during the course of their entire careers. Most of these faculty should not be faulted for their lack of scholarly productivity. On the contrary, they have for years been doing the job they were hired to do: they counsel students, teach multiple preparations, and serve on any number of committees. They should therefore be honored, not scorned, when they do "their own work" well.

A very large number of tenured faculty, a number that constitute a substantial majority at several universities, have not published, are not now publishing, and will not publish anything of significance in the course of their entire careers.

Another large group of faculty, a group that constitute a huge majority at institutions that emphasize graduate training and at elite liberal arts colleges, have published significant work or fully intend to do so. An important and increasingly large sub-group of this category, however, want to publish but cannot. They find themselves at schools that exhort them to publish but fail, for one reason or another, to provide them with sufficient institutional support. Like their colleagues in the first category, they teach multiple preparations, sometimes numbering as high as four courses per term, and they serve on numerous committees. But unlike many of their colleagues in the first category, they expect to publish, and they feel that publication is expected of them. They therefore feel that they cannot do "their own work" well.

A very small third group deserve mention. They teach four courses per term, serve on many committees, and somehow manage to be regularly productive in terms of scholarly publication. They also tend to be single and/or childless and/or divorced and/or premar-

turely burned out, or heroic. They deserve our wonder, our praise, and/or our sympathy. But we cannot recommend academic policy on the basis of their accomplishments.

Faculty in all three groups suffer from declining morale. Many of the teachers in the first group have recently been notified that publication is now expected of them. But since they have not published for so long, it is especially difficult for them to publish now. So they continue to do "their own work" but with a bad conscience. Faculty in the second group, except for those who receive lavish doses of institutional support, cannot do what they judge to be "their own work," so they become embittered and discouraged. True, they were told as part of the terms of their appointment that publication was expected of them, but they find that in order to publish, they must refuse committee assignments and hence seem uncollegial, cut back on teaching preparation and hence lose self-esteem, or find means to become independently wealthy, an attractive but unlikely prospect. Faculty in the third group sometimes incur the displeasure of their colleagues. Since they are from time to time held up as evidence for the claim that institutional expectations are not unreasonable (when in fact such expectations are often unreasonable), they can become the undeserved recipients of faculty resentment that is better directed elsewhere.

Administrative rhetoric, without major administrative policy shifts, is bound to worsen faculty morale in the face of these difficulties. If administrators proclaim a new emphasis upon publication, they will antagonize everyone. Faculty in the first group will feel as though the terms of their service have been changed to their disadvantage. Faculty in the second group, especially if they are untenured, as they often are, will feel that an attractive expectation threatens to become an inequitable burden in the absence of institutional support. It would seem that administrators, in the face of declining enrollments and depleting revenues, are in an impossible situation. But they are not.

III

What then is to be done? At universities and elite colleges where publication has always been expected and support has always been forthcoming, there is no systematic problem, only individual difficulties that can be addressed on an *ad hoc* basis. At most other schools, the administration should recognize the existence of at least two groups and move instantly to reckon wisely and publicly with this fact. Faculty in the first group should continue to enjoy their privileges as teachers and academic citizens. If they prove to be good teach-

ers and citizens, they should be warmly rewarded for their work. They should not be expected to publish. But they should be expected to do more classroom teaching and more administrative work than the second group.

The second group should be expected to teach, serve on committees, and publish. If they do all of these things well, they should be warmly rewarded also, no less and no more generously than the first group. But they should *not* be expected to teach as much or to serve on as many committees as the faculty in the first group. Indeed, their teaching loads should be reduced by at least one course per term, and their committee assignments should be half of what might fairly be expected of those in the first group. Finally, these faculty should be eligible for the research support funds that the university has at its disposal. Two groups: two sets of overlapping criteria for tenure, promotion, and compensation. Divide and consider.

But how should the two groups be identified? By self-selection. Let faculty select themselves into one of these two groups during a period of one or two years. During that time, departments should make explicit the procedures for evaluating peers in both groups. Faculty, in other words, should decide for themselves what constitutes good teaching, good citizenship, and good scholarship within their own respective disciplines. These criteria will vary, as they to some extent should, from department to department. Nevertheless, a university committee of faculty should review departmental guidelines to guard against inequities. At the end of the self-selection period, the two groups should go forth with mutual respect and support. The variance in their gifts and preferences will have led to a corresponding variance in their communal functions. There ought to be no sense of second-class citizenship in either direction.

Concurrent institutional adjustments will be required, but these will vary from school to school. Faculty who elect to publish while teaching fewer courses will create a temporary shortage of course offerings. In most cases, this will be itself a progressive step. Many schools require too many credit hours and/or too many courses for graduation; hence, reduction in these numbers will be an educational gain. (To counter proposals such as these by observing that "outside agencies" require a certain number of courses and credit hours is to abdicate faculty responsibility for determining what is the best educational program for students. But this is the subject for another essay.) Other measures in this context might include an increase in part-time faculty for service courses, the creation of post-doctoral teaching fellowship programs, or the consolidation of several small lecture sections into

one large one. But since the feasibility and the prudence of any of these measures will vary from place to place, the measures themselves should be determined locally.

IV

Several objections, some principled and others practical, will instantly be lodged against this proposal. The most principled among them will doubtless assume the following forms: the proposal seeks to separate the teaching faculty from the research faculty, and such a separation is misguided because impossible. "What God has joined together, let not man put asunder." But the proposal recommends no such thing. Rather, it invites us to distinguish carefully among research, publishing, and public-ation. All good teaching involves research and public-ation, making public the best of one's own thoughts. Publishing is one form, the most professional form, of public-ation, but research and public-ation need not take the form of publishing. They may very well, and they most often do, take the form of good teaching.

No question has been as frequently and as futilely debated among faculty as the question of the relationship between teaching and research. This debate has been so sterile (it merely repeats itself in a thousand forms) because it has been misconceived. Asking about the relationship between good teaching and research is like asking about the relationship between being single and being a bachelor. All bachelors are single (as all good teachers are researchers), but not all single persons (we may think of women and children) are bachelors (not all researchers are teachers). If we would teach well, we must prepare for class by researching our subject. But though this exercise in elementary logic solves the conceptual problem, the practical problem remains: what is the difference between good teaching (and hence in part good research) and bad teaching?

To this question, we cannot provide a ready answer, only ready procedures for answering it. Everything that goes on in the classroom is already public—lectures, exams, discussions, course syllabi, reading lists, etc. All faculty members should therefore be expected to present and to defend their course descriptions to their colleagues. Peers should be able to determine whether a given course on a given subject is conceptually clear, pedagogically sound, and well researched. Over time, peers should also be able to determine whether a given colleague is "keeping abreast of the field" or merely repeating dated formulations. The basis for such assessments would be public-ations such as syllabi, reading lists, and course descriptions. The

forum for such deliberations would be faculty meetings. The mutual critiques of course descriptions might even make faculty meetings intellectually stimulating. But we may be verging upon utopian fantasies here.

Many faculty see teaching as essentially private. They therefore are inclined to think of required peer scrutiny of their course descriptions and course reviews as a kind of invasion of privacy.

The same conceptual confusion that stems from a failure to distinguish among research, publishing, and public-ation and that leads to pseudo-questions about the relationship between teaching and research leads also to resistance to procedures for distinguishing good research and teaching from bad research and teaching. Because many faculty think of publishing as the only form of public-ation, they often think of everything else they do as strangely private. They are therefore inclined to think of required peer scrutiny of their course descriptions and their course reviews as a kind of invasion of privacy. Such thinking is not only misconceived, it is also obstructionist. It precludes the possibility of faculty members holding one another to common, public standards of excellence in their vocations.

In sum, the major principled objection to dividing faculties into the two groups outlined above can be countered in both theoretical and practical terms. But faculty must be ready and willing to submit all of their publications for peer review in order to relieve the suspicion that only publishing faculty are research faculty. Since the faculty in both groups will have to do research in order to be good teachers, and since the quality of their research will be regularly appraised by peers on the basis of their publications, the two groups will have everything important in common. Except, of course, publishing.

Before turning to a more extensive consideration of the matter of publishing, we should note that several questions and problems remain to be addressed by institutions that might choose to implement the system outlined above. In the first place, these schools need to decide for themselves the terms of new appointments. Should they be flexible, i.e., should new faculty be permitted to select themselves into either one of the two principal categories of faculty? Or should all new appointments be placed into the category that includes

lighter teaching loads together with publishing requirements? I personally favor the latter course for several reasons. I can imagine, however, that there might be equally compelling reasons for the other and more flexible set of terms. In short, this is again a matter best left to local prudence.

The problem of small departments leads to another set of dilemmas: If left to their own devices, small academic units might easily become, under the proposed system, snug and parochial enterprises. Faculty seminars designed to review critically the ideas of departmental colleagues might deteriorate rapidly into mutual admiration societies (this might also happen in large departments, of course, but the prospect seems less likely). Institutions will need to guard against such developments in any number of ways. They might, for example, institute faculty exchange programs: these tend to keep everyone involved alert and responsible. They should invent several occasions for university-wide public-ation: lecture series, large courses that depend upon guest lecturers from within the institution, staff-taught courses that involve faculty from a number of departments, and more stringent departmental review procedures. Finally, they should insure that the college-wide or university-wide committees that review personnel decisions are the strongest committees at the institution. It is always easier and fairer to improve quality within a customary set of expectations than it is to depart from custom by suddenly imposing a new set of them.

V

We turn finally to a more extensive consideration of the subject of publishing, a subject that will engage us in the remainder of this article and its sequel as well. For the following argument might well be advanced against the proposals above: publishing *just is* the defining characteristic of the academic vocation. And by publishing we should refer not simply to some species of the genus public-ation (a making public) but to *original* research that advances the progress of one's discipline. Publishing therefore is that activity by which the fruits of one's original research are placed before one's peers for their inspection and judgment. It means nothing less than the placement of one's work in the leading journals of one's discipline. If this line of argument is correct, we have been wrong to relieve some faculty of their obligation to publish, for in doing so, we have relieved them or permitted them to relieve themselves of their vocation, of what is truly "their own work."

The *locus classicus* for the elucidation of this understanding of the academic vocation is Max Weber's fa-

mous 1918 address delivered at Munich University and entitled *Wissenschaft als Beruf*.¹ Abandoning his ordinarily dry and measured style as the occasion moved him to do so, Weber issued a series of impassioned and uncompromising statements about the character of the academic calling. "Whoever lacks the capacity to put on blinders, so to speak, and to come up to the idea that *the fate of his soul* depends upon whether or not he makes the correct conjecture at this passage of his manuscript may as well stay away from academics. He will never have what one may call the 'personal experience' of academics. Without this strange intoxication, ridiculed by every outsider; without this passion, this 'thousands of years must pass before you enter into life and thousands more wait in silence'—according to whether or not you succeed in making this conjecture; without this, you have *no* calling for academics and you should do something else. For nothing is worthy of man as man unless he can pursue it with passionate devotion."² Weber's address articulates what remains today as *the academic ethos*.³

We might be tempted to raise two preliminary points in response to the Weberian account of the academic vocation and in defense of our own recommendations above. First, we could observe that even if Weber is correct, the facts of our present situation as outlined in section II above are unlikely to disappear in the near future. "*La theorie, c'est bon, mais ca n'empêche pas d'exister.*"⁴ We began with the facts and attempted to make the best of a complicated situation. Weber was attempting to remind his audience of the principles that justified academic life as it was then being lived in order to forestall immediate threats to its continued existence on those terms.

Second, we might argue that the twentieth-century emphasis upon publishing has had a number of unsalutary consequences, leading, as it has, to a good deal of drivel on the one hand and to a good deal of

fetishism on the other. I taught for a time at an institution of higher learning in California where the faculty had grown quite shameless about padding their lists of publications with all sorts of shallow entries. They could do this, because the sheer volume of print made it impossible for their colleagues to read their work. Thus, "weighing" a colleague's publications meant quite literally placing them on the scales. "Measuring" a colleague's intellectual stature meant quite literally counting the number of column inches occupied by his or her list of writings. At the other extreme, I have known of several colleagues who have failed to get tenure because their manuscripts, though complete and deemed "brilliant," were not accepted for publication in time for the tenure review. "We have come," one of my former colleagues once confessed to me, "to place an inordinately high premium upon bindings."

The common abuse of certain principles or practices is, however, no argument against them. If we would truly understand the roots of our present situation, we must consider Weber's account of the academic vocation with full seriousness. The stakes of inquiry are very high here, for they amount to nothing less than an answer to the most urgent question we academics face. What really *is* our vocation?

This question ought to be even more urgent for those academics who teach at church-related schools. For many of us, Weber's claim that the "fate of our souls" (he was *not* speaking figuratively here) depends upon whether or not we make correct conjectures at critical junctures in our published work will seem at least mildly unsettling. Indeed, Weber and his heirs have consistently appropriated religious images and concepts in order to characterize the essential features of life within the modern, secular academy ('vocation' is itself arguably one such concept). In doing this, the Weberians have accomplished a kind of "transvaluation of values" that has gone unnoticed and hence unexamined during the course of this century.

One recent instance of this "transvaluation" might serve to illustrate how subtly this process works. Clifford Geertz, who everywhere avows the great influence that Weber has had upon his own thought, has recently attempted to suggest an outline for an "ethnography of modern thought."⁵ He argues that we need to think about the peculiar career patterns that characterize academic disciplines in order to understand both the modern academic "cast of mind" and certain academic rituals, such as professional meetings.

⁵ Clifford Geertz, "The Way We Think Now: Toward an Ethnography of Modern Thought," in Geertz, *Local Knowledge: Further Essays in Interpretive Anthropology* (Basic Books: New York, 1983), 147-163.

¹Max Weber, "Science as a Vocation," in H. H. Gerth and C. Wright Mills (trans. and eds.), *From Max Weber: Essays in Sociology* (Oxford University Press: New York, 1977), 129-156. Gerth and Mills have translated *wissenschaft* as "science." Because "science" in the U.S. context is often understood to mean simply "natural science," and since the German word has a much wider range of reference, I have translated *wissenschaft* as "academics." Weber was speaking about and he referred to all of the academic disciplines in his 1918 address.

²*Ibid.*, 135.

³"The Report of A Study Group of the International Council on the Future of the University" has recently been published under the title *The Academic Ethic* (University of Chicago Press: Chicago and London, 1984). This report, prepared and issued under the direction of Edward Shils, is often quite consciously Weberian in its views.

⁴This remark of Charcot's was one of Sigmund Freud's favorite phrases. It means simply, "The theory is good, but it does not prevent the thing from existing."

He observes, for example, that, unlike the police who move upward through the ranks after being inducted at the bottom, and unlike Roman Catholic clerics who often "stay at the same general level of the hierarchy for thirty or forty years," academics begin "at the center of things" and then "move toward the edges." Thus, "the majority of [academics] follow a career pattern in which they are for several years at the perceived heart of things and then, in differing degrees and with different speeds, are, in the jargon, 'downwardly mobile'—or, again, at least perceive themselves to be. . . . To study English history at Princeton and to teach it at Louisiana State can lend a particular tone to your life."⁶

Note now the phrase that Geertz uses to describe this eccentric career pattern: he calls it the "exiles from Eden syndrome."⁷ Let us resist the temptation to wonder about the kind of mind that would think of places like New Haven, Connecticut and Hyde Park of Chicago as Edens. Let us grant that Geertz simply means to suggest that, for scholars, being around great libraries, laboratories, and bookstores is like being in a kind of Paradise. Even so, when we turn to Genesis 2, we find there a description of life in the Garden of Eden that would seem to be the antithesis of life at (let's make it tough) the University of California, Berkeley. If we *must* find a biblical story that somehow prefigures the character of life at a modern research university, we would be best advised to turn, not to the Garden of Eden, but to the Tower of Babel.

We might even argue that the modern university arose in part as a direct repudiation of the world of Genesis 2. In Genesis 2, for example, creatures and Creator live in full communion with one another. Modern academic life, by contrast, advances the process of "intellectualization" that Weber described so grandly as the "disenchantment of the world."⁸ In Genesis, the human names the animals for the purpose of finding suitable companionship. At modern research universities, humans name and classify in order ultimately to increase the measure of power that they can exert over nature. The will to companionship has become the will to domination and control. In the Genesis story, the serpent first suggests that the humans might aspire to deity. Just such an aspiration seems to characterize the spirit of much of modern academic life. According to Weber, we in the modern world "can, in principle, *master all things by calculation.*"⁹ Even if the modern university represents the finest achievement of post-lapsarian humankind, it cannot be

⁶Geertz, 158-159.

⁷*Ibid.*, 159.

⁸Weber, 155.

⁹*Ibid.*, 139.

called Eden, unless one is seeking, however inadvertently, to transmute the sacred into the secular.

Faculty members at church-related schools ought to be at least mildly disturbed by all of this, and they should therefore approach the subject of publishing with special caution. *Must* a defense of publishing depend upon a transvaluation of values like the one that Weber achieved while defending his view of specialized, original research and publication as *the* academic task? To what extent was Weber speaking only for himself, and to what extent did he manage to discern accurately the ethos of the modern academy? In sum, what were the theoretical and historical contexts that conditioned the modern emphasis upon publishing of the kind that Weber and his heirs promote? And on what terms, if any, can we join with the Weberians in claiming that our calling as academics requires of us publication first and last?

These and related questions must be explored before we can begin seriously to reconsider the place of publishing in our lives as academics. We shall therefore turn to them in the next installment of this essay.



To the Holy Ghost, the Comforter

I pull you up around my throat,
you crazy-quilted bird who tucks
her feathers inside; outside fall
rattles our town like chicken bones.

Sometimes your coiling quills will catch
fire in the sunlight, spin me up
to perch where I can see the flame
kindling in a daughter's hair.

And sometimes flapping like the ghost
of spring through winter, you inspire
my cautious flesh to imitate
your abandon as you dive, display.

So in this flightless night when dreams
skitter away like fallen leaves,
brood in my bony branches, you
comforter, cover my nakedness.

Mark Trechock



REAGAN'S MISSIONARY DREAM

The Meaning behind Star Wars

Ronald Reagan has become a missionary since his re-election. It was widely thought that he would enter his final term concerned about his "place in history," and indeed, he seems to have a dream of something that he thinks will secure that place. He spoke of the dream in his Inaugural address, announced a big budget increase for it, and sent his defense secretary to make straight its way among the European allies (who are very much preoccupied with the whole matter as I write). Reagan's self-proclaimed mission is nuclear disarmament. But the peculiar means for this, and the dream, is his so-called Strategic Defense Initiative—"Star Wars."

It's worth listening closely to Reagan's arguments for this plan. I don't say this only for the obvious reason that he's the man in charge. Often, in fact, it's better to discount a political leader's statements and focus instead on what he's *really* up to. But Ronald Reagan is different. He seems to say what he thinks or rather, he doesn't think about what to think. As a result, his pronouncements are a good index to what lots of people may believe but be unwilling or unable to say.

For instance, if Reagan is asked what he thinks about Armageddon—a popular idea in some circles—he simply answers. We saw this during the second of last fall's debates. Reagan wears his Hal Lindsay on his sleeve. The most remarkable thing is that somehow he can do this and not be seen as committing the ever-dreaded "gaffe."

Since we're talking mission work, let's point up that example a bit with an interesting contrast. Now all else being equal, presumably one would prefer a President who had occasionally desired women over one who saw the "prophecies coming together," as Reagan put it, and who seemed to think Judgment Day might be

a kick. Yet when Jimmy Carter made the utterly innocuous declaration of "lust in his heart" in 1976, the remark was rammed down his throat by the media. Unlike Armageddon, lust was a gaffe. And there is an additional irony here. The phrase Carter chose reflected his genuine religiosity: It is a Biblical allusion and a commonplace of evangelical piety. Reagan, on the other hand, was quoted last summer calling "Man does not live by bread alone" an "old saying." If the Great Lion of God of 1984 were once to flip open his Bible a few pages shy of Apocalypse, perhaps he would discover that these are, rather, words of Jesus himself from the Gospel of Luke. Not that the millions who took Reagan to embody God and country noticed, or cared, that he didn't know this. (Nor, of course, did the media. Too much trouble to check a Concordance.) This is interesting in itself, but it's in terms of Star Wars, oddly enough, that it all really starts to make sense.

Reagan presents Star Wars as an alternative to MAD—"Mutual Assured Destruction"—which he correctly points to as having rather serious philosophical flaws. And let's give him that much credit. It doesn't take a systematic thinker to see that threatening to blow up millions of people is morally on the dubious side. The nonsense comes in when Reagan says that MAD is the essence of current U.S. policy. That claim is, in fact, a lie, or would be if Reagan had any real knowledge of what he was talking about. (If the media knew anything about the issue, they would be compelled to call it a gaffe.)

As has been amply documented in recent years, official U.S. nuclear policy has little to do with any all-out, MAD-type deterrent. It has much more to do with developing and extending a nuclear warfighting capability. (If they shoot at us, we shoot at them. If they nuke us just a little, we nuke them a little. If they nuke us a lot, we nuke them a lot, or better yet, we nuke their nukes first so they can't nuke us at all. This is called "proportionate retaliation," "force-matching," or "flexible response." That makes it sound like it's

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still some kind of deterrence, though to the prosaically minded it may look like plain old war.)

Some critics of Star Wars are aware of the reality of our policy. Being aware of it, they oppose the initiative. They don't see Star Wars, as Reagan does, as a break with past policy, a grand new direction in meeting the nuclear threat. Instead, they see it as a chilling *continuation* of recent policy—the “extension of the arms race into space” and so forth. Nonetheless, Reagan really seems to believe it is a grand, exciting new idea. This is another way of saying that his Star Wars vision must be viewed as something affirmative—a genuine dream.

The dream is of a world protected against nuclear missiles by highly sophisticated anti-missile weapons, perhaps using laser beams, which presumably would be deployed in space. There are both political and “strategic” objections to this idea. The major political objection is that Star Wars is “destabilizing.” In the short term at least, pursuit of it threatens treaties, raises questions about U.S. intentions, and generally makes everyone nervous. Reagan has a reply to this objection, a reply which, however, is too bizarre in terms of his other stated views for us to make sense of at this point. So let's focus on the strategic objections.

The major strategic objection to Star Wars is that it just won't work. The dream of protection can't be realized.

These are simpler anyway. The major strategic objection to Star Wars is that it just won't work. The dream can never be realized. The other side, say critics, can always overcome any anti-missile defense by using decoys or extra missiles to “saturate” it.

There is also a strategic reply to this objection—namely, that the system doesn't have to be perfect to raise doubts in the enemy's mind, and perhaps deter him from an attack. Maybe that is correct. But what is interesting is that it is not the reply given by Reagan. Reagan doesn't appeal to technical or strategic concepts. Instead, when confronted with anti-Star Wars criticism, he appeals to grand views of history and of the nature of technology itself.

The strategic objection to Star Wars is really a restatement of a historic fact, the basic tenet of life in the nuclear age: We can no longer protect our homelands against weapons of war. This is a fact, and a view of history, that Reagan simply doesn't accept. “There has never been a weapon invented in the history of man,” Reagan said during that second Presi-

dential debate, “that has not led to a defensive, a counter-weapon.” Now, there are those who think that Reagan's unselfconscious style means that he just spouts anything that occurs to him. But when he offered this defense of Star Wars, he was in fact expressing views of long standing. During his 1980 Presidential campaign, candidate Reagan said to Robert Scheer:

I think the thing that struck me [while visiting North American Air Defense headquarters] was the irony that here, with this great technology of ours, we can do all of this [sophisticated tracking] yet we cannot stop any of the weapons that are coming at us. I don't think there's been a time in history when there wasn't a defense against some kind of thrust, even back in the old-fashioned days when we had coast artillery that would stop invading ships if they came.

As President, Reagan gave an interview to Japanese television in which he spontaneously contrasted nuclear war with “civilized” warfare of the past, urging “Let us, at least, get back to where we once were.” And today Hedrick Smith reports that Reagan's real enthusiasm for the project comes across even in his “body language.” What Star Wars represents for Reagan is something close to his heart. (Hence it should come as no surprise that he now says it will not be a “bargaining chip.”)

Robert Scheer is correct to note that Reagan differs from most world leaders in longing not for an end to war itself. Indeed, Reagan believes that wars of the past were “civilized.” Instead, what he longs for is, as Scheer put it even before Star Wars, “the ultimate antiballistic missile.” Reagan, says Scheer, expresses a “wistful desire for the relative simplicity of the past and a belief in the capacity of industrial technology to solve any problem.”

Scheer calls this wistfulness another example of Reagan's “detachment from reality.” And if Star Wars really is not technically feasible, then maybe Scheer is right. But ignorance and detachment won't do as explanations of an enthusiasm like Reagan's. Scheer himself makes this plain: What we have in Reagan are positive *beliefs* and *desires* that cry to be understood, especially if they reflect urges widely present in our culture.

In an earlier article (“Dark Truths: Prophecy, Ethics, and the Nuclear Peril,” October, 1984), I spoke of what seemed to be one of our culture's positive beliefs, “the belief that the U.S. can't produce anything truly evil.” Reagan's “belief in the capacity of industrial technology” could well be the result of some more fundamental belief like this one. It is a commonplace in America to assume that technology, the product of “American ingenuity” and backbone of the country's strength, is inherently good. Or, at least, it contains

values within itself: It is not simply a neutral force that does good or evil depending on the policies it's made to serve. According to this view, technological "progress" is just that—the phrase is a redundancy, really. Also, technical and social progress are one and the same: we have the latter because of the former. "They" who look after us only bother to innovate for the sake of making life easier.

Nuclear weapons threaten to undermine this faith. Here is enormous, quantum technological "progress" in another U.S. -led field. Yet it seems threatening and sinister. To this, Reagan (and undoubtedly others) brings the touching faith that even nuclear weapons can be made to fit the classic pattern of technical development, the pattern Reagan outlined for Scheer. If they can, then their defeat is possible through further innovation. Which is to say, it remains possible to believe that technology equals progress equals an improving quality of life.

But belief in technology seems only part of the Reagan credo. The other part is that "wistful desire" for the simplicity of the past, the "old-fashioned days," as Reagan puts it. There is nothing strange about such a desire in terms of American cultural history. Americans have always responded to advancing technology with nostalgia for earlier times. As the machine crept into the garden—to borrow terms from Leo Marx, a literary historian—the sense of loss of what had once seemed a pristine, pastoral landscape became the subject of our greatest literature.

What is noteworthy about Reagan is that he dovetails some such "pastoral" outlook with his belief in the beneficence of *certain kinds* of technology, the "industrial technology" referred to by Scheer. The earlier times to which Reagan harks back are not pre-technological or agrarian, but merely pre-nuclear. Yet it certainly is still some sort of romanticism. "Romanticism" used to look back nostalgically to the Middle Ages, with their codes of heroism and chivalry. What Reagan's way of thinking suggests is that today it looks back nostalgically to the days of early modern warfare. In the nineteenth and early twentieth centuries, wars could be fought on technologized forward battlefronts, while homelands lay secure in the rear. The distinction between front and rear is precisely what nuclear weapons obliterate. They dump "war" all over the homeland. Reagan's reaction to this is precisely parallel to the reaction of earlier American romantics to the onset of industry which seemed to obliterate the safe boundaries between country and city and to dump "the city" all over the landscape.

It is easy to see why a vision of "good" war and technology would be especially hard for an American to let go of. Just as America was once the ultimate un-

spoiled landscape which machinery was apt to destroy, so also, with its natural defenses, it was once the ultimate securable homeland which nuclear weapons have placed under threat. To a certain sort of mind, one with a clear memory of the days when "war" occurred at sea or in Europe, it must seem like abject surrender to even contemplate a strategy like MAD, which permits and even demands a permanent threat to the American homefront.

President Reagan really does hate and fear nuclear weapons. And his hatred and fear of them is what makes him want to build more and more at an ever-faster rate.

The essence of the romantic impulse is its refusal to endorse such a surrender to technology. And in this respect, despite its anti-industrial roots, Reaganesque romanticism squares very nicely with Reaganesque faith in technology, which holds that technology must, virtually by definition, serve human good, and certainly American good. (Gee, as Reagan might say, aren't those one and the same?) To be nostalgic for the period of early modern warfare is to be nostalgic for the era when American technology established this country's world dominance. Once, when America was thought of as a garden, romantic yearnings were pastoral. But now that technology has identified the country with "progress," romance harks back to the days of supposedly beneficent industry. Once, any machinery seemed an uncontrollable threat to what the country stood for. Now, machinery is the very basis of the country's meaning and direction, and only certain *nuclear* technology remains untamed—partly because it calls into question the meaning we've assigned to machinery in general.

Reagan holds a view which cannot conceive of Americans surrendering before technology (as by MAD), and more importantly, which greatly fears what technology becomes if it is thus transgressed in its very nature. I think "fear" is the correct word there. Reagan really does hate and fear nuclear weapons. And his hatred and fear of them is what makes him want to build more and more at an ever-faster rate.

The logic there is not as obscure as it might seem. In fact, in the religious vein in which this discussion began, we might call what Reagan poses for us a "paradox." Here is how to make sense of it. If you see a particular device as being the devil's work—evil—you

will naturally expect it to serve the devil better than it serves you. If the device in question is nuclear weaponry and the devil is your earthly enemy (recall that Reagan's Russia is the "focus of evil"), then you will always be plagued by the fear that your enemy's weapons will work and yours won't. Hence you will never feel secure with what you've got. Every weapon you acquire falls down this bottomless well of Manichean pessimism.

The relentless nuclear innovation that continues today rests precisely on such pessimistic assumptions. It appeals to "worst-case analyses" in which, for instance, the Russians are able to launch flawless first strikes against our land-based missiles, while we simultaneously discover that our air- and sea-based missiles are somehow useless for retaliation. Reagan himself is especially enthusiastic about this sort of thinking. Despite access to better information, he has given voice to elaborate fantasies not only of U.S. vulnerability, but also of Russian invincibility. These include 100 per cent "hardening" of Soviet industry against attack, a paranoid vision beyond the imagination even of the CIA.

The problem has been that worst-case analysis presents itself as mere prudence and rationality—so convincingly, in fact, that even its critics have met it on that ground and tried to argue it away rationally. The wonderful thing about Reagan is that in his enthusiasm and childlike candor he articulates impulses underlying this sort of analysis, impulses which are not rational at all but rather emotional and even spiritual.

Seeing this, it's possible to recognize that the fervor Reagan brings to Star Wars is all of a piece with the fervor he brings to his "windows of vulnerability," and to "limited nuclear war" in Europe, and to his demonic attitude toward Russia. And it is this fervor that really does make him something of a "religious" man, and that allows people to see him as such, even if he doesn't know a Bible verse when one of them bites him. (Mild, unfervent Walter Mondale, though the son of a minister, came off as downright irreligious by comparison.) Most importantly, Reagan's fervor makes him religious *in the same way* as his armies of true believers, most of whom couldn't care less about the Satan of tradition but who react with shrill terror—not altogether unjustified—at the forces of social and technological modernity that seem to have dashed all their old certainties.

Actually the cultural impulses for which Reagan is the reigning spokesman certainly touch many others beyond his core of fundamentalist supporters. Precisely because they are spiritual without being explicitly religious, these impulses can shape the outlook of people who don't consciously cleave to any

given creed. It is just this sort of spiritual fear and desire in the culture at large for which we should be on the lookout. Otherwise, even if we make sense of the thinking of a given leader, we have no explanation for the support he continues to get and no idea what to do once he passes from the scene.

Not that the way is now immediately made clear. To many antinuclear writers, and others unwilling to wait around for Star Wars to save us, Reagan's whole approach to these questions must seem, in this light, even more alien than they thought. Here is a man who simply cannot share their view that salvation from nuclear weapons requires a different kind of politics. For Reagan, the solution has to be technological rather than political, because only a new, beneficent technology can redeem technology's own stained reputation—can preserve technology's virtue, as it were, from violation by the nuclear monster. Reagan doesn't look to Star Wars to save us directly so much as he looks to it to save technology, which in turn would restore to us our old, familiar world. That bizarre reply of Reagan's to the political objections against Star Wars makes sense in terms of this hope. In a world restored to "good" technology, we, the good guys, are safe. We win. Our new, manifestly virtuous technology can, therefore, even be given to the enemy: its inherent goodness will keep it on "our side." And that of course is Reagan's proposal, to share Star Wars with the Russians. This may be less the fairy tale it sounds like than just a dream dreamt a bit too long.

Anyway, Reagan's mission gives rise to plenty of ironies besides that one. The President's nostalgia and fear of technology have made him a (very successful) champion of high-tech innovation and of ever more sophisticated hardware. His wish to see us not surrender our destiny has led him to place our fate in the hands of bureaucratic systems with an internal momentum of their own. His Manichean sense of the special nature of nuclear weapons has led him to pile up yet more of them, adding to a crushing load from which mankind may never escape.

All very ironic. But that is the nature of any complex cultural belief, and the reason why the categories in my previous essay are only scant beginnings. In trying to map any particular mind, especially Reagan's, the temptation is to look once into the murky depths and just write, "Here Be Dragons." But even if tentatively, we must try to do better. For in succumbing to all his ironies, Reagan merely points up what our culture is about. That much, at least, we should have learned since November. After all, it was that "gaffeless" debate, the one in which Reagan discussed both Star Wars and Armageddon, that most observers believe sealed his overwhelming victory. ■



ARCADIAN TRANSMIGRATIONS

One-Way Traffic in the Arts

The museum—like the ostrich, the dodo, and the auk—has wings but cannot fly. It would be malicious to pursue this analogy very far, but the winged museum shares with the flightless bird a liability to extinction. The spatial division of the museum into separate wings according to a taxonomic scheme is a fairly recent development, a response to practical and intellectual concerns which first arose in the late eighteenth century.¹ The creation of national museums, coupled with the redirection of philanthropy into cultural projects, led to the centralized accumulation of art on an unprecedented scale. This spelled the demise of the mode of display which had been appropriate to the small, private museum with its jumbled array of esthetic bric-a-brac reflecting the tastes of an individual collector. The sheer size of these new collections made larger buildings necessary and, at the same time, rendered it impossible for the average spectator to view everything. Disorder—now on a grand scale—prompted critics like Théophile Gautier to call for the arrangement of works in terms of their period, genre, and country of origin.² What resulted is the familiar organization of wings and rooms into multiply-defined collections, e.g., nineteenth-century French paintings, ceramics from the Sung Dynasty, colonial American furniture. The modern museum began to function like that other child of the Enlightenment, the encyclopedia.

Like the user of an encyclopedia, the spectator could go to a particular place with the expectation of finding concise but representative information on the subject of his or her interest. And in spite of the categorical differentiations imposed by the winged museum, the visitor remained free to wander and to browse. No matter that the imagination of the spectator had been

constricted by the analytical procedures of specialized curators and art historians: by the simple expedient of viewing some wings and overlooking others, the museum-goer could imaginatively construct a personal synthesis of different artworks.³ The museum as encyclopedia, even if every “entry” were an exercise in pedantry, still permitted the spectator a liberty of selection and combination—whether to gratify a particular taste (“I know what I like”) or to articulate a cosmopolitan vision of “a museum without walls,” as André Malraux put it.

The first symptom of the winged museum’s mortality or, more exactly, of its evolutionary supercession appeared in 1959 with the completion of Frank Lloyd Wright’s last major work, the Solomon R. Guggenheim Museum.⁴ The main gallery (if it can be so captioned)

¹The best short history of the museum’s development from the sculpture galleries of Renaissance collectors to “machines for viewing pictures” (Harold Rosenberg’s phrase) is Nikolaus Pevsner, *A History of Building Types* (Princeton, 1970), ch. 8.

²Gautier’s call for a museum in which the arrangement of paintings would reflect a continuous chain of art history first appeared in *La Presse*, 10 February 1849, in an article on “La Musée ancien,” later reprinted as “Études sur les Musées in *Tableaux à la plume* (Paris, no date). By 1856 some re-organization of the Louvre along these lines had occurred, and Gautier expressed relief that Mantegnas and Lorrains were no longer displayed in close proximity. See “Les Musées in *Paris et les parisiens au XIX siècle* (Paris, 1856), pp. 239-40. For a contrasting contemporary view, condemning systematicity in general and the notion of art-historical progress in particular, see Charles Baudelaire, “L’Exposition universelle de 1855,” *Oeuvres complètes* (Paris, 1961), pp. 953-60.

³For a similar notion of the museum as catalogue, see Robert Harbison, *Eccentric Spaces* (New York, 1980), ch. 8. Unfortunately, Harbison regards the winged museum as promoting vague generalizations rather than precise (if infinite) comparisons among diverse artworks. On the encyclopedia as a regulative idea for a virtually infinite network of semantic interpreters, see Umberto Eco, *Semiotics and the Philosophy of Language* (Bloomington, 1984), ch. 2. Readers of Eco’s recent bestseller, *The Name of the Rose*, will recall that novel’s image of the library as labyrinth (i.e., an encyclopedia) which, like the winged museum, can’t be reduced to a single set of meanings.

⁴The building has received a great deal of attention from Wright’s fans and detractors alike. A straightforward, essentially neutral account of the Museum can be found in Michael Brawne, *The New Museum* (New York, 1965), pp. 10-14, 142-45.

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bears some resemblance to a screw or inverted turban. Theoretically, the spectator can embark upon this spiralling ramp either at the top or at the bottom of the helix; in practice, however, visitors are encouraged to take an elevator to the top and then to descend in narrowing curves to the bottom of the ramp. Paintings are displayed at regular intervals on the outer wall, while what amounts to a half-wall on the inside of the curve is the only thing separating the viewer from the airy vortex of the gallery's inner space.

What seems to me most significant about the Guggenheim is its rigorous organization of the spectator's mobility and, indirectly, the viewing process. No aimless wandering here!

I will not comment on Wright's intentions or the symbolism of his design. What seems to me most significant about the Guggenheim is its rigorous organization of the spectator's mobility and, by extension, the viewing process. No aimless wandering here! Wright's spiral walkway enlists the force of gravity to urge the visitor steadily downwards at a regular pace, past one painting after another until the entire series has been reviewed in an orderly fashion from start to finish. One would need the legs of a mountain-climber to resist the gravitational pull and some stubbornness to ignore the pressure of the descending crowd. Thanks to the mathematical regularity of its spatial organization, the Guggenheim Museum concomitantly regularizes the temporal structure of the viewing experience. Prolonged contemplation of any single picture is implicitly discouraged, with the result that some cherished notions about art are called into question.

The winged museum, despite its tendency to classify artworks, not only allowed the spectator a certain liberty of taste but also made concessions to popular interest in "the masterpiece" and the related notion of "genius." Given sufficient holdings and adequate space, the winged museum might devote an entire room to the work of an individual artist and honor some masterpiece by affording it conspicuous display. The museum-goer could regard the great work from any angle, from near or far, for a moment or an hour. A bench—typically uncomfortable but a place to sit nevertheless—would often be located at an ideal point for the leisurely scrutiny of a Leonardo or Rembrandt.

Contrarily, a museum like the Guggenheim tends to eliminate the contemplative mode of viewing and, with it, the experiential basis for attributing timelessness to

a work of art. By restructuring the viewer's activity in such a way that it becomes an orderly processing of equivalent bits of information, the modern museum systematizes esthetic experience. Unlike the winged museum and its precursor, the private collection, the museum-as-system can dispense with traditional legitimations for the accumulating of artworks. This museum does not exist for the sake of embodying an individual collector's tastes, preserving treasures of natural or historic importance, exemplifying the encyclopedia of art history, paying homage to the works of inspired genius. In the post-Guggenheim era, the museum can and indeed must legitimize itself by the criterion of optimal performance.⁵

The criterion is simple: any given system can be said to perform optimally when a maximum output is achieved by a minimum input. Furthermore, the standard of efficiency or optimal performance is in the way of becoming universal. "Performance is our most important product": this slogan no longer applies merely to the manufacture of light bulbs but to the products of every institution in our society.

Those of us in the field of education, for example, have some awareness of how "the need for accountability" (academese for cost/benefit analysis) is affecting traditional understandings of educational aims and practices. The performance standard erodes the long-established belief that the purposes of different university departments are somehow incommensurable. Is it more worthwhile to educate physicists or home economists? Apples and oranges, you say. But given equal benefits (output) there should be equal costs (input). Accordingly, there is increasing pressure on universities to justify the existence of their most expensive programs in terms of the proportionally greater benefits of these programs in relation to less expensive undertakings. Needless to say, the criterion of optimal performance has confronted educators with difficult questions: if it costs the same to produce five business majors or one physics major, should the same tuition be charged in both departments? should the professor of physics and the professor of business earn comparable salaries? should the departments receive equal funding for equipment? and so on.

It is not difficult to see the analogies with the museum and the larger art world in which the museum functions. Once upon a time curators and museum directors could justify their budgets in terms

⁵My discussion of the performance criterion relies on Jean-François Lyotard, *The Postmodern Condition: A Report on Knowledge*, trans. by G. Bennington and B. Massumi (Minneapolis, 1984). Lyotard's view of "post-industrial" or "technological" society avoids both the enthusiasm (McLuhan) and fear (Wiener, Ellul, Bell) of earlier critics by concentrating squarely on the issue of the social control and dissemination of knowledge.

of certain intangibles: public enlightenment, national pride, the value of tradition, the perpetuation of esthetic beauty and truth, etc. These ideals have not been cast aside utterly, but they too have come under the sway of the performance principle. A museum, even when it is crammed with more art than it can display, is costly to operate. The Art Institute of Chicago used to admit everyone free of charge; presently, admission is free only on Thursday. Even this single free day would have been eliminated had it not been for a recent grant from a corporate source.

What the charging of admission signifies is the transformation of the museum-goer into a consumer, one who has the right to demand that the museum provide a "show" which is equivalent to comparably priced entertainments. And from this standpoint, the museum is a good buy—as rewarding as a White Sox game and quite a bit cheaper. Yet the cost of admission would become much higher, despite the huge grants from public and private givers, were it not for the tremendous revenues generated by special exhibitions which attract very large crowds.

The role played by these exhibitions in the life of the museum has some resemblance to that played by a successful program—athletics, business, computer science—in the life of a university. The "profits" from an institution's most successful operation are allocated among the poor performers, thereby making it possible for these inefficient operations to continue. Does the physics professor include the football coach in prayers of thanksgiving? Does the curator of the pre-Columbian collection feel gratitude for the impresario who organized the Van Gogh exhibit? No doubt. But beneath these cozy arrangements there are developments of a disquieting kind.

I was reminded of the problematic implications of the performance criterion when I visited the Art Institute's show of Impressionist landscapes. "A Day in the Country" was in many ways an admirable exhibition. True, there were some weaknesses—too many Monets, too few Cézannes, mediocre examples of Seurat—but these were overshadowed by a wealth of fine paintings and a few real surprises. Two superb landscapes done by Gauguin prior to his departure for Tahiti indicated that his pre-exilic work is of a much higher quality than scholars are usually willing to allow. Camille Pissaro, typically not considered the equal of Monet and Renoir, was represented wonderfully by the exhibition. His landscapes demonstrated a graceful brushwork and such harmonious integration of warm with neutral tones as to make his more famous contemporaries look garish by comparison.

I have the uncomfortable feeling, however, that my singling out Gauguin and Pissaro for special praise is

not at all in keeping with the spirit of the exhibition. The show was crowded and guards or ushers were on hand to encourage us to keep moving. "Don't look back" was the watchword of the day as viewers were gently reminded of the need to see everything in one room, move on to the next, and avoid circling back. In all of the several rooms there was hardly a bench to be found, and the two or three I noticed were positioned in recesses that afforded no view of the paintings. Thus, the need to rest one's legs was conceded (grudgingly) but the opportunity for extended viewing was ruled out absolutely.

My "day in the country" proceeded like those long

Soul

I cannot hear her speak.

She appears to dream, gliding
over the cold, grey-brown water.

She is silent. To me,

Silence itself, asleep
in her own dreams.

Her hair moves. Awake,

she swims, her fins of green
peddling a cart through Brittany.

Her fish-like body—siren

or mermaid—sleeps again,
a black nest of seaweed
curled into her own white arms.

Her green legs one with the grass

on the hillside,
the Breton lay
she sings to herself.

Utterly still, the hand of a lady

in waiting, poised
on her mistress's book—yes,
tea at four—then

She returns to the deep desert
of her rest

Floating as on a still and
sacred pool
in an ancient land.

Travis Du Priest

lines of cars that slowly weave through Yellowstone Park when all the campgrounds are full. I was meant to see everything and to look at each painting for the same brief amount of time rather than to dwell on this or that beauty to the exclusion of the rest. The system of crowd control used at "A Day in the Country" made it clear that irregularities were incompatible with good performance; and to pause or to backtrack would have been to challenge the show's presupposition that all the paintings—each "day" in the tour, so to speak—were of equal worth.

Money, they say, is the lifeblood of the economy and must circulate freely. The economy performs best when there is the maximum exchange of goods and services among its several sectors. Dante's condemnation of hoarding and wasting became irrelevant to the Keynesian era, when long-term deficits were deemed acceptable by virtue of the increased liquidity they made possible. The marketplace is ruled by the expectation of short-term gain, and for this to occur a rapid circulation of money is necessary.

In the world of art the analogue of cash is public interest. The interest of the spectator must be kept in constant circulation, shifted from one novelty to another and never permitted to invest itself in an exclusive, long-term manner. By extension, this principle applies to the collector—whether individual or institutional—as well. The collecting of art is economically profitable only under inflationary conditions; and a collection, like any other inventory of goods, must be "turned over" frequently. Permanent collections are contrary to the spirit of speculative investment in art; they are disadvantageous tax-wise and very expensive to insure, to maintain properly, and to restore periodically. Today, neither museums nor private parties can indulge in the luxury of sheer accumulation.

The fate of the museum in the post-Guggenheim period is tied to momentous changes in the art world generally, embracing the spectator, the collector, and even the artist. For there is little reason for the artist, who is no more exempt from the criterion of optimal performance than anyone else, to labor slowly and agonizingly over the creation of a tiny handful of masterpieces. True, the notion of a slowly ripening artistic genius and the companion idea of gradually developed connoisseurship may be nothing more than Romantic mystifications, defenses against "commercialism" and the "vulgarity" alleged to result from democratic dissemination of art.

Accordingly, the present situation is not without some ambiguities. Museums must open new markets, so to speak, and extend their services to larger communities. In order to meet the costs of their permanent collections, museums must pursue an active loan

policy and have frequent recourse to important temporary exhibitions. And the more extensive the loans to other museums, the greater in number and frequency become the special exhibits. On the positive side, there is simply more art information becoming available to more people. Yet the traveling shows must be operated as efficiently as possible; that is, the maximum number of spectators must view the art in the minimum time. Under these circumstances the museum-goer's duty is clear: he or she must keep moving in order to ensure that the circulation of art information is both rapid and complete. Those of us who feel comfortable with the winged museum and enjoy leisurely excursions in this microcosm of the artistic past may regret the old girl's demise. But the one-way traffic in the arts and the institutional arrangements which direct it are now predominant. Must we resign ourselves, then, to a passive hope that the traffic is heading in the right direction?

The fate of the museum in the post-Guggenheim era is tied to momentous changes in the art world generally.

In order to appraise this problem in the right spirit, let's banish that scarecrow which reactionary critics of modernity have posted in order to ward off intelligent inquiry—I refer to the straw man of a dehumanizing technology in the hands of a shadowy conspiratorial elite. The creators of the Guggenheim and the organizers of "A Day in the Country" had no sinister designs; their intentions, on the contrary, were benign and even lofty.⁶ Neither can it be said that the general effect of such museums and such shows is clearly dimming to the museum crowd or implicitly anti-art.

Where then is the difficulty? The problem, which can't be divorced from the wholesale acceptance of the performance criterion, lies in the anxious avoidance of the disruptive and stressful. In the wingless museum and in the one-way show, emphasis is on flow and procedural continuity. I don't mean to suggest that diversity is not tolerated—the inclusion of Millet and Seurat in the same show is proof to the contrary—but that gaps, breaks, schisms, and ruptures are elided or toned down in the interests of coherence and comprehensibility. What matters most is not so much the

⁶Lee Hall's review of Joan M. Lukach's *Hilla Rebay: In Search of the Spirit in Art* indicates both the passionate devotion and the eccentricity with which Guggenheim and his advisor Baroness Rebay pursued the creation of their "Temple of Non-Objectivity." See "The Passions of Hilla Rebay," *The New Criterion* 3, no. 2 (October 1984), 76-81.

efficiency of the performance, its goodness or badness in relation to other performances, as its soothingly programmatic appearance of a world without events.

The "Day in the Country" show announced by its very title that, like the private Country Day schools favored by the upper middle classes, it offered sanctuary from the unpredictable hazards of urban life. The nearly uniform size of the canvases, the predominance of summer scenes, the official assurance that these were French Impressionist works, the pedestals for bouquets of dried flowers—the only things missing were a green carpet and, for each spectator, a slice of bread and glass of wine.

Yet such arrangements, whatever temporary gratifications they afford, promote the values of showmanship over the facts of art history. There was nothing to indicate how these *plein-air* paintings were achieved in defiance of current norms for academic and studio art. There was no hint of the battles between the Impressionists and contemporaries like Redon and Moreau (and Gauguin, for that matter) who opted for symbolism. The show's Franco-centrism did admit a Whistler but ignored other Anglo-American painters; and there were no representatives of Belgian, German, and Russian Impressionism. The exclusion of paintings on the basis of narrow art-historical categories (not landscape, not French, not Impressionist) imparted a sense of wholeness and harmony to the era which would have surprised the Impressionists themselves.

Worst of all, perhaps, was the unremitting emphasis on landscape conceived as a slice of rural life: does a painting cease to be Impressionist when it has the city for its subject? The organizers gave a vote of no confidence in the spectator when they decided to exclude the scenes of city life and architecture in which artists like Degas, Sisley, the young Matisse, and even great Monet himself accomplished what might be called the Impressionist countrification of Paris and Rouen. To judge from the show, one would think the paintings had been done by Mother Nature instead of human beings.

Americans, with their strange taste for pre-cooked food and pre-interpreted art, are the natural audience for cultural programs which communicate the serene fluidity of a steadily evolving art history. For things to be otherwise, for the one-way pattern to be replaced by arrangements which give access to the widest horizons of imaginative experience, we need to acquire greater respect for the power of events.

A one-way traffic in the arts, like other programmed performances, denies that events have consequences which are open-ended but irreversible. The Impressionists could not have guessed that their obsession

with the effects of light in the open air would culminate in the abolition of landscape as a distinct subject and genre of painting (Monet's waterlilies explode the category), and yet they were willing to take large risks, at once social and esthetic, for the sake of discovery. Perhaps it is not too much to ask of our cultural institutions that they allow us to emulate such adventures and make our own way through the deserts and mountains of art. ■

New York, Lower East Side

*Sally Fitzgerald lectures
on Flannery O'Connor*

Outside the Catholic Worker
House on East Third,
the street quiets.
Panhandlers huddle
in stair wells, winos hunker
over heat grids, pushers
chart the alleys,
bag ladies rummage life
from lifeless matter.

Inside, to a Friday night
gathering, someone talks about
Flannery O'Connor
who never was
like anyone else.

Flannery did not misjudge
the ultimate resurrection
of the freak-prophet.
She knew grace triumphed
on the moon-cruled empire
of the devil; that,
terrified, man is free
to become more human.

Listeners pull toward
the speaker, sit hard
on wooden chairs, staring
beyond the dark windows
where grace pours down,
as always, violent.

Sister Maura



"IN YOUR JUSTICE LIES OUR SAFETY"

Reflections on the Trial of John Peter Zenger

As we approach the Bicentennial celebration of the United States Constitution in 1987, it is worth reflecting upon the observation of Gouverneur Morris, a prominent statesman of the Revolutionary Period, that American liberty is traceable to the 1735 prosecution of John Peter Zenger. That starting point makes 1985 the 250th anniversary of our liberty. If in fact our freedom was ensconced here more than half a century before the people of the United States undertook to ratify a Constitution and a Bill of Rights, the prosecution of Zenger warrants serious consideration.

A German-born printer who came to this continent as an indentured servant, Zenger published the first issue of the *New-York Weekly Journal* in November, 1733. Written under pseudonyms by some of New York City's leading lawyers, it was not just a newspaper; it was the only newspaper in the Colonies that was politically independent. Other newspapers were "official" papers, seldom reporting anything other than what the government told them to report. By contrast, Zenger's *Journal* had as its *raison d'être* opposition to the corrupt colonial Governor of New York, William Cosby. Since the idea of an "opposition" newspaper was a novel one, the *Journal* justified its existence with interspersed essays on the subject of human liberty generally and freedom of the press in particular.

This novel idea of an opposition paper could hardly have been inspired by a ruler more worthy of opposition. Although Cosby had been removed from an ear-

lier governing position for an act of dishonesty, he would become known for his interference with the political and judicial processes. Shortly after his arrival in 1732, Cosby demanded a 50 per cent slice of the salary of a local official; when the official refused, Cosby sued him for the money. When Lewis Morris, then Chief Justice of the New York Supreme Court, took a dim view of the lawsuit, Cosby simply removed him from office. It was this arbitrary removal that spurred the protest against Cosby. Having mustered political strength, Morris ran for the office of Assemblyman. Cosby attempted to steal the election from him by instructing the sheriff that none of the votes of the Quakers were to be counted. Despite this wholesale disenfranchisement, Morris won anyway. The first issue of Zenger's *Journal* appeared a week after this incident, by which Cosby had exposed himself at least a third time as a petty tyrant.

Among his many shortcomings, Cosby was wholly unwilling to tolerate criticism. Even before the opposition newspaper appeared, he had been aware of widespread dissatisfaction and had sought to subdue it through the official newspaper, the *New York Gazette*: he appointed an editor to give a rose-colored tint to the news stories and to withhold the news whenever the rose dye would not take. One of the *Weekly Journal's* founders described the *Gazette* as "loaded" with "ridiculous flatteries" of the Governor. Predictably, the ridiculous flatteries increased in direct proportion to the revelations of the *Weekly Journal*.

Cosby's anger also increased. In the first year of the *Journal's* publication, he attempted twice to have grand juries indict Zenger. When they refused, he ordered the Attorney General to bring Zenger to trial by way of "information," an accusation by a public officer rather than an independent determination by a grand jury after hearing evidence. The Attorney General complied, charging Zenger with the crime of seditious libel.

Seditious libel was a crime invented late in the sixteenth century by the most iniquitous tribunal in the

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history of England, the Star Chamber. From its earliest days, printing appears to have been regarded as a threat to the English government; heresy and political dissent were viewed as virtually identical, and a written or printed word was more dangerous than a spoken word. Accordingly, printing eventually became regulated by the Star Chamber, which limited the number of printers and presses and prohibited any new publications unless approved under a licensing scheme. To publish an ill word about the government was made a crime, seditious libel. Moreover, because the tendency to cause quarrels was the essence of the crime, the statement's truth was no defense and might even increase the seriousness of the transgression. Depending on the seriousness, possible punishments ranged from fine or imprisonment to loss of one's ears. By this method the Star Chamber, entrusted with the security of the State, stifled criticism of the government.

When the Chamber was abolished in 1641, many legal commentators of the period believed the crime had been abolished too; but those who wished to see government remain in control of political expression suggested the law had survived its creator and could be enforced by other courts. In any event, the licensing scheme did prevail for another fifty-three years after the Star Chamber had ceased to exist. It was during this period that the Puritans used the system to control religious as well as political expression, prompting Milton to write his *Areopagitica* opposing the licensing of the press. So-called "freedom of the press" was established in England in 1694, but it hardly approached our conception of that liberty: there could be no licensing, no previous restraints on publishing, but an individual published at his peril, subject to fine or imprisonment if the words were subsequently deemed unlawful.

Against this notorious background of abuse, Zenger was brought to trial in 1735. Because bail had been set at twenty times his net worth, he had spent ten months in prison, during which time he had maintained steadfast silence regarding the identities of the writers of his paper. He kept his newspaper going by giving instructions to his wife and employees through the door of his jail cell. Zenger's lawyers, William Smith and James Alexander, were outstanding members of the New York Bar, and Alexander was the chief writer of the *Weekly Journal*. Both were already well known to Cosby and had, in fact, represented the defendant in Cosby's suit for a salary kickback. Their first priority in representing Zenger was an attempt to obtain a different judge for the case. They objected to the power of Chief Judge James Delancey to hear it, pointing out that he had been appointed improv-

erly by Cosby and had already manifested extreme hostility toward Zenger: the judge had encountered Zenger on the street before his arrest and had vociferously rebuked him. Delancey responded to these arguments by disbaring both attorneys.

Nowadays it seems unimaginable that a single judge could summarily preclude a lawyer from practicing his profession, but the fact that it happened in 1735 gives us some idea of the repressive climate of those times. Our states today have systems for making determinations of professional misconduct after full hearings, with opportunity for appeal; they judge conduct against set rules and do not make *ad hoc* decisions. To give a single judge the power exercised by Delancey would inhibit all lawyers, and consequently no litigant would ever be zealously represented. The rules by which lawyers govern themselves require that they represent their clients zealously, within the bounds of the law.

The crime of seditious libel—printing ill words about the government—was invented by the Star Chamber late in the sixteenth century. Truth was no defense against the charge; indeed, it might even increase the seriousness of the offense.

It was zealous representation that Zenger needed, and that gap was filled by Andrew Hamilton, a Philadelphia lawyer almost sixty years old, who made the hundred-mile trip to New York and took over the defense without charge. A former Attorney General of Pennsylvania, Hamilton was an eloquent, scholarly man; he was undoubtedly the best lawyer in Pennsylvania and perhaps in all the Colonies. At trial Hamilton would explain that he had come because, while he lived in a colony where Zenger's liberty would have been respected, a bad precedent in New York could jeopardize the rights of the people of Pennsylvania.

Believing it to be the right of every free man to complain about government action, provided the statements are true, Hamilton conceded at the outset that Zenger had published the papers, and he suggested that the prosecution dispense with the witnesses by which it intended to prove that fact. Under the prosecution's theory of the case, however, that was the only element that had to be proved to the jury. Delancey agreed: the judge would decide whether the content of the *Weekly Journal* had been libelous, for that

was a question of law.

A distinction between questions of law and questions of fact pervades our system of justice yet today, but we candidly recognize that if the right to trial by jury means anything, it means the jury should decide whatever is within its competence. We recognize, in addition, that the line of demarcation between law and fact is not clear-cut; indeed, the United States Supreme Court has characterized the distinction as "vexing." Although we commonly speak of a formula whereby the trial judge decides all questions of law, while the jury decides all questions of fact, this is oversimplification. When we say the jury decides the facts, we really mean the jury applies the law to the facts it decides are true: when a jury returns a verdict of "guilty," it means, "We believe the witnesses who say they saw the defendant do a certain act, and we believe that act fits the definition of the crime charged." So, although the legal definition of the crime is stated by the judge in his instructions to the jury, the jury applies it to the facts believed to be true. The "law" of the particular case, which consists of the merger of law and fact, is determined by the jury.

Notwithstanding this traditional division of labor, there is also an Anglo-American tradition of a jury's refusal to return a guilty verdict even when they believe the defendant committed an act, if the jurors believe the law is wrong in making that act a crime. When jurors do this, they invade the power of the judge by declaring, in effect, what they think the law is or should be. Ill-advised as this may seem, it is insulated in criminal prosecutions by our prohibition against double jeopardy: once a jury has found a defendant not guilty, he cannot be tried again for that crime. To realize that in each case the jurors actually have the power and opportunity to overrule the legislature's law is to understand the immense trust we place in the judgment of a man's peers.

Like Englishmen, the American colonists regarded this power to dispense justice as a treasured right, a legacy of the magnificent Magna Charta. They were familiar with the 1670 trial of William Penn, in which the jury had played a most significant role. Penn was arrested for delivering a sermon to a quiet assembly of Quakers on a London street corner, having been prohibited from preaching in any building; he was alleged to have preached "to the great disturbance of [the King's] peace; to the great terror and disturbance of many of his liege people and subjects." A member of the assembly, William Mead, was also arrested, apparently to enable the prosecution to charge the men with conspiracy. Their trial was a mockery of justice: among other things, Penn and Mead were denied the right to question their accusers. The jury, though or-

dered by the court to convict the defendants, returned a verdict of not guilty; the jurors were fined and imprisoned for doing so. This history gave added meaning to what the jury was to do in the case of John Peter Zenger. It also demonstrates why Chief Justice Delancey, puppet of the thin-skinned Royal Governor, wanted to limit the jury's role to deciding merely whether Zenger was the printer of the *New-York Weekly Journal*.

The scholarly Hamilton knew exactly how the prosecution would construct its argument on the meaning of seditious libel, and he knew the puppet judge would side with the prosecution and withhold as much as possible from the jury. He therefore engaged in argument with the Attorney General which, while ostensibly made before the judge, was really directed to the jury. Hamilton contended that truth of the printed statements was a complete defense to the crime charged; the Attorney General argued that if the statements were true, the crime was rendered even worse. Each of these positions was supported by English authority. Hamilton pointed out, however, that the precedents cited by the prosecution were Star Chamber cases; he said he had hoped those cases would have died when that court was abolished. Delancey agreed with the prosecution, ruling that because truth was no defense, Zenger's witnesses could not testify that what he had published concerning Cosby was accurate. Not to be defeated, Hamilton turned to the jury, saying, "You are citizens of New York; you are really what the law supposes you to be, honest and lawful men. And . . . the facts which we offer to prove were not committed in a corner; they are notoriously known to be true; and therefore *in your justice lies our safety*."

The "safety" to which Hamilton referred does not appear to have been the mere safety of himself and his client. Assailing the breadth of the definition of libel being urged by the Attorney General, Hamilton argued that if libel were understood in that "large and unlimited sense," there could scarcely be a writing that would not be libelous, and scarcely any person would be safe from prosecution as a libeler. When Delancey ruled that the jury "may" decide only whether Zenger published the papers, Hamilton responded, "I know . . . that the jury *may* do so; but I do likewise know that they may do otherwise. I know that they have the right, beyond all dispute, to determine both the law and the fact; and where they do not doubt of the law, they ought to do so."

In a brilliant tactical move, he adverted to the Penn-Mead trial, impressing upon the jurors the magnitude of their role and reminding them of the strength justice would require of them: like the Penn-Mead jury, they could be subject to fine or imprisonment if they

returned the “wrong” verdict. Worn down by Hamilton, Delancey finally relented to a minor extent, permitting the jury to apply the law if they insisted, but giving them a definition designed to convict: he ruled that *if* the jury did not leave the question to him, they should apply a legal rule that the words were libelous if they “tend[ed] to beget an ill opinion of the administration of the government.”

Without question, the words contained in the *Weekly Journal* did tend to beget an ill opinion of the government, yet the jury acquitted John Peter Zenger. That day marked the eternal defeat of Cosby. The room in which the trial was held was packed with onlookers, and when the jury returned its verdict, three cheers rang out from the crowd. The legislature restored to Alexander and Smith their right to practice law, and Zenger published their petition in which they explained all Delancey’s abuses. The Common Council of New York ordered that Hamilton have the freedom of the City, and it honored him for the service he had rendered, not merely to Zenger but *to the inhabitants of New York*, “by his learned and generous defense of the rights of mankind, and the liberty of the press . . .”

Though history books tell us that Zenger’s trial established freedom of the press in the Colonies, that is a slight exaggeration. It is interesting to observe, however, that the Common Council’s words were not so limited; in fact, they mentioned other, unnamed rights before freedom of the press. Perhaps what the Common Council contemplated may be gleaned from Hamilton’s statement to the jury that the issue before them affected every free man living in the Colonies—“the liberty both of exposing and opposing arbitrary power . . . by speaking and writing truth.” This notion of the meaning of a free press comported with expressions in the *Weekly Journal* that free speech is the only real assurance of freedoms: if the people cannot voice their objections, *all* of their rights can be taken away. Thomas Jefferson would later say that the only security is in a free press: “The force of public opinion cannot be resisted, when permitted freely to be expressed. The agitation it produces must be submitted to. It is necessary to keep the waters pure.” This view of the “primacy” of free speech still guides our Supreme Court in its interpretation of the First Amendment to the Constitution.

Freedom of the press was, of course, written into the First Amendment. We know that when it ratified the Constitution—which at that point had no Bill of Rights—the State of New York made its ratification conditional on the addition of a free press amendment; and we know that the Framers of the Constitution were familiar with Zenger’s case. The story of his trial was printed in pamphlets which were distributed

in the Colonies and in England. The official English law books reported his case with a caveat that the result was not the law of England, though the trial had made “a great noise in the world.” It was not for many years that the law of England would recognize either of the principles for which Hamilton had argued—the admissibility of evidence of the truth of an alleged libel and the right of the jury to judge whether a statement was libelous. The jury’s verdict in Zenger’s case was the harbinger of an independence we rarely ponder: it was the popular, as distinguished from official, declaration of an American law before there existed an American nation.

Ironically, the hard-won freedom of the press was nearly put to death only a few years after the First Amendment was ratified. In 1798 the Federalists passed the Sedition Act, a law banning “alien ideas,” which was enforced against newspapermen, lawyers, preachers, and others who dared to speak or write critically of Federalist officials. The act effectively made the old seditious libel a new American crime but provided that truth was a defense. Nevertheless, Jefferson and James Madison fought against it. Madison, the Father of the Constitution and the drafter of the First Amendment, contended that the United States might well have remained “miserable colonies, groaning under a foreign yoke,” had the Sedition Act been in effect before the Revolution. The voters responded by booting the Federalists from office in the election of 1800. Because the issue was resolved politically, the Supreme Court was not called upon to decide the Sedition Act’s constitutionality.

Only twenty years ago, however, the high Court confronted an issue of immense importance to freedom of the press, and in so doing it looked back to the Sedition Act and to the earlier crime of seditious libel. The defendant was not a struggling immigrant printer, but the *New York Times*. And the lawsuit was not a criminal case brought by the government to fine or imprison the publisher; it was a civil case, and the plaintiff was a government official suing in a private capacity for monetary damages, claiming he had been defamed by the newspaper. In the era of civil rights protest, the *Times* had published an advertisement recounting the mistreatment of certain black students in Montgomery, Alabama, and seeking contributions for the legal defense of Dr. Martin Luther King, Jr. L. B. Sullivan, a City Commissioner who supervised the police, claimed his reputation had been injured by the ad, even though it did not name him and even though it was inaccurate only in a few minor details. He brought suit in his home state for half a million dollars. Alabama law required that damage (and therefore monetary recovery) be presumed from a false

publication. And Alabama law was all that mattered, for the law of libel was governed solely by state law. Notwithstanding the history of the free speech and free press clauses of the First Amendment, the Constitution had not been held to put any restraints on the state laws concerning private defamation suits.

Yet the similarity of a private damages suit and a criminal prosecution becomes apparent when we stop to consider why the colonists opposed the crime of seditious libel. It was not simply that a person who criticizes government should not thereafter go to jail; what was troubling about the crime was what is called a "chilling effect"—a law that threatens punishment inhibits criticism. So, too, laws that threaten to impose damage awards subdue free speech, making the publisher very cautious. While we want newspapers to give us accurate information, we do not want them to hold the news until they are certain that no one can possibly sue them.

Even as Zenger's jury established a right to level accurate criticism at government, so the Supreme Court in *New York Times v. Sullivan* established a right to be wrong. It thereby helped preserve the nation's newspapers from economic destruction.

For this reason a presumption of monetary damage for any inaccuracy does not ensure a meaningful liberty of exposing and opposing arbitrary power. Perhaps this is more easily understood when it is pointed out that liability for libel cannot be escaped by phrasing the publication, "Sources stated . . ." or "It was rumored that . . ." The words that follow such prefaces are chargeable to the publisher. Of course, a state cannot officially censor the press; that was decided by the Supreme Court in 1931. But that was not the same question as that posed by *New York Times v. Sullivan*: What limitations, if any, did the Constitution impose upon state laws governing libel suits in which the plaintiff was a government official?

The question was raised at the trial in Alabama, but the judge would have none of it. In some respects, the trial there bore a resemblance to Zenger's: the *Times*, for all its wealth, had trouble securing an Alabama attorney; and like Delancey, the judge gave a severely narrowed question to the jury. That jury, unlike Zenger's, returned the verdict the judge wanted, awarding Sullivan the full amount claimed.

In a now-famous opinion the Supreme Court of the United States reversed the decision of the Alabama Supreme Court upholding the verdict. Recalling the history of the liberty of the press and the political battle over the Sedition Act, the high Court considered the case against the background of "a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open." This commitment meant the First Amendment contained no test for truth, and particularly no test that required a defendant to prove his statements were true, as Alabama's law required. "Erroneous statement is inevitable in free debate," said the Court, "and [it] must be protected if the freedoms of expression are to have the breathing space that they need to survive."

Accordingly, the Court held that the Constitution demands a rule that prohibits a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with "actual malice"—that is, with knowledge that the statement was false or with reckless disregard of whether it was false. As Zenger's jury established a right to level accurate criticism at government, *New York Times v. Sullivan* established a right to be wrong. It thereby helped to preserve the great newspapers of this country from economic destruction. Today, as libel suits become exorbitantly expensive to defend, the legal system still struggles with the question of how to preserve a liberty begun 250 years ago.

Moreover, the questions regarding First Amendment liberties still arise politically, as well as legally, and we have seen an example in the recent debate over the extent to which religion may inform political speech and so inform government. Legally, this is a non-issue. The First Amendment protects and facilitates speech regardless of its source, even if its source is the Church. The Supreme Court has ruled that the separation of Church and State does not preclude the Church from criticizing the State; in fact, a number of cases ostensibly involving religious rights have been decided on the basis of free speech, the freedom to speak on religious concerns being equated with political speech. The fact that religious freedom was placed in the First Amendment with its secular brethren suggests their common denominator was freedom of conscience, and it further suggests an awareness that the freedoms of speech and of religion are frequent targets of oppression. In England the two types of oppression had gone hand-in-hand.


No one can say with certainty what this country's destiny would have been had seditious libel become the law in the various Colonies. Madison's surmise that the American Revolution never would have occurred, however, may well be correct. In that case, there

would have been no Declaration of Independence, no Constitution, and no Bill of Rights. The suppression of speech and the persecution of religious groups would have continued, with official newspapers and official churches ruling hearts and minds with "ridiculous flatteries" of government. To appreciate the primacy of free speech—its ability to preserve all other freedoms through the simple form of objection—is to appreciate the contribution of a handful of people in a New York courtroom in 1735.

Notwithstanding the gains we have made since Zenger's time, it is difficult to study his trial without experiencing a sense of loss. For one thing, our country has lost the respect for lawyers that the words of the New York Common Council expressed for Andrew Hamilton. Of course, there are many reasons for that, and some of them have been brought on by lawyers themselves. How many lawyers today would travel to another state to render legal assistance without charge? Paradoxically, disrespect for lawyers in the United States began at about the same time as our Constitution was adopted. It was a reaction, not to their money, their power, or the tricks of their trade, but to the heritage of English law with which they worked. Many Americans wanted to be rid of that heritage once the Revolutionary War ended; perhaps Hamilton's performance even helped to kindle the flame. In any event, the "learned and generous defense" he provided seems a thing of the past, even though lawyers are reminded by their code of ethics that they are members of a "learned profession," and even though countless subsequent cases, including *New York Times v. Sullivan*, have required the same scholarly preparation and have contributed equally to the freedom of all, and not merely the lawyer's client. Unfortunately, we have come to view lawyers as the hired guns of their own clients, rather than as defenders of all our rights.

Another kind of loss is just as disquieting. It concerns the way we view the jury: unlike the people of Zenger's time, we speak of jury "duty" as a chore to be avoided; we seldom, if ever, applaud a verdict; and we never look upon jurors as overseers of law. We regard them as mere tools of the legal system, rather than carpenters of justice. It is only because of this modern viewpoint that we acquiesce in the notion of a person's wanting to be relieved of jury duty. Approximately one century ago, the Supreme Court decided a case called *Strauder v. West Virginia*, in which a black defendant complained he had been denied a fair trial because the state law had excluded all blacks from his jury. The Court agreed he had been denied his rights, but even more significantly, it viewed the exclusion as a denial of the rights of the other black

people in the community. The right to dispense justice, as distinguished from the right to receive it, is easily forgotten; the same oversight was made by the New York Common Council when it honored Hamilton but not the jury.

But after all this time, we ought to pause and consider their achievement. When Hamilton stood before Zenger's peers, he surely could not have foreseen that their verdict would inform the drafting of the First Amendment, the primary protection of so much freedom for so many. He did tell them, however, that their conduct would entitle them to the blessing and honor of all who prefer freedom to slavery. Knowing they were at the mercy of a colonial government not given to respecting rights, they exercised the one right they could seize, the right to dispense justice. And in their justice lies our safety. 

Wasp Nest

Tonight, just after skimming stones
Into our back yard maple, my son
Shut himself in our car and watched
The hail-angry wasps swarm out
To find a soft spot to punish.

And it was Shannon who skated
Into their cloud, ignoring
His wolf-cry warning until she lay
Like a rear-view mirror victim,
Curled in the street and screaming
And taking the blame for her brother's
Stupid act.

They left her hair last;
They tangled themselves up close
To her scalp, and when I carried her,
Derek stared out through the glass,
A fish in air, understanding
This was crucial, water was not
To be found, that despite out minds
These hooks we strike will yank us
Up by the mouths.

What can we say,
Already busy with squirming,
Our hands at our faces as the sky
Presses down, spiked ceiling?

Gary Fincke



Salieri's Mozart

Richard Maxwell

I went to see *Amadeus* at the County Seat Mall in Valparaiso, Indiana. As the lights dimmed, the muzak kept playing. An aged Salieri cut his throat to "Raindrops Keep Falling On My Head." Underneath "Raindrops," Mozartian tunes tried to hold their own. After three or four minutes and several representations from the audience, the weather cleared. Now it became evident that the much-touted Dolby soundtrack had been turned down and another controversy ensued—nor was it the last. The audience fought the good fight. It won repeatedly, though the enemy was already ready for one more surprise attack.

Listening to Mozart is usually easy. The struggle to hear him at *Amadeus* was intense. Perhaps this was not entirely the fault of the projectionist. He may have caused his share of difficulties, but so did Peter Shaffer, the writer of the film and of the play on which it was based. What does it mean that we have to see Mozart—and value him—through the mind, the narrative, of a self-regarding mediocrity? This is the crucial question posed

by *Amadeus*. Shaffer turns up the muzak, as it were. His reasons remain elusive.

Amadeus is supposed to be about artistic mediocrity confronting artistic genius. A so-so composer, Salieri recognizes the greatness of Mozart. His jealousy is compounded by a peculiar theory of genius, which is taken to be an attribute doled out by God in arbitrary portions. Salieri has been a good boy. He has prayed and worked. Mozart runs around fondling girls or telling scatological jokes (sometimes he does both these things simultaneously). God must be hateful indeed to have withheld genius from Salieri while allowing it to this little German turd. Salieri burns a crucifix, then sets about persecuting his human rival. All the time he wants to be the man he hates.

Perhaps we can imagine a Browning-style dramatic monologue whose speaker entertains the obsessions of Salieri. Browning would have set Salieri talking about his life and his relationship with Mozart, would have given him full rein, but we would not have lacked a perspective on him. We would have grasped the masochistic nature of Salieri's delusions without the poet making an explicit judgment. We would have had a way into Salieri's mind but also a way out of it. I occasionally got the feeling that Shaffer was trying for this effect. The problem is that we don't know whether our author assents to Salieri's assumptions about genius. He often seems to.

Mozart comes off as a divinely-inspired idiot (Salieri's view of him), Salieri as the master of intricate ironies. The banality of Salieri's ideas about genius is never admitted. Shaffer apparently believes that Salieri, whatever his talents as composer, is a sensitive critic, a great listener as well as talker. How else could he have grasped

Mozart's historical significance so promptly? Salieri is allowed to confess his own mediocrity while displaying a sensibility so laceratingly fine that we are compelled to swoon and flutter along with him. Rilke, thou shouldst be living at this hour.

A standard by which to evaluate Shaffer's script is Wolfgang Hildesheimer's *Mozart* (1977; English translation, 1982). Hildesheimer's book shares several qualities with *Amadeus*. It is clever and playful. It is not so much a biography as a meta-biography, a commentary on previous lives of the composer. This kind of reflexive writing is in the air, of course, a legacy from Borges and others in his generation, but how many uses it can have! Shaffer's archness in reviving the old rumors about Salieri and Mozart remains a theatrical device, nothing else. A decent professional actor could hardly botch the role of Salieri, thanks to the ingenious playwright. Hildesheimer's meditations lead somewhere else. They produce ideas, for example.

What does it mean that we have to see Mozart—and value him—through the mind, the narrative, of a self-regarding mediocrity? This is the key issue *Amadeus* poses.

Hildesheimer eventually suggests that Mozart's erratic or crass behavior in public can be explained: it was "loss of contact resulting from transcendent intellectual achievement and compensation for the loss in ways and places society finds unexpected." This formula—advanced tentatively after several artful stories within the story—performs the same function as the character of Salieri in *Amadeus*: it

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highlights the discrepancy between Mozart's everyday behavior and the products of his imagination. Shaffer's Salieri, however, remains not much more than a squawk of indignation. He is the eternal straight man, eternally shocked at the great man's mildly madcap behavior. Hildesheimer's thought is not such a dead end. It gives us a real insight into Mozart. We're not saddled with the prudish love-hate retarded aesthete.¹

It might be suggested that Hildesheimer's subtlety was not what Shaffer was striving after. His concentration is on Salieri, not on Mozart. This objection won't have much weight if we agree that Salieri is defined in relation to Mozart and that both characters therefore count, that even the Mozart of *Amadeus* cannot exist totally as a figment of Salieri's tortured dreams. The director of *Amadeus*, Milos Forman, shows signs of having grasped this difficulty: he incorporates into the film certain powerful scenes which go against the grain of the original stage play by circumventing Salieri's dominance. Most striking among these scenes are the excerpts from four operas by Mozart, each serving to mark a significant turn in the action.

We see Mozart towards the beginning of his stay in Vienna conducting *The Abduction from the Seraglio*. He is having a good time—really leaning into his work and almost (across the orchestra pit) into a luscious soprano who is belting out a number from the finale. The harmony between conductor and singer is complete. The narrative gist of the scene is that Salieri becomes irked—he knows in his heart of hearts that Mozart has

“had” the woman—but this point tends to get lost. The playful staging of the opera (for which Forman and Twyla Tharp are responsible) takes precedence. Salieri's murky quibblings are wiped out by the brilliance of music and spectacle. Subsequent excerpts from the operas have much the same effect.

Among the operas represented in *Amadeus* are *The Abduction*, *The Marriage of Figaro*, *Don Giovanni*, and *The Magic Flute*. There is also an elaborate parody of the finale from *Don Giovanni*. This sequence is the best. It is prepared for by Salieri's commentary on *Giovanni*. While watching the statue of the Commendatore doom the Don to Hell, Salieri realizes that the opera is disguised autobiography. Mozart is thinking about his relation to his father, Leopold, whom he broke with after marrying the moderately lovely Costanze. Mozart is the impenitent rake, Leopold the avenging statue. Salieri is able to arrive at this interpretation because he has had a spy in the Mozart household (a maid who is in his pay). He thrills to have come so close to the workings of genius. Has he really? Hildesheimer argues at length that attempts to discern autobiography in Mozart's music lead nowhere; often more striking is the disjunction between life and art. To this useful caution we may add James Merrill's words—

Lives of the Great Composers make it
sound
Too much like cooking: “Sore beset,
He put his heart's blood into that
quintet . . .”

Salieri is hungry not so much for art as for the smell (and taste) of blood. One might be reminded of the crackpot who shot John Lennon in order to establish a link, any link, with him. The psychology is familiar enough—in the twentieth century, anyway—but as usual we can't be sure what Shaffer thinks

of it. Are we supposed to thrill along with Salieri at his momentous discovery?

After all this folderol, the parody version of the finale comes as a relief. A pantomime horse (instead of the Commendatore's statue) comes crashing through the stage set and confronts the Don. Drum rolls herald the production of champagne and doves from the horse's anus. Everybody, including the audience, croons Zerlina's little love song from earlier in the opera. At first we wonder just what this extravagant mess could be: perhaps a malicious fantasy of Salieri's—but it's *not* malicious, and besides Mozart is up in the balcony enjoying himself. Eventually it comes clear that the parody *Don Giovanni* has been written by Schikaneder, Mozart's last librettist. We are being given a way of assimilating genius quite different from Salieri's.² Schikaneder is suggesting that we roll around in Mozart's music like pigs in a sty and enjoy ourselves. This theory of art has its limitations, but in context it is refreshing.

There is only one moment in *Amadeus* when Salieri gets out of himself, when he stops preening and starts enjoying. He has decided that he will pretend to be Leopold returned from the grave; he adopts a masquerade outfit that Mozart senior once wore and shows up at Mozart junior's door where he commissions the great *Requiem*. (The *Requiem* was actually commissioned by a nobleman who wanted to pass it off as his own—a much more plausible secret commission, given the time and place.) Salieri

²A bit of the same effect is produced by the dream-wedding in Forman's best movie, *Hair*. This sequence—also choreographed by Twyla Tharp—is the most playful nightmare ever put on film: a parody, a farrago, it vividly sums up the fascination of the late 1960s as seen from the perspective of a mid-American farm boy. Of course, no Salieri dominates *Hair*. Even Lyndon Johnson remains in the background.

¹Hildesheimer offers a useful perspective on the title of *Amadeus* by pointing out that Mozart never used this name except in fun. Does Shaffer know this and is the irony therefore conscious?

spooks Mozart all right—but the game ends when his victim collapses at a performance of *The Magic Flute*. Salieri takes Mozart home and puts him to bed. Mozart dictates a portion of the *Requiem* to him. While trying to understand, to get the notes on paper, Salieri loses his torturing self-consciousness. All he needed was a chance to play Robert Craft: too bad he couldn't have waited for Stravinsky. This interlude is quite touching: David Thomson, in an insightful article for *Film Comment*, has compared it to the conversation between Anthony Perkins and Janet Leigh in *Psycho*, just before the shower scene. Salieri, however, is unlike Perkins/Norman Bates in one essential respect. He has lost his desire to persecute what he loves simply because he can't *be* it or *have* it.

A few minutes later Mozart dies and Salieri freezes up again. No doubt this is what Shaffer's Salieri would do; he hasn't had a long enough escape from his sickness to change his behavior permanently. Nonetheless, Shaffer's cruelty to his own creation is striking. The situation is set up so that Costanze, who has suddenly returned, abruptly throws him out. Everything goes against Salieri—as if the limitless pity he feels for himself had been confirmed by a final, definitive insult.

I couldn't help but think of another recent film about an amanuensis, *Celeste*, on the unlikely subject of Proust's housekeeper. Having served her eccentric master for many years (having taken dictation at the end, like Salieri with Mozart) Celeste refuses to collapse in on herself when Proust dies. Somehow she carries away his life with her. Eva Matte's brilliant performance makes this resolution believable and touching; *Celeste* is not a hoked-up *tour de force* though it might easily have become one.

Amadeus, by contrast, reverts at

the end to the creepy little ironies on which so many of its previous scenes have been based. The film gets some mileage out of a scene where Mozart's body is tossed in a common grave, and a white powdery dust (quicklime) rises up ghost-like. But the final words are Salieri's: wheeled through the madhouse where he now resides, he announces that he has become the patron saint of mediocrities and blesses us all accordingly. The movie has forgotten its own best moments.

And yet those moments are there. Forman (Forman and Shaffer?) were right to open up *Amadeus*, to let conflicting and distracting elements into it.³ The original play has a dry perfection. Everything in it leads up to that smug speech by the newly-canonized

saint. At least the movie gives us an occasional alternative. It tries a few moves which are more than pedantically clever and which lead us away from the limited subject of celebrity-worship towards the much larger subject of Mozart's actual accomplishment. Similarly, Salieri is a memorable character not because of his nastiness but because of the one time that he transcends it. *Amadeus* received its Academy Awards for addressing itself to a culturally prestigious subject in the terms of glib profundity. But it deserved the tribute for a different reason. ■

³It is said that Forman and Shaffer held up in a Connecticut cabin for six months while wrestling over the shape of the film. Forman seems to have won—not by decree, however, but by convincing Shaffer that changes were needed.

Mother Is Grieving

Overhead, dull staccato of fist against pillow;
of books taken down and replaced, then rifled again;
of rummaging closets and drawers for something, oh
something that's scattered once more, like actors
confused with a script. Or children at recess.

Staccato subsides. Now tracking of moonfringe begins,
room after room to the wall where Jesus ignites, still
Walking on Water. Then, blessedly, silence. She's
mouthing her prayers. The eyes of the hunter are
closing this minute for answers.

But listen. Again
she's white plunging white into indigo sameness. Her
sobbing comes fierce as fluorescent now flooding upstairs
—and the cedars circle and whisper and bend toward her
windows to mimic her rocking and rocking, like that of a
rag doll, back and forth on the edge of the bed he left

empty, oh empty, without any warning.

Lois Reiner



Manhattan Melodrama

John Steven Paul

In *Ma Rainey's Black Bottom*, new playwright August Wilson demonstrates that melodrama is still the way to a Broadway audience's heart. Scintillating language and brilliant ideas will never sell tickets the way good guys and bad guys will. Successful American playwrights know that once you've created your framework of heroes and villains, your victims and victimizers, you can fill it in with your themes and meanings. Wilson has applied this axiom very well, and *Ma Rainey* is a hit on Broadway.

Wilson's hero ("heroine" is just not a muscular enough word for Ma) is Gertrude Rainey, a blues singer who reached her peak of popularity in the 1920s. The play is set in a seedy recording studio and bandroom on a harsh March day in Chicago when Ma is scheduled to cut an album. The highlight of the session promises to be a number to which you can dance the "Black Bottom," fittingly entitled "Ma Rainey's Black Bottom." The villains are record-industry types who are trying to exploit Ma, to get

every bit of marketable music out of her as they can for as little money as possible: Sturdyvant is a record producer, Irvin is Ma's business manager. Did I mention that Ma is black, and the producer and manager are white?

Melodramas are about the distribution of power in a given set of circumstances. Villains *look* like they have the power: a gangster's got a gun, a landlord's got a deed, Iago's got a handkerchief. In *Ma Rainey's Black Bottom*, Sturdyvant and Irvin sit up in the studio control room with real power, electric power, that they can switch off or on and so determine whether Ma's music gets to her public.

But Ma's the hero; she has her own share of power. Her status as a popular singer gives her the clout that comes with being a commodity in demand by paying customers. She exercises her power with vigor. Sturdyvant and Irvin spend a considerable portion of Act I preparing for her arrival and fretting over her tardiness. The white men resent having to kowtow to a woman they consider their inferior, but they are confident of winning ultimate victory by cashing in on the singer's popularity. When Ma, her lesbian lover Dussie Mae, and her prissy nephew Sylvester finally make their entrance into the studio, she is locked in boisterous battle with one of Chicago's Finest, who insists that Ma is responsible for some automotive mayhem. One look from the singer and Irvin is crossing the policeman's palm with enough money to get him to leave in peace. Then it's one delay after another until Ma's got everything just the way she wants it, including the white men practically on their knees begging her to sing.

The playwright has set Ma's singing at the very center of the play. He makes the audience wait for what they expect to be a stunning performance and they are not dis-

appointed (except perhaps at the limited amount of singing). Singer-actress Theresa Merritt, who plays Ma, delivers a powerful rendition of "Ma Rainey's Black Bottom," and some direct insight into the source of Ma's power. For a few moments voice and song neutralize all villains. Together, actors and audience celebrate Ma Rainey's music and this story of blacks and whites becomes a tribute to an American vocal artist.

As long as the voice is powerful, everybody and everything wait on it. Of course, Ma's power is strictly limited by the boundaries of her commercial appeal. Her recording career is controlled by whites, who intend to exploit her talent as long as it holds out. But Ma has her eyes wide open to the reality of her situation. Her willingness to play the exploitation game to her own advantage sets her above her adversaries, who think they've got her cornered. When Ma walks out of the studio with her fee from the producer, she walks out a winner.

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There are two story lines in *Ma Rainey's Black Bottom*. In order to accommodate them, the stage at the Cort Theatre has been divided in half. On the left is the recording studio, on the right is the bandroom. Ma's experiences in the recording studio make up the principal plot of the play: the melodrama in which she plays the hero and the producer and the manager play the villains. This is a broadly written and acted drama, conceived in serio-comic tones. Another, subtler melodrama is going on in the

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bandroom. Ma's bandmen are the real victims of exploitation in the drama. It is on their half of the stage that a disaster is waiting to happen.

Ma Rainey has some control over her own destiny; the men in the band are powerless. They're lucky to have a job that keeps them off the cold, mean Chicago streets on this March day. We are introduced to the four musicians when they arrive at the studio early to rehearse. Cutler, the trombonist and the leader of the group, knows his job is to take orders from Ma and see that she gets the kind of instrumental support she wants. Toledo, the pianist as well as the scholar and philosopher of the quartet, keeps a newspaper constantly open on the piano top and keeps up a trenchant commentary on the state of the black man in America. Cool and mellow Slow Drag, the bassist, stays afloat on a wave of music and reefer smoke. Levee's the trumpeter and new to the group. He is not cool but hot, fired by a fierce desire for material things, for women, and for artistic recognition.

Ma Rainey's band is a memorable creation. Wilson has drawn the four bandmen like the four voices in a jazz quartet. Each is a unique creation of tone and rhythm. The four musical instruments become metaphors for the four characters. Cutler is a professional musician whose life is one of dedication to task, respect for authority, and religious piety. Although life is hard and unfair, there is a job that needs doing, and Cutler is flexible enough to get it done. He plays the slide trombone. Old Toledo plays the piano almost absent-mindedly. Music has become a sideline. His primary interest is the cultivation of wisdom; he desires to rise above the mundane concerns of those younger than himself; he disdains the needs and urges of his less educated brethren. Slow Drag seeks

complete integration of life and music, matching his own elemental rhythms with the rhythm of the blues. Levee's trumpet, like his soul, is on fire. He is proud, ambitious, indignant, and the least amenable to playing in an ensemble. To Levee, cooperating means subordinating his individuality; subordination, even for the sake of music, feels like oppression. Levee, like the others, has known too much oppression, but his tolerance for it is considerably lower than the others'.

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The compartmentalized stage structure recapitulates the power structure. Sturdyvant and Irvin take their places in the control room high above the studio floor. Ma and her entourage occupy the studio itself, and the band is relegated to the shabby bandroom, several steps lower than the studio. Cutler, Toledo, and Slow Drag resign themselves to staying on their side of the stage, the bandroom, until Ma or Sturdyvant calls them to the studio. But Levee will not be damned up in rehearsal quarters for long.

Ma's power dominates the studio; Levee's vitality animates the bandroom. The singer and the trumpeter never confront each other directly, but the conflict between them is real. Levee's got his own ideas about how Ma's music should be played: the arrangements ought to feature the trumpet. Levee's dangerously fascinated by "Ma's gal," Dussie Mae. Most important,

Sturdyvant has promised Levee that he is interested in the trumpeter as a composer rather than just a backup musician. Based on this promise, Levee is planning to launch his own band and his own career. But if Ma is destined to win the battle in the studio, Levee is doomed to be consistently rebuffed in the bandroom.

The bandroom rings with repartee and the exchange of insults among the musicians. The young, hotblooded Levee is the focus of much of the mockery. It is light-hearted, at first. Levee brags about his eminently superior arrangements of Ma's songs. The elder Cutler instructs the younger Levee about paying dues and about whose band he's playing in: Ma's band. Ma decides on the arrangements. Ma may seek Cutler's advice, but nobody else is invited to offer artistic counsel. Levee's got to understand that his musical aspirations don't fit into the system. Levee proudly polishes a pair of shiny new shoes. Toledo chimes in, demeaning Levee's desires for affluence and recognition. Levee and Dussie Mae take the opportunity of a break in the session to engage in some passionate necking, but when Ma spots a spark of interest between the two she sweeps Dussie Mae away. Ultimately, Sturdyvant will crush Levee's hopes for his own band by crassly offering him a flat and pitifully small fee for the compositions that Levee looks upon as an essential part of himself.

As the conversations continue, the sparring that began as meaningless mockery begins to take on a more serious character as Levee challenges Cutler's compromising nature and derides Toledo's philosophy of self-improvement through discipline, reserve, and restraint. In defending their views, the men recall the formative experiences of their lives. In one particularly wrenching recollection,

Cutler tells the story of a black minister of his acquaintance. As the result of some confusion in travel arrangements, the minister found himself alone, at night, in a white section of an unfamiliar Southern town. Cutler is still woefully amazed that a man of God, dressed in clerical garb, could have been so brutally harassed and assaulted. In response, Levee marvels derisively that God didn't come to the aid of one of his faithful servants.

It is in these speeches that playwright August Wilson transcends the conventions of melodramatic form and renders the black experience in a series of prose poems. The stories are chronicles of injustice, insult, and degradation. If Ma Rainey's story is in her song, Cutler's, Toledo's, and Levee's speeches are spoken blues arias that have an inherent rhythm and musicality. Levee's own pain is rooted in the rape of his mother by a gang of whites. He has vowed to revenge her, and his rage keeps his trumpet simmering.

The stories the bandmen tell are chronicles of injustice, insult, and degradation endured by Black Americans.

The spurning of Levee by Cutler, Toledo, Ma, and Sturdyvant and his building resentment toward them begin to gather ominous momentum until it seems clear that he will either despair or strike back. When Sturdyvant condescendingly offers him the pittance for his songs, Levee mutters and steams, but maintains control. Sturdyvant pays the band and departs. Then, as the four are gathering their gear, Toledo accidentally treads on Levee's new shoes. In a moment, the trumpeter, enraged,

deranged, and blinded by this relatively minor violation of his person, rises up and fatally stabs Toledo. It is a stunning moment. We might have expected violence from Levee; it is a part of his consciousness. But that it should be directed toward the gentle Toledo, a man devoid of villainy, comes as an astounding surprise.

Until this moment Levee has apparently been able to manage his rage. He has been able to sublimate it, using his horn to exorcise the demon of his rage. But on this day Levee's rage has been whipped to an extraordinary level and he has been denied the opportunity to channel the angry energy into a socially acceptable activity. The rage escapes in a pure, unmodified form. When the white man Sturdyvant steps on Levee's music, Toledo, a black man who stepped on his shoe, absorbs the rage in the point of a knife.

August Wilson's drama of music and anger recalls another play that premiered in New York a little more than twenty years ago. In fact, *Ma Rainey's Black Bottom* seems to be a kind of illustration of LeRoi Jones' (now Imamu Amiri Baraka) 1964 play *Dutchman*. The earlier play, now a classic of 1960's revolutionary drama, is a threatening, violent parable of black-white relations in an America that was about to suffer the riots in Newark, Watts, and Detroit.

Dutchman is an illusive and symbolic drama set in a New York City subway car in "the flying underbelly of the city." Lula, a white woman who claims to be attracted to black men, confronts Clay, an educated and well-kept young black man, with an act that mixes teasing and taunting. She challenges him to "do the belly rub," a particularly sensual dance, with her in the subway car. When he refuses, the teasing turns to baiting. Lula calls Clay out as an "Uncle Tom." She de-

rides his reserve and his attempts to assimilate himself into a white world. Finally, in a fit of rage, Clay responds in a speech that resonates in August Wilson's play:

The belly rub? You wanted to do the belly rub? . . . Belly rub is not Queens. Belly rub is dark places, with big hats and overcoats held up with one arm. Belly rub hates you. Old bald-headed four-eyed ofays popping their fingers . . . and don't know yet what they're doing. They say, "I love Bessie Smith." And don't even understand that Bessie Smith is saying, "Kiss my a_, kiss my black unruly a_." Before love, suffering, desire, anything you can explain, she's saying, and very plainly, "Kiss my black a_." And if you don't know that, it's you that's doing the kissing. . . . Charlie Parker? Charlie Parker. All the hip white boys scream for Bird. And Bird saying, "Up your a_, feeble-minded ofay! Up your a_." And they sit there talking about the tortured genius of Charlie Parker. Bird would not have played a note of music if he just walked up to East Sixty-seventh Street and killed the first ten white people he saw. Not a note! . . . If Bessie Smith had killed some white people, she wouldn't have needed that music. [in *Dutchman and the Slave: Two Plays by LeRoi Jones* (New York: William Morrow, 1964), pp. 34-35.]

Once she has taunted Clay into his tirade, Lula stabs him to death and, with the help of the other white passengers on the subway car, throws him out onto the tracks. Then she sits back and waits for her next victim. The language and the stage images of Baraka's *Dutchman* come from another time, from an America that seemed on the verge of revolution. The play never drew the kinds of audiences to the Cherry Lane Theatre that *Ma Rainey's Black Bottom* is drawing to the Cort, and yet the echoes of the earlier play in the latter are instructive. August Wilson has leaped back in time to that historical period to which Baraka's character refers, when Gertrude Rainey and Bessie Smith (Rainey's contemporary) were singing black bottom blues and, like the actors at the Cort Theatre, were entertaining

both blacks and whites.

So *Ma Rainey's Black Bottom* is about music on a number of levels: it is a celebration of a musical genre, it is a tribute in the form of a one-day biography of a musician, it is about the way a certain kind of music is born and functions as a socially acceptable outlet for rage, and it is about the way music communicates different meanings to different people.

Melodrama's moral simplicity is its strength and yet it is also the feature for which it is often held in contempt.

And it is of interest to note that melodrama itself was born as a fusion of drama and music in late eighteenth-century France. Music became a way for Parisian producers to infuse the drama, which had ossified into a rigid neo-classical relic, with emotional content. Melodrama was a species of popular culture, appealing to people who were unable to find emotional satisfaction in the musicality of the Alexandrin couplet. At first, melodramas were structures of alternating episodes and melodies, but soon music was played almost continuously under the spoken dialogue in order that the emotional content might be underscored and reinforced. In its most common manifestations (and these include the overwhelming majority of American television and films), melodrama is a form that functions as a manipulator of emotion at the expense of intellectual inquiry.

Yet the form is best known for the moral simplicity which is the strength of melodrama and is also the feature for which it is often held in critical contempt. Perhaps one should say that it is when the

issues of good and evil are clearest that melodrama is the appropriate form. There is no ambiguity in *Ma Rainey's Black Bottom*; there is little difficulty in discerning, or accepting, the playwright's meaning and understanding of Ma Rainey's world. Some things are unambiguously good: talent, hard work, music among them. Some things are evil: exploitation, discrimination, and oppression are among them. Some people are unquestionably victims: Cutler, Toledo, and Levee are among them. Some people are victimizers: Sturdyvant and Irvin are among them. And in the racial melodrama of American history, the simple, moral truth is that the victimizers have been white, the victims black.

The smashing of evil into good inevitably produces energy, and it is quite clear that when the energy cannot be released with positive results, it will be released with negative ones. It is the traditional role of the hero to arrive on the scene, often just in the nick of time, to preserve the good. This does not happen in *Ma Rainey's Black Bottom*. By the time Levee has shoved his knife into Toledo, Ma has been gone with her money a long while.

Ma is heroic, but only for the sake of preserving herself. We cannot boo her for her departure, but neither can we cheer her. Yet even without a hero or a happy ending, one knows whom to hiss when viewing this play.

At the end we are left with a disaster and a stage full only of victims: Toledo dead, Levee bound for imprisonment, Cutler and Slow Drag deeply saddened. And no young Fortinbras to order Hamlet's body to be borne to the stage.

For me, the proof that August Wilson has written a superb melodrama is that I found its emotionalism so affecting. I was sitting in the front row of the Cort Theatre, a matter of a few feet from the superb actors—Charles S. Dutton as Levee, Robert Judd as Toledo, Bill Cobbs as Cutler. During the curtain call, my good feeling for them was mixed with the unsettling realization that I, as a white person, was a representative of the villainous side of Wilson's play. I wondered at what feelings must be behind the bright eyes and proud smiles of the black artists taking their bows on stage, having just performed *Ma Rainey's Black Bottom* with so much conviction. ❏

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Speaking in Tongues

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The switch (12) must stay on "auto" position, when you for the switching on time, for example in the morning getting up, like to be awoken with radio. You can put switch (12) to "auto/radio" position, if you like to be awoken without radio program, you can put switch (12) to "auto/buzzer" position, on the switching on you can hear an alarm tone.

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* * *

You're right: the author of that deathless prose speaks the lingo through a vocab translation dictionary, and not too well at that. On the one hand I am a bit ticked off at the manufacturer of my clock-

radio for not spending a couple more yen or yuan or won or whatever to run it past an English-speaker before setting it in print. On the other hand, however, reading that flawed but functional fact-sheet reminded me once more of the fascination of language and human communication.

Think of it—by means of marks on a page or sounds in the air meaning is transmitted from one person to another. In fact, some theorists suggest that the brain cannot develop fully without learning the language of the surrounding culture, because without words (symbols) there would be no way for the mind to hold on to the images that come through the senses. And that, they say, may be why most of us cannot remember back further in time than to about the stage in which we became proficient in verbal skills: memory is anchored in thought—internal conversation—silently talking to ourselves in the words we have learned.

Trying to decode the symbols of one language system into another can never be precise, since communication patterns are shaped by culture and primordial collective experience, not shared alike by all peoples. (Someone has said that translation is something like trying to duplicate a recipe when the originator of the dish cannot, or will not, divulge the exact proportions of the secret ingredients used.) Many of us have enough trouble expressing ourselves satisfactorily in our own native tongues, let alone attempting to make sense out of someone else's.

So at times we end up with humorous results. But while I smile at the clock-radio directions, I do not ridicule whoever wrote them; no, I admire the effort, for I myself am deaf and dumb in other languages. Once upon a time I convinced the chaps who administer doctoral exams that my German

dictionary and I could, if forced, find our way through a passage or two, but I pray that my life never depends on proving it again. Previously I had studied Greek, and earlier than that, Latin. (Of the latter I recall not one word, but who could forget the ditty my high school pals thought so clever: "Latin is a dead language, it's plain enough to see; it killed off all the Romans, and now it's killing me"?)

Of course there are communication systems that are nonverbal. As a recent college graduate I traveled in Europe, bemoaning all the while the fact that I had never learned anything useful, like French or Spanish. Still, it was challenging and fun to explore communicating by smiles and signs and shrugs.

Then there was that gorgeous-looking traffic cop I approached for directions upon getting lost in Rome. After he pointed out the way on my map, I had no trouble at all understanding the additional proposition he made to me in bedroom-eyed Italian. Some things, apparently, are universal.

One of my grandfathers read newspapers in a variety of languages; the other was so adept at translation that he read English, out loud and flowingly, from German words. My children began learning French when we lived in Canada and now can exclude their father and me from some of their conversations. My appreciation for their skills is ever so slightly tainted with envy; perhaps one of these years I will get around to taking a course and giving it a try myself.

Then again, perhaps I won't. I seem to have enough headaches these days reading English out of English on the papers my students turn in, and I am not at all sure I want to subject anyone else to the pain of hearing me sound like another Oriental clock-radio directions-giver. Tolerance and amusement can only stretch so far. ■