

*Writing Across the Curriculum*

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AT  
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EDITOR

# *Writing Across the Curriculum*

## **Editor's Note**

Writing is an integral part of the Liberal Studies Degree Program, from short essays, to longer research papers, annotated bibliographies, in-class essay exams, to the final master's or doctoral thesis. The teaching and guidance of faculty and the program's writing services' instruction and encouragement continue to improve the quality of writing for Liberal Studies students as they pursue their degrees.

Each semester faculty are asked to recommend papers of excellent quality submitted in their courses for further consideration for publication in *Writing Across the Curriculum*. The papers selected for this volume not only represent good writing but also represent the interdisciplinary nature of the program's curriculum and the variety of styles of writing students produce for their courses.

I offer my sincere appreciation for the faculty and administrators' support of this project, congratulate the BALS, MALS, and DLS authors featured, and happily share *Volume IV* with its readers.

Anne Ridder  
Assistant Dean, SCS

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**Balance and Order—Thomas  
Jefferson in *Notes on Virginia***

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*by William Barrett*

Written for  
Course: *The World of Thomas Jefferson*  
Professor: James H. Hershman, Ph.D.  
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Jefferson wrote one book in his lifetime: *Notes on the State of Virginia*. In *Virginia* one finds Jefferson—the man of reason, of laws, of cause and effect; in *Virginia*, one goes further to understand *him*, as a man of motive, grounds, and explanation.

In law, Thomas Jefferson read the classics profusely, mentored by his friend George Wythe. He absorbed the knowledge around him and refined it. In philosophy, politics, and science, he learned from Bacon, Locke, and Newton. He distilled concepts into unadulterated ideas. In architecture he followed Palladio. Moved by symmetry, design, and the intricate emphasis on scale and light, Jefferson attempted in writing, too, to combine functionality with beauty. If Palladian architecture is the quintessence of high renaissance—combining calm, resonance, and harmony—Jefferson, in writing, similarly followed form and structure, grammar and symmetry, harmony and, at times, poetry.

Jefferson was a person of measures who gauged amounts and assessed degrees. Measuring nearly everything he came into contact with, he applied logic and control to the world, searching out laws of reason and order. Harnessing this Enlightenment idea by attaching it to what his father had known, in *Virginia*, Jefferson turned mapmaking into something else—employed surveying and geography to formulate ideas which helped him to measure and gauge the world around him. Jefferson aimed in *Virginia* externally to assess her routes, inferring internally to examine her roots and to explore her condition in an enlightening respect.

In 1780, François Marbois, the secretary to the French Minister at Philadelphia, submitted a questionnaire to each of the representatives of the States of America. The questionnaire inquired about the state of America thus far, and Jefferson, who had long been collecting information on Virginia, accepted the task as an opportunity to put his work to good use.

Enlarging the work during the winter of 1782, Jefferson made continuous revisions until as late as 1784. Gordon Barker observes that because the French estimate for printing was one fourth the cost of the American estimate, Jefferson printed the book in France in May 1785 with the idea of releasing a few copies for private circulation (Barker 2004, 135). Around 200 copies of the manuscript were produced, which Jefferson paid for. He distributed those copies, some of which remained unbound, to a few select friends and acquaintances in France, and the rest he sent to select friends and acquaintances back in Philadelphia.

Jefferson requested that recipients of this edition would put it only into

the safe hands of persons on whose care they could rely. When recipient Carlos Williams died, however, Jefferson found himself unable to recover his copy, which ended up in the hands of a French bookseller by the name of Barrios (Ibid., 137). Upon hearing that Barrios had begun pirating the book on his own, Jefferson's good friend Morrelet stepped in and tried to help, convincing Barrios to stop publishing the book until Morrelet could personally translate it into a form more faithful to the original (Ibid., 138). *Observations sur la Virginie* was the first edition offered to the public, released in France in early 1787.

Where Jefferson himself referred to the originally translated, pirated version as “introverted, abridged, mutilated, and often reversing the sense of the original,” the debatable disappointing version with little to “no enduring literary importance” is monumentally overshadowed by its American counterpart (Ibid.). Notwithstanding, Barker emphasizes how as noted below:

During much of the crucial 1784-89 period, Jefferson was the principle intermediary between France and America. John Adams went to England in May 1785, and [Benjamin] Franklin returned to America in July of the same year, leaving Jefferson as the only senior American statesman on the Continent to channel information between the two countries and to influence the exchange of ideas. (Ibid., 136)

*Notes on the State of Virginia*, then, became “a means by which developments in Revolutionary America are communicated to the Old World” (Ibid., 137). Jefferson, by publishing his book, presented to the Old World an American identity, creating for America, for one of the first times in literature, a sense of *who we are*.

After the botch of *Observations Sur La Virginie* (considered less a botch by France, perhaps, who viewed Jefferson as a philosopher of the new revolution in America applying Enlightenment ideas to government—an important concept to France in the 1780's), Jefferson decided to release his book legitimately and publicly for the first time. The manuscript had no copyright, and Jefferson got no money for his book. Still, *Virginia* stowed away clues to the wealth of understanding hidden within; the scrupulous observer would profit yet from a deeper examination.

Published in America finally as *Notes on the State of Virginia* in 1787, the



world caught a glimpse further into the mind of Thomas Jefferson, through a window where the scientist, the architect, the agriculturalist, the lawyer, the educator, the archaeologist, the geographer, the historian, the philosopher, and the politician all come into the open. In *Virginia*, readers catch wind of that “fundamental unity and coherence of his life and thought” (Peterson 1975, xii), laced with rhythm and flow by the writer of lines such as the “beautiful, fluted, Corinthian columns cut . . . hewed in residue” (Jefferson 1787, 419) [all subsequent citations of quotes by Jefferson refer to page numbers of Merrill Peterson’s *The Portable Thomas Jefferson*, including Jefferson’s *Notes on the State of Virginia* and personal letters, including this one to Madame de Tessé] and the rare almost transcendental descriptions of the Natural Bridge, Madison’s Cave, and the Potomac and Shenandoah valleys.

Where the French writer Abbé Raynal charges in 1770 that “America has not yet produced one good poet” (Jefferson 1787, 101), Jefferson may well be getting close, penning lines about the honey bee which has no sting (Jefferson 1787, 110), lakes and fogs (Ibid., 104), the sun of her glory fast descending (Ibid., 103), tobacco, freedom, and happiness, and sixteen centuries before a Newton could be formed (Ibid., 101). These are rather lines of poetry which tie through Jefferson’s *Virginia* to make it stronger, more beautiful, more true. Where the Natural Well is larger than the common well but “of a depth as of yet unknown” (Ibid., 67), Jefferson hints at what Emerson and Whitman will later launch (in poems like “Song of Myself” or speeches like the “Divinity School Address”).

Jefferson presented America as “though but a child of yesterday” (Ibid., 102), a budding new entity. He presented America as a whole with a common idea, which other countries must respect. When the Americans read about themselves, they, too, must further have realized: This is *us, as one*.

Jefferson, in general, wrote in the same fashion in which he thought—meticulously exacting with mathematical specificity (similar to how he formulized ideas in architecture and other areas of life). At times though, the reader gets spurts of originality—splashes of creativity. The beauty and harmony with which he attempted to define his life quite naturally bleed through all the practical. There are poetic elements from the writer of 18,000 letters.

The backwoods Jefferson never forgot his roots. His love of nature is at the forefront of *Virginia*, and his descriptions of nature in between heights and distances of mountains prove almost transcendental, providing passage away from the purely scientific world. In a way, Jefferson’s dreary coordinates and

specificities highlight the wonder of the content within, where nature stands to tell her own. If the architect of Monticello, the lover of Little Mountains, ever showed affinity for wild outdoors, this fact is emphasized once more by the fact that even Jefferson's book begins in the hills. This affinity is further accentuated by passages like these:

It is in fact the spine of the country between the Atlantic on one side, and the Mississippi and St. Lawrence on the other. The passage of the Patowmac through the Blue Ridge is perhaps one of the most stupendous scenes in nature. You stand on a very high point of land. On your right comes up the Shenandoah, having ranged along the foot of the mountain an hundred miles to seek a vent. On your left approaches the Patowmac, in quest of a passage also. In the moment of their junction they rush together against the mountain, rend it asunder, and pass off to the sea. (Ibid., 48)

The first glance of this scene hurries our senses into the opinion, that this earth has been created in time . . . (Ibid.)

The piles of rock on each hand, but particularly on the Shenandoah, the evident marks of their disrapture and avulsion from their beds by the most powerful agents of nature, corroborate the impression. But the distant finishing which nature has given to the picture is of a very different character. It is true contrast to the foreground. It is as placid and delightful, as that is wild and tremendous. For the mountain being cloven asunder, she presents to your eye, through the cleft, a small catch of smooth blue horizon, at an infinite distance in the plain country, inviting you, as it were, from the riot and tumult roaring around, to pass through the breach and participate in the calm below. Here the eye ultimately composes itself; and that way, too, the road happens actually to lead. You cross the Patowmac above the junction, pass along its side through the base of the mountains for three miles, its terrible precipices hanging in fragments over you, and within about 20 miles reach Frederick town and the fine country round that. This scene is worth a voyage across the Atlantic. Yet here, as in the neighborhood of the natural bridge, are people who have passed their lives within half a dozen miles,

and have never been to survey these monuments of a war between rivers and mountains which must have shaken the earth itself to its center. (Ibid., 49)

In addition to the apparent awe and beauty found in nature, the above passages shine a slightly different light, as Jefferson's style becomes abruptly personal. Here, Gisela Tauber and Douglass Anderson point out the influence of Jefferson's private life during his writing of such passages.

From 1780 to 1784, certain events in Jefferson's life marked rises and terrible emotional falls. After the birth of Jefferson's daughter, Lucy Elizabeth, in 1780, in 1781, British troops invaded Virginia and even breached Jefferson's home, where from he was forced to flee. That same year, Lucy Elizabeth died. The next year, in 1782, his wife Martha gave birth to another daughter, again named Lucy Elizabeth. But only four months later, just as Jefferson was finishing Monticello for the first time—as the first house was being substantially completed—Martha died, rendering the essence of the home irreparably incomplete. Jefferson's daughter Lucy Elizabeth died within just two years.

Gisela Tauber points out the connection at this personal juncture between *Virginia*, the writing, and Jefferson's state during a difficult period in his life. In combining the objective and subjective here and using the word "you," Jefferson invites the reader into the most personal section of the book (Ogburn, Jr. 1980, 142). With his ailing wife on his mind (Martha was in the very next room while he worked on his book), Tauber surmises the projection of Jefferson's feelings toward Martha in passages such as that of the Ohio River—"the most beautiful river on earth" whose "current gentle, waters clear, and bosom smooth and unbroken by rocks and rapids, a single instance only excepted" (Jefferson 1787, 37) symbolize a body like Martha's, before "being torn by the contortions of a difficult birth" (Tauber 1993, 639), before the Ohio itself will break, branch off, and "lose its name" (Jefferson 1787, 42).

The cited passage above might also be viewed as a geographic personification of a woman giving birth, where the land/body is almost at odds with itself, but later becomes calm:

After the pressure and pushes of being expelled through the body through contractions, this is an almost anatomically exact description of an infant passing through the "cleft" at the end of the

birth-process; after the “breach,” the child can then participate in the “calm below.” (Tauber 1993, 640)

While the new life in *Virginia* may be representative of Jefferson’s daughter during and after his wife’s pregnancy, the new life could be viewed as that of the young America: Here emerges a brand new world, and while yes, there are birthing pains, the wonder and beauty, the potential of the newborn, strikes awe. Jefferson, throughout his book, described in different ways what America was and how and through what it had become.

The scene at the Natural Bridge is another extremely personal venture, where Jefferson describes dropping to hands and feet to crawl out towards the edge to peep over “into the abyss” (Jefferson 1787, 54). Similarly, while this life, this earth, this new landscape, these new beginnings might be scary or seem enormous or insurmountable, the sublime that comes is as beautiful, as “elevated, so light” as the arch itself. The new world had so much potential for Jefferson, if only one must explore out into it, cultivate it fully.

Because the book was widely distributed and read by many if not most Americans, these transcendental passages could have impacted later poets like Emerson, Whitman or Henry David Thoreau; in a way, *Virginia* became one of the first national best-sellers. Jefferson’s connection to the outdoors becoming widespread seems to support his persistent concurrence of thought as these ties with nature helped him to bridge future proposals for a budding America.

Douglas Anderson points out that another passage which shows the personal hardship that Jefferson experienced while writing his book is that of Lord Dunmore and Chief Logan:

I appeal to any white man to say, if ever he entered Logan’s cabin hungry, and he gave him not meat; if ever he entered Logan’s cabin and he clothed him not. During the course of the last long and bloody war, Logan remained idle in his cabin, an advocate for peace. Such was my love for the whites . . . I had even thought to have lived with you, but for the injuries of one man. Col. Cresap, the last spring, in cold blood, and unprovoked, murdered all the relations of Logan, not sparing even my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it: I have killed many: I have fully glutted

my vengeance. For my country, I rejoice at the beams of peace. But do not harbour a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan?—Not one. (Ibid., 100)

While Benedict Arnold's army invaded Virginia, and amidst the pain and turmoil of his ailing family, the Virginia legislature nearly censured Governor Jefferson for failing the state by fleeing from the troops as they marched on Monticello (Anderson 2000, 241). Paralleling his immensely sad personal times, the passage might be indicative of the way Jefferson felt betrayed and accused—with little or no remorse shown by his legislature or country for what had happened to him and to his family.

Another personal turn in style is his narrative of the burial mounds. Jefferson, by opening and examining the burial, excavates to the depths of the grounds, searching beneath the soil for deeper meaning “below the surface” (Jefferson, 1787 139). Whereas he first digs “superficially,” inside he excavates further, unearthing human remains, finding bones from all over and “at different depths. . . lying in the utmost confusion . . . and directed to every point of the compass, entangled, and held together in clusters by the earth” (Ibid.). Here lies the history of those who have produced America—those who have come together from all parts of the world, entangled and in confusion, flung about chaotically by war and intermixed.

Where Douglass Anderson explains that “the small bones of the foot in the hollow of a skull” (Ibid.) suggest the “human propensity for imaginative and physical wandering” (Anderson 2004, 242), it also further highlights how Jefferson constantly connects his ideas, and in *Virginia*, how he balances early ideas with later ones. The small bones of the foot in the skull relate to an idea which two years earlier Jefferson had offered to his nephew Peter Carr in a letter—that he walk often, which is the “best possible exercise” “to relax the mind” (Jefferson 1785, 382).

Jefferson, who is “particular” in attention to the jaw of a child and the infants' bones (Ibid., 140), might be projecting his weighed thoughts on the loss of his two baby daughters. Simultaneously, he may also be preparing his readers for what is to come: In *Laws—Query XIV*, for instance, Jefferson points out that the mind will “perish without use, if not sought for and cultivated” (Ibid., 198). But this idea is subliminally embedded in *Aborigines—Query XI*, where

skulls are “so tender, that they generally fall to pieces on being touched” (Ibid., 140). Since we understand early on that “the bones of infants being soft, they probably decay sooner” (Ibid.), it makes perfect sense to readers five queries later that, especially for youth, “if this period be suffered to pass in idleness, the mind becomes lethargic and impotent” (Ibid., 198). In this way, one might understand how America, in its youth, must carefully be nurtured in these imperative “formative years.”

What has been called “one of the most important scientific and political works written by an American in the 18th Century and one of the most famous products of the Enlightenment in America” (Cunningham 1987, 76) is so with reference to Jefferson’s personal accounts of the natural sublime, which supported Jefferson’s belief in a natural order. But while “nature may have provided an equivalent operation” (Jefferson 1787, 63), Jefferson uses more personal and emotional passages like these to also cut through objective factual ones. He also uses the objective segments, not only to emphasize the *other* sections, but also to ground himself, concede to the audience, gain agreement, and establish himself as an authority.

Where Jefferson was philosophical or in this case creative, he was first practical (which might explain the jarring section on race and scientific racism—a section which Anderson points out might be “motivated by what [Winthrop] Jordan calls an appetite for ‘simple dichotomy’ in human experience—or by what Charles Miller terms his ‘personal penchant to simplify reality’” in an effort to “cut off all communication between comprehensible surfaces and incomprehensible depths” (Anderson 2000, 238)). Sections of lists in Jefferson’s book and dry telling of facts serve important functions to other sections which delve deeper. But even the most lackluster sections balance the book and help govern its intentions.

George Alan Davy suggests that Jefferson begins with nature but then uses those references as grounds for future proposals (Davy 1993, 586). Jefferson moves from nature to our nature; from nature to society; from nature to reason. Davy explains how:

Jefferson completes his description, then moves on to proposals related to this reality; once we know what Virginia is like, certain actions can be proposed. Thus, like Locke and Duncan, Jefferson moves from matters of perception to questions of judgment and reason.” (Ibid., 588)

Long-winded but more obvious sections help to establish agreement with his audience. Jefferson is utilizing a rhetorical tool, acquiescing to the audience and increasing his credibility through perceptions and non-controversial facts before offering debatable arguments or new proposals (Ibid., 589). Because the more he states about Virginia, the more he establishes himself as an authority, this pattern prepares the audience and acts as “a starting point for arguments in which Jefferson presents his controversial vision of America and its future” (Ibid., 593).

Similarly, America is established early on through its geography and minerals as potentially dangerous, whose caves and “‘earthy floors’ are richly ‘impregnated’ with nitre, or potassium nitrate, a key ingredient in gunpowder” (Anderson 2000, 239). Where “these explosive elements of a natural arsenal are scattered” about in Query VI (Ibid.), the volatile nature of America shows the imperative necessity of cultivation. The rivers are also dangerous: Waterways flood and “navigation is frequently interrupted by rapids” (Jefferson 1787, 42). The water is “difficult and tedious” and “in its passage through the mountain, it makes very great falls” (Ibid.). There is “competition” between rivers (Ibid., 43), and communications between lakes freeze (Ibid., 45). The nation’s young life has been marked by tumultuous beginnings, and its birth was violent and painful as childbirth, but the rewards and possibilities are so great for the young country. Jefferson points out early what lies within the soil in his excavation: We are. Farmers and cultivators are the people of God (Ibid., 217) because we become this earth so wondrous. So we must cultivate ourselves accordingly, in order to cultivate it properly, and birth it into something new and better each generation.

By publishing *Virginia*, Jefferson affords to everyone a place where all can join together in the words. Like the rooms in Jefferson’s home at Monticello, each passage in his book becomes a room in the light of understanding. If each room always leads to light, then one can live in luminosity (Mesick 2006). By publishing publicly, Jefferson invited everyone to join in, to read through, to live in, to breathe through the rooms, the leaves, the world of illumination. *Virginia is America* to Jefferson, an homage to the country he admired so fervently. Before his book was published, Jefferson wrote in a letter to Monroe that study makes one “adore your own country, it’s soil, it’s climate, it’s equality, liberty, laws, peoples, manners. My God! How little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy”

(Jefferson 1785, 377). With an eye always facing west, Jefferson looked forward to where the people wanted to go.

Jefferson ties everything he knows and cherishes about the growing state of Virginia and the United States, in general, to and through science, to and through the America which he tries to establish for the world and for Americans, themselves, to see. His book seems to declare that *we are here*, inviting all to look what America has done so far—to see the paths being built, the roads being crossed, and the life being established. The book seems to challenge the world to look from where America has come to where it is going to, no longer as some peripheral irrelevance but as a nation with a growing sense of self- and national-identity.

Jefferson's book hinges on balances, weighted early and pulled to equilibrium by ideas which he comes back to, factoring in ideas later into the text that are actually prefaced and grounded long before, introduced (sometimes latently) earlier and preparing the reader for what is to come. As in his investigation of the Natural Bridge, Jefferson examines geography and explores ideas. And while peering forward from the top is ominous, the scene to come below is safe and promising, soothing and illimitable. The emergence of this new world carries at its source the potential of something wholly new, original, and positive.

*Notes on the State of Virginia* is written in likeness to harmonic proportions. Oscillating between the factual and personal, between the objective and subjective, and through grounds and then proposals, the structure and meaning evoke a oneness of America—a deliberate unity of a cohering new nation—which at times creates visual and auditory effects which ease the eyes and ears. Where Jefferson in Monticello uses water from the kitchen to water the pond and garden, he uses appeal to beauty to cultivate the inhabitants of the earth, uses burial grounds to investigate his nation's history, and uses rivers and mountains to survey the turmoil yet wonder of life and beginnings. Jefferson's view is always sighting, and when Virginia becomes his project, he takes notes along the way. In *Notes on the State of Virginia*, Jefferson prepares America for all the good to come if she will work hard enough. In examining the condition of his home, he brings to light the birth of a young state with the potential to be happy.



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**Macro Policy Space, the Public  
Welfare, and the Electronic  
Herd**

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*by Joel Bergsman*

Written for  
Course: *Evolution of the Nation-State in the Twenty-First Century*  
Professor: William A. Douglas, Ph.D.  
Fall 2007

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Mr. Bergsman is married, has four adult children and stepchildren, and five grandchildren. Some of the things that Mr. Bergsman enjoys doing, in addition to his consulting work, are sailing, playing squash, cooking, eating, listening to live opera and chamber music, and his studies in the Master of Arts in Liberal Studies program at Georgetown University.



*Can macroeconomic policy in a medium-sized state in a globalized world be both democratic and satisfy the “electronic herd”?*

## **Introduction and Summary**

In a word, “yes.” There are many nuances. But no international force in the globalized world of today, whether Friedman’s “herd”<sup>1</sup> or anything else, stands in the way of a country implementing macro policies that are sensible, politically and economically sustainable, and satisfactory to at least most of the citizens of the country. The main obstacles to achieving these objectives – which have been achieved by many medium-sized states today -- remain in the realm of domestic politics, where they have always been.

This is not to say that globalization hasn’t increased the limitations on government’s policy-making space. Bad policy today is more costly, and gets forcibly terminated by international market forces more quickly, than was the case 30 or 80 or 150 years ago. Small and medium-sized countries are more vulnerable to such discipline than large ones. And foreign investors – more often not financial (“portfolio”) investors but rather “direct” investors, the MNCs whose inclusion in an “electronic herd,” is highly questionable – do sometimes succeed in coercing governments to do things that a well-functioning democracy would or should have rejected.

But the data show that the countries that are most favored by these international investors are, for the most part, the ones who don’t give away the store in tax breaks, demand high and frequent bribes, allow terrible pollution, child labor, etc. Are there exceptions to this generalization? Sure. But there are so many confirming cases that it’s impossible not to conclude that these capitulations to greed and bad governance generally, whether caused by the greed of MNCs or that of public officials, are clearly not necessary to satisfy either the herd or the citizens.

## **Definitions, Clarifications, and the Beginning of the Argument**

What are the meanings of “macroeconomic policy,” “democratic,” and “the electronic herd” for this analysis?

Macro policy in this context should be taken to include, in the first instance:

- Fiscal policy, including both taxation (including tax incentives), and expenditures.
- Monetary and exchange rate policy, which for a medium-sized country in a globalized world are inextricably linked, and which includes trying to affect the money supply, the availability of credit to the private sector, and the nominal exchange rate. These in turn affect inflation and the real exchange rate.
- Trade policy including import taxes and other inhibitions, and export taxes or subsidies, on traded goods and services.
- Capital controls, which are attempts to control the amounts and/or kinds of financial capital inflows and/or outflows.
- The combination of all the above policies has a very strong influence on the country's foreign exchange reserves.

Behind these “front line” macro policies, two other policy areas must also be considered:

- Regulation of financial institutions and financial markets, including importantly regulation of banks' behavior and possibly restrictions on foreign direct investment in banks.
- Regulation of domestic goods and services markets, including most importantly antitrust and competition policies, environmental protection, and labor market regulation.

The meaning that should be assigned to “democratic” for this note is less obvious. Regimes that in form are autocratic and others that are democratic have had the same problems, and adopted the same (divergent) range of responses, to the forces of globalization and the electronic herd. Autocratic Egypt has as much or more trouble reducing its huge subsidy on bread in order to manage its fiscal policy and the inflationary effects thereof (see riots and an immediate reversal after a temporary agreement on this with the IMF some 20 years ago) as democratic France in dealing with its outrageous subsidies to its farmers, or democratic and left-leaning Chile (before Pinochet) in not protecting an amazingly inefficient automobile industry owned mainly by multinationals. On the other side, democratic Estonia and Hungary have done well, but not better than authoritative Vietnam, Indonesia, or Morocco in satisfying both

the international investors and their citizens. Democrats and autocrats both do and do not make Wall Street happy. For this discussion, the form of government doesn't seem to matter.

So I propose to transform the term “democratic” in this note, and use instead the concept of governments doing right by their citizens. In matters of income distribution, reducing poverty, and providing some kind of reasonable education, health care, old age and labor market protections.

Finally, just what is “the electronic herd?” Here Friedman’s easy-to-read prose can be misleading, and may easily confuse rather than clarify. Friedman distinguishes well between what the literature refers to as “portfolio” and “direct” foreign investment.<sup>2</sup> He calls these “short-horn” and “long horn” cattle; don’t ask why. The accepted distinction is, conceptually, whether the investor has a sufficient share of the ownership, and the intention, to participate in the management of the company.<sup>3</sup> Basically, if you are a portfolio investor your only options are to buy and sell the paper you hold (stocks, bonds, whatever), while if you are a direct investor you can influence the management, strategic direction, even the entire operations of the company.<sup>4</sup>

The two kinds of cattle are much more different than the length of their horns. Calling one foxes and the other bears might have been a better metaphor. Portfolio investors are single-mindedly focused on the financial risk/return nature of the investment. They can and do invest in very risky paper if the likely return, or just the upside (best outcome) is attractive enough.<sup>5</sup> Almost all of the paper that portfolio investors buy is traded in organized markets, and so these investors can and do buy and sell, literally with a phone call to their broker. They can have their investment liquidated and the cash back in their own bank accounts in less than a week, in most cases. And they do exhibit herd behavior; if lots of their colleagues are only buying AAA paper, or by contrast are jumping off cliffs with risky sub-prime mortgage-backed securities or worse, they tend to follow.<sup>6</sup> That’s why George Soros and others know that these markets always “over-correct”: investors follow semi-blindly a trend to go in, and if they see a trend to go out, they run for the door and lower the market price of the paper below its intrinsic worth in a cooler, more sensible market.<sup>7</sup>

Direct investors, by contrast, have large stakes in the company in which they invest. They invest for longer-term, strategic reasons such as access to markets, to raw materials, to cost-effective labor, etc. Foreign direct investments in the rich countries are usually in companies whose stocks are traded on organized

exchanges, but often also in the company's debt which may not always face a liquid market. In third-world countries these investments are often in securities that are not traded on any organized market, and are thus doubly difficult to sell.

While Friedman does make the distinction, his description of direct investors on pages 132-136 exaggerates both their power and their fickleness, and in his section on direct investment, midway on page 136, without a sub-head, white space, intro, segue, or other warning, he goes back to portfolio investors without advising the reader.

### **The Analysis (finally...)**

Lots of underbrush having been cleared, analysis can proceed on how much and in what ways each of the two very different kinds of foreign investors, portfolio and direct, affect the ability of the government of a medium-sized country to do the right things for its citizens and also satisfy the investors. The potential conflicts are very different for the two kinds of investors.<sup>8</sup>

**Portfolio investors:** The securities that portfolio investors buy from medium-sized countries can be classified in a two-by-two matrix: issued or guaranteed by governments or by private parties; denominated in local or "hard" (dollar, euro) currencies. The investors could in principle include both foreign governments or other public bodies, and private institutions. So there is potentially a two-by-two-by-two matrix, which of course has eight possible states. But in fact the investors are, for medium-sized countries, pretty much limited to private institutions; governments don't buy either official or commercial paper from anyone foreign except governments of the largest and richest countries. (Think of Chinese government purchases of US Government bonds.) And, again in medium-sized countries, private foreign portfolio investors seldom buy obligations of private businesses unless they are otherwise linked; e.g. Citibank may buy bonds or make loans to the General Motors subsidiary in Thailand if Citibank gets a lot of business from GM worldwide. And, although foreign portfolio investors may still invest in some securities denominated in local currency, since the 1982 and other debt crises, they much prefer those denominated in "hard" currencies such as the dollar or the euro. So for most medium-sized countries at least, our eight-cell matrix [almost] collapses into one cell: it can be pictured as, e.g., Citibank buying dollar-denominated obligations of the Government of, e.g., Thailand.



What demands or requirements does such an investor place on the borrower; in particular, in respect to the elements of the borrower's macro policies as listed on page 22?

If the debt were denominated in baht, Citibank's main concern would be that the value of the baht doesn't fall – in other words, that Thai inflation is low and under control. This means that both fiscal and monetary policies would be closely watched; the investment wouldn't be made in the first place unless Citibank had a lot of confidence in these policies for the future, and if it were made then Citibank would be monitoring Thai economic statistics that could warn of inflation on an intense and constant basis; if they sensed potential danger they might well sell the securities. Conceivably the debt might have had requirements built in such that, e.g. if the money supply or the public sector deficit increased above a certain point, Citibank could call (demand immediate repayment) of the debt.

Because of the asymmetry – the borrower has both more knowledge and more power than the lender – lenders have been less and less willing to take that “currency” or “devaluation” risk, unless they get interest rates that are seen as too high by the borrower. As a result, the borrowers are more and more taking the currency risk and issuing securities or taking loans denominated in dollars or euros. What do the investors demand, what restrictions do they impose, to take this kind of risk? They don't care about inflation directly, but they are very concerned about the borrowing government's ability to pay the dollar-denominated interest and principal obligation. So they watch foreign exchange reserves. Because these data are notoriously inaccurate and subject to manipulation, they also watch the same fiscal and monetary policies, as well as balance of payments data, that ultimately determine foreign exchange reserves.

The “herd” of portfolio investors will shy away from a country that has a recent history of, or a perceived high politico-economic potential for, irresponsible fiscal and monetary policies. A Thailand or a Turkey or even a Belgium or a Mexico that behaved like the USA has been behaving for the last five years or so wouldn't be able to borrow a nickel on the international market.

Adequate capitalization and prudent regulation of banks and other parts of the borrowing country's financial system may also be required by foreign investors. The collapse of these institutions in Thailand in 1997 triggered the Asian financial crisis, even though the Thai government's fiscal and monetary policies were reasonably sound and inflation was low and under control. But an

economic bubble financed by imprudent and corrupt Thai banks burst, and the portfolio-investor part of the herd stampeded out of town in one big hurry.<sup>9</sup>

How such constraints limit the ability of Thailand to be democratic, or to do the right thing for its people, may be subject to some debate. It means that the borrowing government is limited in the extent to which it can borrow from Citibank to finance anything – be it palaces, playmates, and Swiss bank accounts for its officials, or maternal health, child care, and education programs for its poor – unless its overall economic trajectory is close to a “pay as you go” path – the government’s revenue must not be too much less than its income, and the entire nation’s export revenues must not be too much less than the costs of its imports.

Most observers think that such constraints are, on balance, a benefit to the citizenry of almost any country, because the constraints protect them to some extent from the damage that economically irresponsible governments inevitably cause. Others disagree. Some of those who argue against such discipline see undernourished and undereducated children, and hope that relaxing standards of government monetary and fiscal policy in order to clear a path to providing more money -- to the same society that has been neglecting them for so long -- will feed and educate them. Truly an instance of hope triumphing over experience.... So requiring sensible economic policies and robust institutions comes to be seen, by some, as cruel and anti-humanitarian.<sup>10</sup>

Direct investment: This is the more interesting and important side of the story. Portfolio investment in medium-sized countries comes and goes; if everything works it can be a useful supplement to local credit markets, but the dangers of its volatility mean that relying on it is playing with fire (riding on the back of a stampede-prone herd?). Prudent governments from Chile to China take actions to limit it – preferring to reduce the downside risks even at a cost of foregoing some upside benefits.<sup>11</sup>

FDI, however, makes investments that are more likely to be productive (a factory that can compete in world markets, rather than just finance that a government may spend on anything), is much more anchored in the country and far and away less volatile, and brings with it not only capital but technology, management skills, and access to markets. In today’s globalizing world our medium-sized country, whether middle-income Thailand or upper-income Belgium, is truly lost without FDI. And, the other side of the coin, exactly because FDI is more anchored where it invests, and in some cases simply because it can, it makes

more demands, and imposes more stringent, and more detailed, requirements on a country that wants to attract it. It's not a herd; it doesn't stampede, but neither is it a passive pussy that simply accepts whatever a host government may do.

The parts of government economic policy that concern FDI are quite different from those that are the foci of the portfolio investors. Moving our thinking from a Citibank loan to the Thai government, to a General Electric factory that makes refrigerators and washing machines, the differences are easy to see. To GE, inflation may be a bother but is never a deal-breaker; Brazil was the third-world #1 champion recipient of FDI in the 1950s and 60s when it was running a three-digit annual inflation. Foreign exchange reserves don't matter much, although they are of some intermediate-run concern because GE hopes to make some profits, of which normally it would reinvest a part and repatriate the rest; the latter requires hard currency to be available for conversion from those baht in which the profits are accrued. What it really wants are:

- Low corporate profits tax, and/or a generous "holiday" period such as five or ten years in which it's exempt from that tax.<sup>12</sup>
- If it plans on exporting, low taxes on labor (such as social security, unemployment or health insurance, etc.) which its competitors in many other countries don't have to pay.
- No restrictions on importing parts, machinery, or raw materials.
- No restrictions on bringing its own experienced managers and executives to run the business. (GE will in fact try hard to find and employ local people for all positions, simply because they are cheaper, but it will want few or no restrictions on bringing in some small number of hard-to-find people if it needs them.)
- No restrictions on going to a commercial bank with its baht profits, converting them to dollars or euro, and transferring them out of the country.
- Flexible rules about its ability to hire whom it chooses, and lay them off or fire them if and when it chooses, without either lots of red tape or financial penalties
- A GE producing refrigerators doesn't worry these days about price controls, but an American Electric Power considering an investment in electricity generation, or a Siemens considering one in a phone system, will worry about government regulators' abilities to impose price controls on the services it provides, remembering how such controls proved to be confiscatory in too many countries in the past. AEP and

Siemens will want some assurances, in the laws, the regulatory structure and rules, and the country's politics, that this won't happen. And it will try its best to get its investment back in a very few years, rather than depending on a long stream of future profits which is inherently riskier.

- In cases where the technology is potentially damaging to the environment, a foreign direct investor may look for or ask for more lenient restrictions on his ability to pollute, or perhaps some kind of subsidy, implicit or explicit, that will balance his costs of compliance with more stringent regulations. In the worst cases (which are not numerous, tend to concentrate in mining and chemicals, and make a big splash when they come to light), the investor may look for a situation where he can pollute, perhaps by bribing local officials, with impunity.

The degree to which many of these kinds of demands are made by FDI is perhaps increasing with globalization. In the first several decades after World War II, most FDI was either in mining, oil or gas production, or in manufacturing for the domestic market. The former were certainly scenes for these demands, but in the case of manufacturing for the domestic market the foreign company wasn't planning on exporting and so didn't really have to worry too much about its cost. What it did want was protection from competition in the form of imports. But more and more during the last 20 or 25 years, the investor is interested only in countries from which he could, at least in principle, export at competitive costs, just as the countries are no longer willing to protect inefficient manufacturers. Moreover, more and more FDI is in services, especially IT-enabled and financial. So the previous list is more and more the actual list of more and more potential foreign investors, especially in medium-sized countries whose domestic markets tend to be smaller.

Three different kinds of information are going to be used here to examine how FDI in fact affects the ability of a medium-sized country to do well by its citizens – or, indeed, to be a democracy in a formal sense. These are (a) data on how much FDI actually goes to what kind of countries; (b) references to the (voluminous) literature that has investigated the positive and negative impacts of FDI on host countries; and (c) refutation or perspective on some of the more popular anecdotes about how multinationals bring mainly corruption and exploitation, force governments to do their bidding at whatever cost to the citizens, workers, etc.

First note that the government of virtually every small and medium-sized country has an “investment promotion agency” whose mission is to attract FDI.<sup>13</sup> Surely all these governments aren’t spending scarce budget and human resources to attract something bad -- FDI must be worth something to them!

What kinds of countries attract FDI?

Tables 1 and 2 at the end of this paper show which countries get the most FDI in relation to their economic size (Table 1), and in absolute terms (Table 2). It couldn’t be clearer that:

- Most of the leading recipients of FDI, either in absolute terms or relative to economic size, are truly functioning democracies and/or are countries where the governments take pretty good care of their citizens. Twenty-seven of the top 41 recipients ranked by FDI/GDP (shown in italics in Table 1) are rated “free” by Freedom House for 2007 (<http://www.freedomhouse.org/template.cfm?page=366&year=2007>). All but one of these (Great Britain) is medium-sized, and 20 of the remaining 26 are either developing or transition countries. So 20 of the top 41 are small or medium-sized, non-OECD countries. Thirty-three of the top 43 ranked by absolute amounts of FDI inflows also make the grade (shown in italics in Table 2).
- Most of the champions in relative terms are small or medium-sized; only at number 36, Great Britain, does the list come to a large one. These nations attract lots of FDI, not because of their large markets or natural resources, and their citizens are profiting from it.
- A very few of the leaders, such as St Kitts, St. Vincent, and St. Lucia (all small island economies vying to attract hotels and other tourist-oriented FDI in a cut-throat competitive market) do give away the store in terms of tax holidays and other advantages. But the rest do not, and none of the top 50 are unusual exploiters of labor, enablers of pollution, etc. Number 36, Cambodia, whose exports are over 90 percent garments, a notorious sweatshop industry, is a third-world leader in applying ILO standards to the treatment of labor (including recognition and legal support of independent unions) with international monitoring. China, where the treatment of labor is deplorable and unions completely suppressed, doesn’t do this (and really doesn’t need to do this) in order to attract FDI; it does it because the so-called communist, authoritarian rulers of the country won’t allow any sort

of civil society institutions with any independent power to exist.

- Table 2 explodes another widely-accepted myth, that FDI goes where wages are low, taxes are low, unions are prohibited, pollution is allowed, etc. The truth is exactly the opposite. Again with the exception of China, almost all the FDI flows in the world go to the countries with high taxes, high wages, rigorous labor and environmental protection (think Germany and France!), etc. Even Brazil, number 10 on the list, is famous for its high costs, while Mexico and Argentina are among the most advanced and therefore most expensive countries in Latin America. Among the top 20 only China, Brazil, and Poland can be considered as low-wage countries, and beyond them one must descend to number 28, India, to find another. Even in terms of FDI relative to GDP, as shown in Table 1, most of the champions are not notably cheap places to do business. If there is anywhere that labor costs are low, labor and environmental standards nonexistent or unenforced, and super-generous tax holidays ubiquitous, it is sub-Saharan Africa, which receives a miniscule amount and still-decreasing share of FDI every year.<sup>14</sup>

#### Is FDI Beneficial to Host Countries?

There is an enormous literature on this.<sup>15</sup> Among those whose focus is mostly on economic factors, every serious study that relies on data rather than anecdotes has concluded more or less the same thing:

- FDI in general, and in most cases, is more beneficial than harmful.
- There is no “race to the bottom” in which multinational seek out, and/or even seek to create, business environments with the lowest costs, least labor or environmental protections, etc.<sup>16</sup>
- The benefits and costs of FDI depend heavily on the local business environment. The most benefits accrue to the countries with better educated labor forces, better developed manufacturing and service industries of their own, better banks and other financial institutions, and governments that are reasonably competent, honest, and responsive to the needs of their citizens. Thus, the strategy to get the good stuff and avoid the bad stuff from foreign direct investors is to do exactly what you would want your country to do even if globalization and foreign investors didn't exist!<sup>17</sup>

Do some multinationals behave badly? Of course they do. More would

do so if they could get away with it. They're not angels, but they are subject to lots of pressures, not only from host governments but from laws, NGOs, and consumer pressures in their home countries. In this situation they behave fairly well, for the most part, because they're better off doing so. The small number of scandalous stories, repeated over and over again in the anti-globalization literature (Nike-linked sweatshops; Union Carbide in Bhopal; polluting mines in various countries) is testimony to the unusual and exceptional nature of these instances, in a world where there are hundreds of thousands of new foreign direct investment projects every single year. The large flows of FDI to countries where these bad things are not allowed to happen, of which very many are in the Third World, point to the same conclusion: Some governments do surrender too much sovereignty to exploitative foreign investors, but it's not necessary for them to do so. Almost all FDI outside of mining goes to countries where this doesn't happen. Often, what's inducing this surrender of sovereignty that betrays the interests of the citizens is not some kind of need to attract "the electronic herd" but rather some corrupt officials who want to line their pockets.

Friedman's account of the pressures that FDI puts on governments is exaggerated. As the data in Table 2 show, FDI is not "spread out...all over the world."<sup>18</sup> FDI can't and doesn't go just anywhere, because it can't compete from just anywhere. (See the analysis by Michalet, cited above.) Why is there essentially no FDI in sub-Saharan Africa (except in mining and hydrocarbons) -- where wages are low, taxes are zero, and every politician is ready to do anything for you in return for a bribe? Even the classically "footloose" garment industry has to have certain basic conditions right. It's essentially absent in sub-Saharan Africa.

Small and medium-sized countries do have to compete for FDI, because their domestic markets aren't a big attraction. But even with these countries, the multinationals are not so powerful as Friedman implies. Tiny Costa Rica succeeded in attracting the first and still the only Intel microchip plant in Latin America, competing against every country in the region for this high-tech, headline-getting, image-transforming project without any special tax incentives beyond their generous but generally available eight-year tax holiday, or any other treatment that wasn't generally available at the time.<sup>19</sup>

The author recalls that a top executive of Intel told him about ten years ago that "we would have never invested in Costa Rica if we had to pay any corporate income tax." Several years later, when the government was moving to end the tax holiday so as to meet its WTO obligations, and set the CIT at 15 percent, the

same executive stated in exactly the same tone that “we will not stay in Costa Rica if the tax goes above 15 percent.” The fact was that Costa Rica had what Intel needed and wanted, including not only a good supply of competent but low-cost engineers who were educated in English, but also a stable, business-friendly environment where the good treatment that they got was already enshrined in the laws of the land, and therefore less likely to be attacked by a populist demagogue or revoked when the government changed. They wrote Mexico off their list when the Mexican authorities promised informally that they would see to it that the Mexican unions wouldn’t make trouble for them. Far from looking for a special deal, they shied away from it. They didn’t want to pay a 15 percent corporate income tax, but they were ready to do it because of the basic good conditions that Costa Rica offered.

So the government of small Costa Rica did not sacrifice any sovereignty, any of its justly famous democracy, or any of the rights or privileges of its citizens, to satisfy this choosy and much sought-after member of the “herd” of foreign direct investors.<sup>20</sup> Not every multinational is an Intel, but Friedman’s enthusiasm for his overall thesis about the power of globalization in general has outrun his enthusiasm for accuracy, and he exaggerates the bargaining power and the mobility of FDI.

An important effect of globalization is the reduced ability of workers, managers, and even shareholders to relax and enjoy life – at least, as the French might see it. Greater competition is an inherent concomitant of globalization. It is making managers’ lives more trying, and holding down workers’ wages in the rich countries. Governments can’t do much about this. Real wages in manufacturing in the USA are stagnant or falling, while western Europe generally keeps real wages up but allows increased unemployment. One way or another, global competition is hurting run-of-the-mill workers in the rich countries. But the multinationals are only the transmitters of these competitive forces – they are subject to the same competitive forces and can’t do much about it either.

In addition to economic effects, FDI and globalization in general also affect local culture. These effects may be important, but are beyond the scope of this paper. But it should be said that while some people (including the present author) decry the appearance of McDonalds on the Champs Elysee and other blurring of cultural differences around the world, others (also including the present author) praise efforts to end female circumcision in Africa and to keep the stores in Germany open more than three hours per day, four days per week,



anytime except when you happen to need to buy something. The flattening of the cultural world produces its pluses and its minuses, just like the flattening of the economic world. The global herd – foreign investors – are by no means the main forces behind cultural homogenization, good or bad, but are often lumped into the targets of those who want to continue to tend their olive orchards as they suppose their ancestors did 1,000 years ago.

### **Coda**

The way for governments, and societies, to attract the “herd” of foreign investors is not to give up sovereign power, or to fail to use it to care for the interests of their citizens. Rather, it is to exercise that power to foster sound and honest laws, policies, and regulations, to form educated and healthy labor force (which will earn higher wages and attract higher value-added activities) and the good infrastructure (which all the citizens and local companies can also use) and competent local companies to supply goods and services to larger multinationals (which will spread the employment, technology, and profit benefits of FDI throughout the economy). Investors will shun a country (especially a small or medium-sized one) whose government acts in arbitrary, extra-legal, or politically or economically unsustainable, ways. Otherwise, there is no serious problem in reconciling the demands of foreign investors, and the responsible exercise of their sovereign rights by the democratic governments of medium-sized states.

## FDI INFLOWS AS A PERCENTAGE OF GDP

Average 1997-2006

<i>Belgium</i>	26.0%	Swaziland	3.7%	Australia	1.8%
<i>St. Kitts and Nevis</i>	17.5%	Honduras	3.7%	South Africa	1.7%
<i>St. Vincent</i>	16.3%	Cape Verde	3.7%	Djibouti	1.7%
<i>Lesotho</i>	15.9%	Costa Rica	3.6%	Senegal	1.7%
<i>Chad</i>	15.2%	Colombia	3.6%	Benin	1.7%
<i>Singapore</i>	14.4%	Poland	3.6%	United States	1.6%
<i>St. Lucia</i>	10.7%	China	3.5%	Philippines	1.6%
<i>Ireland</i>	9.8%	New Zealand	3.5%	Egypt	1.5%
<i>Estonia</i>	9.0%	Spain	3.5%	Zimbabwe	1.5%
<i>Netherlands</i>	7.5%	Macedonia, FYR	3.5%	Belarus	1.5%
<i>Dominica</i>	7.4%	Ethiopia	3.5%	Paraguay	1.5%
<i>Bulgaria</i>	7.3%	Malaysia	3.4%	Russia	1.5%
<i>Aruba</i>	7.0%	Canada	3.3%	Cameroon	1.4%
<i>Czech Republic</i>	6.8%	Brazil	3.3%	Sri Lanka	1.3%
<i>Chile</i>	6.6%	Bosnia	3.3%	Guinea	1.3%
<i>Sweden</i>	6.6%	Tajikistan	3.2%	Morocco	1.2%
<i>Jamaica</i>	6.2%	Kyrgyz Republic	3.0%	Mauritius	1.2%
<i>Georgia</i>	6.1%	Argentina	3.0%	Guatemala	1.2%
<i>Hungary</i>	6.0%	Mexico	3.0%	Algeria	1.1%
<i>Nicaragua</i>	5.8%	Portugal	3.0%	Samoa	1.1%
<i>Eritrea</i>	5.7%	Mali	2.9%	Korea, Rep.	1.1%
<i>Armenia</i>	5.6%	Uganda	2.9%	Turkey	1.0%
<i>Mongolia</i>	5.5%	Thailand	2.9%	Pakistan	1.0%
<i>Mozambique</i>	5.4%	Peru	2.8%	Syria	0.9%
<i>Slovak Republic</i>	5.3%	Turkmenistan	2.8%	Italy	0.9%
<i>Croatia</i>	5.2%	Israel	2.8%	Barbados	0.9%
<i>Belize</i>	5.0%	Ukraine	2.8%	Madagascar	0.9%
<i>Denmark</i>	5.0%	France	2.7%	Malawi	0.9%
<i>Jordan</i>	5.0%	El Salvador	2.7%	India	0.8%
<i>Moldova</i>	4.9%	Botswana	2.7%	Greece	0.7%
<i>Vietnam</i>	4.7%	Tunisia	2.6%	Uzbekistan	0.6%
<i>Cambodia</i>	4.7%	Togo	2.5%	Bangladesh	0.5%
<i>Dominican Republic</i>	4.6%	Germany	2.3%	Burkina Faso	0.4%
<i>United Kingdom</i>	4.5%	Cote d'Ivoire	2.3%	Rwanda	0.3%
<i>Latvia</i>	4.5%	Sierra Leone	2.2%	Kenya	0.3%
<i>Ecuador</i>	4.5%	Austria	2.2%	Haiti	0.3%
<i>Romania</i>	4.2%	Lao PDR	2.1%	Burundi	0.2%
<i>Tanzania</i>	4.2%	Norway	2.1%	Comoros	0.2%
<i>Finland</i>	4.1%	Slovenia	2.1%	Japan	0.2%
<i>Lithuania</i>	4.1%	Maldives	1.9%	Nepal	0.1%
<i>Switzerland</i>	4.0%	Uruguay	1.9%	Indonesia	-0.2%
		Ghana	1.9%		

Source: World Bank, World Development Indicators.

Most countries dominated by minerals or hydrocarbons eliminated.

Countries in italics in the first column are classed as "free" by Freedom House for 2007. See <http://www.freedomhouse.org/template.cfm?page=366&year=2007>

FDI INFLOWS IN MILLIONS OF DOLLARS

Average 1997-2006

<i>United States</i>	161,512	Egypt	1,366	Ghana	132
<i>United Kingdom</i>	74,154	Bulgaria	1,327	Aruba	124
<i>Belgium</i>	66,107	Croatia	1,279	Paraguay	112
<i>China</i>	48,870	Philippines	1,227	Mali	102
<i>Germany</i>	47,428	Ecuador	1,103	Turkmenistan	93
<i>France</i>	43,698	Greece	1,044	Moldova	91
<i>Netherlands</i>	32,586	Dominican Republic	884	Zimbabwe	90
<i>Spain</i>	24,658	Trinidad and Tobago	854	Uzbekistan	85
<i>Canada</i>	24,188	Estonia	806	Senegal	84
<i>Brazil</i>	21,719	Pakistan	789	St. Lucia	75
<i>Mexico</i>	17,318	Costa Rica	600	Mongolia	73
<i>Sweden</i>	16,594	Lithuania	588	Mauritania	65
Singapore	13,563	Tunisia	578	St. Kitts and Nevis	60
<i>Italy</i>	12,102	Morocco	568	Kyrgyz Republic	56
<i>Switzerland</i>	11,176	Bolivia	533	St. Vincent	56
<i>Ireland</i>	8,704	Jamaica	518	Mauritius	56
<i>Denmark</i>	8,185	Slovenia	514	Tajikistan	54
<i>Australia</i>	7,335	Jordan	497	Grenada	49
<i>Argentina</i>	7,314	Latvia	411	Swaziland	49
<i>Poland</i>	7,201	Tanzania	409	Belize	47
Japan	6,615	Chad	387	Benin	47
Russia	6,490	El Salvador	371	Eritrea	40
<i>Finland</i>	5,604	Uruguay	301	Togo	38
Korea, Rep.	5,545	Ethiopia	293	Kenya	38
<i>Chile</i>	5,380	Cote d'Ivoire	284	Gambia, The	38
<i>Austria</i>	5,010	Bangladesh	271	Lao PDR	37
<i>Czech Republic</i>	4,612	Georgia	254	Madagascar	37
<i>India</i>	4,413	Guatemala	245	Cape Verde	25
<i>Portugal</i>	3,913	Honduras	238	Barbados	23
<i>Norway</i>	3,782	Belarus	233	Sierra Leone	21
<i>Hungary</i>	3,757	Mozambique	232	Dominica	19
Thailand	3,746	Sri Lanka	231	Malawi	16
Colombia	3,579	Nicaragua	230	Burkina Faso	15
Malaysia	3,312	Bosnia	230	Maldives	12
Israel	3,131	Botswana	200	Djibouti	11
<i>South Africa</i>	2,509	Syria	198	Haiti	10
<i>Romania</i>	2,505	Indonesia	194	Nepal	8
Turkey	2,493	Cambodia	191	Netherlands Antilles	5
New Zealand	2,397	Uganda	189	Rwanda	5
<i>Peru</i>	1,723	Cameroon	150	Somalia	5
Ukraine	1,654	Lesotho	150	Samoa	3
Vietnam	1,591	Armenia	142	Burundi	2
<i>Slovak Republic</i>	1,396	Macedonia, FYR	136	Comoros	0

Source: World Bank, World Development Indicators.

Most countries dominated by minerals or hydrocarbons eliminated.

Countries in italics in the first column are classed as "free" by Freedom House for 2007. See <http://www.freedomhouse.org/template.cfm?page=366&year=2007>

**END NOTES**

<sup>1</sup> Friedman, Thomas, *The Lexus and the Olive Tree*, (“updated and expanded edition,” Anchor Books, 2000), 112-142.

<sup>2</sup> Not included in our concept of the herd are the “IFIs” – the World Bank, the IMF, and their minor-league ilk. As with Friedman, for us “the electronic herd” consists of private-sector capitalists, business executives, their lawyers accountants and advisors, etc. The IFIs may or may not be important actors on the stage of globalization, but by no stretch of the imagination can they be seen as part of any “electronic herd.” The good or the evil they do, including the constraints that they may place on governments, is beyond our scope here

<sup>3</sup> See e.g. [http://en.wikipedia.org/wiki/Portfolio\\_investment](http://en.wikipedia.org/wiki/Portfolio_investment).) Operationally, precision is elusive here; the IMF and others propose to use 10 percent ownership of voting stock as the distinguishing rule of thumb.

<sup>4</sup> For an overview of the features of each, see Evans, Kimberly, “Foreign Portfolio And Direct Investment,” (OECD, December 2002, at <http://www.oecd.org/dataoecd/54/25/2764407.pdf>).

<sup>5</sup> For example: sovereign Russian bonds got huge plays, in and out, with huge up and down swings, during the mid-1990s. They were enormously risky, with prices fluctuating from around 30 to around 90 percent of face value over the course of a few months. This created returns for portfolio investors in the 40 to 60 percent range, over less than a year, for the lucky or the well-informed.

<sup>6</sup> Friedman has a nice description of the evolution and behavior of this market on pages 53-60.

<sup>7</sup> George Soros knew enough to break the British pound and the Italian lira. He may be a bit out of his element now that he has switched to making policy suggestions. In any case, see his “Toward a Global Open Society,” *Atlantic Monthly*, January 1998.

<sup>8</sup> Friedman has a broader, more general, and less accurate list that ignores these important differences on page 105.

<sup>9</sup> See e.g. the views of the Federal Reserve Bank of San Francisco at <http://www.frbsf.org/econsrch/wklyltr/wklyltr98/el98-24.html> and [http://en.wikipedia.org/wiki/Asian\\_financial\\_crisis](http://en.wikipedia.org/wiki/Asian_financial_crisis).), both accessed in October 2007.

<sup>10</sup> See the debate between Jeff Sachs (who should know better) and Bill Easterly (who does). A start is an article in the *Washington Post* at <http://www.washingtonpost.com/wp-dyn/articles/A25562-2005Mar10.html>. This debate is about aid, not foreign investment, but the main issue is the extent to which money alone will help where policies and institutions are failures. Hough is bold enough to state what Sachs and his ilk sweep under the rug: "...bad governments, weak and corrupt, are a major contributor to underdevelopment and are one of the primary causes of poverty." See Hough, Richard, *The Nation-State, Concert of Chaos*, (University Press of America, 2003) pages 38-9). Drucker also emphasizes the bad effects when this kind of discipline is relaxed, even in the most advanced countries; see Drucker, Peter, "The Global Economy and the Nation-State," *Foreign Affairs*, September-October 1997).

<sup>11</sup> For an IMF view see <http://www.imf.org/external/pubs/ft/fandd/2002/12/rogoff.htm>. *Business Week* looked at the issue in China in 2005; see [http://www.businessweek.com/magazine/content/05\\_14/b3927056.htm](http://www.businessweek.com/magazine/content/05_14/b3927056.htm). In the 1990s, a market-oriented government in Chile didn't like quantitative restrictions, and so tried to reduce its exposure by taxing short-term profits of portfolio investors at prohibitive rates..

<sup>12</sup> See Wolf, Martin, "Will the Nation-State Survive Globalization?" *Foreign Affairs*, January/February 2001, pages 185-9 on limitations on taxing powers. He has it mostly right, but since he wrote the article there has been a decided trend towards lowering, and reducing the differences among, corporate tax systems across countries. See <http://www.kpmg.co.nz/download/102964/110012/KPMG's%20Corporate%20Tax%20Rate%20Survey%202006.pdf>. This trend is even stronger on "effective tax rates" which include the effects of incentives, accounting rules, etc. than on nominal statutory rates which can be very inaccurate indices of cross-country differences in actual tax burdens. See Mintz, Jack M., *The 2006 Tax Competitiveness Report*, (C.D. Howe Institute, September 2006), at <http://>

[www.cdhowe.org/pdf/commentary\\_239.pdf](http://www.cdhowe.org/pdf/commentary_239.pdf). Countries are equalizing in part to reduce transfer pricing abuses, and in part to reduce the power of multinationals to bargain with them on taxes and fiscal incentives.

<sup>13</sup> Googling “foreign investment [country name]” or just looking at [http://www.fdi.net/dir/ipa\\_index.cfm](http://www.fdi.net/dir/ipa_index.cfm) or <http://www.waipa.org/> will get you to their websites, where you will find a great eagerness to attract FDI.

<sup>14</sup> Another way to say this is that FDI flows are tremendously concentrated; almost all of it goes to a very few countries. And these countries are by no means the ones that give away the most in terms of favoring the MNCs over the interests of the common citizen, but rather the ones that have the basic conditions that FDI looks for. On this see, e.g., Michalet, C.A., *Strategies of Multinationals and Competition for Foreign Direct Investment*, (World Bank Group, Foreign Investment Advisory Service, Occasional Paper 10, December 1977).

<sup>15</sup> See e.g. Lall, Sanjaya, “Introduction,” in Lall (ed.), *Transnational Corporations and Economic Development*, (UN Transnational Corporations and Management Division, UN Library on Transnational Corporations, Vol. 3, 1993); Graham, Edward M., *Fighting the Wrong Enemy: Antiglobal Activists and Multinational Enterprises*, (Institute for International Economics, September 2000), especially chapters 4, 5, and 6; Bhagwati, Jagdish, *In Defense of Globalization*, (Oxford University Press, 2004); Oman, Charles, *Policy Competition for Foreign Direct Investment: A study of Competition among Governments to Attract FDI*, (OECD Development Centre Studies, 2000).

<sup>16</sup> On this see especially Oman, *op cit*.

<sup>17</sup> Hough, *op. cit.*, makes essentially the same point, in different words, on pages 38-40.

<sup>18</sup> Friedman cites World Bank data as the basis for his statement, page 135. Table 2 in this paper is directly from official World Bank data. Something sloppy somewhere here...

<sup>19</sup> See Spar, Debra, *Attracting High Technology Investment: Intel's Costa Rican Plant*, (World Bank Group, Foreign Investment Advisory Service, Occasional Paper No 11, April 1998).

<sup>20</sup> See again Friedman on page 135 where he recounts how the chairman of Intel says that "...he has a string of ambassadors and statesmen from all over the world calling [and asking him to ] 'come hither with your factory'." The competition among medium-sized countries to attract FDI is fierce – Friedman has this right – but these countries are by no means perfect substitutes for each other, and the basically attractive ones do not have to, and do not, knuckle under to just any demand that an MNC might choose to make.

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**An Analysis of the Algerian  
Civil War: Causal Factors  
and Need, Creed, & Greed  
Considerations**

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*by Alexandra Birnbaum*

Written for  
Course: *The Problem of War*  
Professor: Joseph P. Smaldone, Ph.D.  
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## ALEXANDRA BIRNBAUM

Alexandra H. Birnbaum is currently a M.A.L.S candidate in International Affairs at Georgetown University. (She is also pursuing a graduate certificate in Contemporary Arab Studies.) A native of Fort Lauderdale, Florida, she graduated from the University of Pennsylvania with a B.A. in Art History and French in 1998. The majority of her career has been spent in the language services industry, and she currently holds the position of Strategic Account Manager at Lionbridge, the world's largest translation company.



The modern era has witnessed a large number of civil conflicts involving enormous loss of life, tragic deprivation, and disastrous humanitarian crises that endure decades after the fighting has ended. Unfortunately, the phenomenon of intrastate war shows no signs of abatement. Accordingly, it rests on scholars and analysts to closely examine these conflicts for clues to causation and reasons for endurance, so that with this newfound knowledge, there is a potential to avoid the devastation that these wars wreak on countries and their populaces. With these considerations in mind, this essay offers an analysis of the civil war that racked Algeria for a large part of the 1990's.

As with a study of any conflict, it is just as important to look at the factors that led to the fighting, as it is to train a critical lens on the conflict itself. There are those among the public that would characterize this civil war simply as the thwarting of the Algerian people's wish for an Islamic government. However, an in-depth examination of the causal factors shows us that the situation was infinitely more complex than that statement allows. Consequently, this essay will first examine the Algerian state in the years following the war for liberation and subsequently offer a need, creed, and greed based analysis of the conflict, with the causal factors serving as an overwhelming demonstration of the Algerian population's need or list of grievances with its government (also referred to as the regime.)

Once the case for the eventuality of conflict has been laid out, the problem of greed, both on the part of the government and on the part of the armed groups, which were sickened by the regime's appropriation of the state's wealth, will be considered. As in many cases, the insurgents soon became captivated by the financial excesses that had supposedly disgusted them, and this, in part, led to a corruption of their idealistic message and their eventual downfall. Via the conclusion, the reader will have an opportunity to think about the lessons learned from the Algerian civil war and hope that its bloody example might serve as a deterrent for future armed struggles.

With over 100,000 dead and more wounded, the Algerian civil war is one of the bloodiest modern conflicts to date.<sup>1</sup> The roots of the Algerian citizens' discontent can be traced back to government actions and policy since the nation-state's inception following its hard-fought war for independence that ended in 1962. France undertook colonization in the 1830's, and as with many colonizing powers, it set up a rudimentary system of government that would enable its successful harvesting of Algeria's natural resources. The government institutions,

however, did not have sufficient robustness that they could adequately care for the welfare of the Algerian people. Thus, following France's defeat in the war for liberation and its subsequent withdrawal, the Algerian government was left in a state of total disrepair. The newly independent country, governed by the party of liberation, the National Liberation Front (*Front Nationale du Liberation* or FLN) took baby steps towards development through the rest of the decade. The FLN would remain the party in control of the government up to the civil war.

A change in leaders and increased oil revenues in the early 1970's saw a dramatic shift toward shoring up the state's sagging infrastructure. With the 1973 OPEC oil price increase, then president Houari Boumedienne launched an experimental "social contract"<sup>2</sup> which called for rapid industrialization, namely of the oil and gas sector. While devoting a large amount of state resources to these efforts, his new national agenda also comprised free education, subsidized housing, and subsidized healthcare. However, a dramatic increase in birthrate in the early 1980's put a significant strain on these programs leading to mass citizen discontent.

The 1980's saw a shift away from state-led development policies as the price of oil and gas declined dramatically in the early part of the decade. Accordingly, state revenue decreased, and as Algeria faced mounting foreign debt, the government was required to scale back its social spending. Additionally, the policy of intense concentration on the hydrocarbon sector left agriculture woefully unattended. (Certain scholars note that hydrocarbon development was initiated not in conjunction with agricultural development, but at its expense.)<sup>3</sup> This inattention to agriculture was a two-fold problem for the state; one, it turned Algeria into a nation highly dependent on the importation of foodstuffs (doubly problematic when the state is experiencing a decline in revenue.) Secondly, this lack of focus led to an exodus of population from the rural areas to the urban centers that resulted in overcrowding and the creation of shantytown-type settlements, which would later become seething hotbeds of discontent. Thus, some of the problems afflicting Algeria as the 80's advanced were overpopulation, over-enrollment in schools, and an expanding number of its citizens graduating from college to lack of available employment. Government inattention to the public sector had resulted in a lack of job availability for the state's increasingly educated youth. This combination would prove disastrous, as at the time of the outbreak of the civil war, 70% of Algeria's population was under 35 years of age and unemployment affected nearly 25% of the work force.<sup>4</sup> As noted by Zart-

man, “the model of internal conflict begins with state neglect at a time of rising expectations, producing a fact and a sense of deprivation . . .”<sup>5</sup>

In the latter part of the decade, President Chadli Bendjedid, who had come to power after the death of Boumedienne in 1979, attempted to open up the state’s economy as a result of international pressure and revenue necessity. Chadli, as he is referred to, embarked upon a policy of economic liberalization that would allow for a greater influx of foreign investment into Algeria, but by 1988, the population’s discontent, which had been simmering throughout most of the decade, boiled over.

It must be understood that the Algerian people had a great love and reverence for the FLN and the army, which had been the vehicles of their liberation from France. However, after the French exit, the army usurped political power and then shared it with only certain leaders of the FLN. These handpicked members quickly came to hold all of the key positions at the top levels of government and developed into a new elite class. Unfortunately, for the average Algerian citizen that meant a transfer from one greedy regime (the French) to another. Algerians had fought hard for their independence, for their country to be rid of an entity with a solely self-interested agenda and not much concern for the common man. With the rise of this new wealthy, elite FLN class, it seemed as though they had simply exchanged one master for another. The average citizen deeply believed that the state’s wealth should be equally distributed among the population; they had fought a war for liberation in the name of this belief. Their disillusionment proved explosive. “More than anything else, the feeling of hatred for the state stems from the notion that the state is engaging in uncontrolled appropriation, generating unjustified benefits for limited groups.”<sup>6</sup>

The population expressed its disgust with the regime in violent demonstrations that took place in October 1988, now known as Black October, in the major cities and towns, i.e. Algiers, Oran, and several others. The demonstrations, which turned into riots, attacked all symbols of the state and the FLN. Comprised largely of students, youth, other unemployed individuals (the poor and the homeless), and an Islamist element, the riots destroyed FLN offices, national companies, government buildings, etc. The local municipal authorities could not quell the violence, and the army was called in to calm the situation. The army savagely suppressed the riots, opening fire on the demonstrators, and the total dead and wounded numbered in the hundreds. With this display of brutality, the army destroyed the remaining admiration held for it by the public. The populace’s

discontent with the state was now absolute.

Comprehending the volatility of public opinion and the weakened position of the state, Chadli, in the aftermath of the riots, embarked upon political reform. He introduced a constitutional amendment that allowed for the creation of multiple political parties. "The 1988 riots were the primary impetus for major political and economic change in Algeria, including the economic 'pseudo-liberalism' and the adoption of a multi-party system...."<sup>7</sup> With this legalization of opposition parties, many long-suppressed voices could now be heard, i.e., feminist, Berber, Islamist, union workers, students, etc. As a result of this liberalization, a group known as the Islamic Salvation Front (*Front Islamique du Salut* or FIS) was formed; it was a force that would soon strike at the heart of the regime. Facing internal pressure from his discontented citizens and external pressure from foreign nations that wanted access to Algeria's vast oil and gas resources, Chadli continued his democratic experiment by scheduling the first free, multi-party municipal elections for June 1990. Both Chadli and the army naively believed that the many parties created by the constitutional amendment would succeed in splitting the vote; each of the minority parties would win small victories, still leaving the bulk of the power in the hands of the regime. They had made a major miscalculation.

With 54% of the vote, the initial round of elections constituted a major victory for the FIS.<sup>8</sup> Appealing to a large part of the Algerian populace, the FIS was multi-faceted. It contained both moderate and radical elements as demonstrated by the divergent views held by its leaders, Abbassi Madani and Ali Belhadj. Madani was an ex-independence fighter, older, more educated and more moderate in his beliefs. On the contrary, Belhadj, a younger, poor cleric from the city of Algiers, was intent on a more radical agenda. Belhadj had played a significant role in the October '88 riots, and he delivered fiery speeches aimed at the disenfranchised, disenchanted urban youth segment of the population. The rise of an Islamic agenda is also due in part to the return of those Algerians known as the "Afghans," more militant followers of Islam who had fought against the Soviet occupation of Afghanistan. The aggressive rhetoric delivered by these religiously zealous members of the FIS built upon the people's discontent, adding fuel to a kindling fire.

For the regime, the period following the June defeat of the FLN was tense and uneasy. Agitated at the thought of losing their political and financial control, yet nervous that an outright cancellation of elections would prompt further

bloody riots, the government adopted a wait-and-see attitude as the first round of parliamentary elections approached in June, 1991. Yet, the regime soon decided that the situation was too risky. Following further FIS-led demonstrations, it canceled parliamentary elections and imposed martial law. It arrested the FIS leadership, Madani and Belhadj, and rescheduled elections for December of that year (not canceling them outright due to their fear of further unrest.)

The June, and subsequently the December, elections held a great risk for the regime as the government had instituted a winner-take-all model based on France's system, as opposed to a system of proportional representation. And, thus, the inevitable happened. The FIS garnered 47% of the vote, actually a reduced showing from the 1990 elections; however, given the system's model, it constituted another landslide victory.<sup>9</sup> "Faced with the magnitude of the FIS victory, the military was stunned and decided to act to protect its own prerogatives and to uphold its acute sense of Algerian nationalism..."<sup>10</sup> Enraged by the results of Chadli's democratic experiment, the army staged a coup d'etat, overthrew Chadli, declared martial law in early 1992, and assumed total control of the government. Furthermore, it disbanded the FIS. These actions constituted the official start of the civil war.

As noted by many scholars, the government should have given careful consideration to the extent of its dedication to true democracy. "The lesson from Algeria should be a simple one: do not embark on a democratic process unless there is a commitment to see it through."<sup>11</sup> A further product of the cancellation of Algeria's fledgling democratic experiment was the boost that it provided to the more radical elements of the opposition. With the FIS disbanded and its active members in hiding or in jail, the moderate voices could no longer convince the people that peaceful change was possible. The thwarting of the pluralist agenda left room for the more radical Islamist element to co-opt the movement. "Muslims become violently militant when they encounter exclusionary states that deny them meaningful access to political institutions..."<sup>12</sup> The radical Islamist agenda focused on convincing the citizens that the state is the enemy. This fiery rhetoric set the stage for a dramatic and bloody showdown. "From a struggle against the dissolution of the FIS in March 1992, it became a war for the complete and real 'liberation' of Algeria."<sup>13</sup>

For a full understanding of their role within this conflict, the evolution of the main armed Islamic groups and their agenda must be examined. The Islamist movement began to gather momentum in the 1980's due to Algeria's economic

crisis. At that time, “Actions of peaceful political dissidence were restrained by a political regime that had further closed all legal and institutional avenues of popular expression and reinforced the one-party system.”<sup>14</sup> The period following the constitutional reform witnessed the creation of several Islamist groups, comprised of both moderate and radical voices, as noted above. The descent into civil war in 1992 saw moderate views upstaged by more extremist, violent agendas, which came to the forefront. “The authorities’ decision to ban the FIS and arrest thousands of its activists placed ordinary members of what might have been a legal party outside the law and drove them into the arms of jihadi groups that might otherwise have remained marginal.”<sup>15</sup> This period saw the rise of many different armed groups, and the discussion below will examine those who figured most predominately. Specific emphasis will be placed on the group that would cause the most destruction to both the regime and the Algerian citizens, the Armed Islamic Group (*Groupe Armee Islamique* or GIA.)

Among the various armed groups were two who saw insurgency as an extension of a political agenda. These organizations gathered strength after the forced dissolution of the FIS in 1992. Their motivation comprised compelling the regime, via a use of force, to reinstate the FIS and allow its re-entry into the political landscape. Formed in 1983, the Armed Islamic Movement (*Mouvement Islamique Armee* or MIA) was the first armed insurgency group to develop in Algeria.<sup>16</sup> It conducted sporadic attacks against the regime during the 1980’s; however, the regime’s strength during the early period of that decade rendered those maneuvers ineffective. With the popular unrest that gripped the country leading to the riots of October ‘88, the MIA experienced a resurgence as it attempted to capitalize on the citizens’ discontent. The reconstituted MIA set up makeshift guerilla camps in the early 1990’s and predicted the thwarting of a FIS victory by the regime. Under the charismatic leadership of Adelkader Chebouti, the MIA left the capital of Algiers after the dissolution of the FIS in 1992, understanding that by remaining, it would become a target for the regime’s security forces. Retreating to districts outside the capital, the MIA established bases in mountainous areas, which while still in proximity to Algiers, offered natural hiding places. These districts, in fact, had excellent topography from which to stage guerilla attacks: closeness to the urban centers, access to the sea, and a rugged populace familiar with war (the Berbers of the Kabylia region.) These bases were so advantageous that guerilla groups would later wage war against each other over their control. Chebouti’s rhetoric captivated Algerians,



and they flocked to join the MIA, which was overwhelmed by a demand for enlistment. Modeling itself on a formal army, the MIA wore military uniforms (looted from Algerian military barracks, forcing the Algerian army to change its uniform)<sup>18</sup> and engaged in a rigorous selection process. The MIA's unwillingness to accept the flood of recruits led some zealots, intent on fighting against the regime as soon as possible, to form their own armed insurgencies. The MIA's selectiveness eventually led to its marginalization.

Another armed group, this one formed directly out of the cancellation of the '92 elections, was the Islamic Salvation Army (*Armee Islamique du Salut* or AIS.) Declaring itself the armed wing of the FIS, the AIS absorbed members of the diminished MIA and attracted additional FIS followers who were still hoping for a reinstatement of their party. The MIA, and subsequently, the AIS are different from other strictly jihad-focused groups, which we will examine later. The AIS viewed its armed struggle as a natural extension of the political handicapping of the FIS and kept political pluralism as its goal. Thus, it focused its attention and resources on armed attacks directed solely at the regime. The AIS gathered strength at the same time as the other jihad-focused groups, yet distinguished its mission from theirs by vowing to never attack innocent civilians. In addition to its war against the regime, the AIS waged an ideological war against groups such as the Armed Islamic Group (*Groupe Armee Islamique* or GIA), accusing them of corrupting the meaning and purpose of the struggle with their attacks on the Algerian people. (In fact, the AIS became so disgusted and disillusioned by attacks on civilians, that after a particularly heinous series of massacres in 1997, it formally ceased all activities and eventually disbanded in 2000.)

"Islamist politics is first and foremost about politics and—and only secondarily about Islam"<sup>19</sup>; this viewpoint encompasses the thinking of the politically motivated armed groups such as the MIA and AIS. However, a new breed of armed insurgency was about to take center stage. These organizations, overwhelmingly symbolized by the GIA, viewed political pluralism as contrary to the true meaning of Islam. Their goal was institution of a caliphate in Algeria, and they declared war against all, regime and citizens included, who opposed them.

Also formed after the cancellation of elections in 1992, the GIA includes a few different radical groups operating under its banner. Created in 1993, its control was centered in the urban areas, namely Algiers and its slum-like suburbs. The GIA had no enlistment caveats; thus, it attracted the disaffected,

marginalized youth and the extreme fanatics that the MIA had refused to employ. The GIA was enamored with the idea of the people's struggle in the revolution. This idea had a two-fold manifestation in its rhetoric; one, the people had a duty to rebel against the state. Other armed groups shared this ideology, as well. However, the second prong in this thinking is infinitely more radical. The GIA's focus on the will of the people as paramount led it to conclude, erroneously, that the people must bear some responsibility for the hated regime's grip on power. (This thinking ignored the obvious importance of financial support received by the regime from both the state's resource revenues, as well as foreign actors.) Thus, the GIA was fixated, not only on the idea of the regime as an enemy, but classified all citizens as either "enemies of Islam" or "supporters of jihad."<sup>20</sup> This thinking gave the organization infinite room to maneuver in the cause of the destruction of its so-called 'enemies.'

A natural progression of this ideology was, as noted earlier, an all-out war for Algeria—the GIA versus all who don't support its mission. Its motto was, "no dialogue, no reconciliation, no truce."<sup>21</sup> The manifestations of these beliefs included massacres of anyone who was viewed as providing support to the regime, including government-employed teachers and civil servants. Also subject to reprisals were those who didn't subscribe to the GIA's particular brand of Islam, which viewed music and drinking alcohol, as well as a slew of other activities, as idolatrous. Thus, the GIA killed musicians, journalists, and intellectuals and declared that foreigners had one month to leave Algeria, or they, too, would become targets.<sup>22</sup> Additionally, foreign support for Algeria's government elicited an equally strong response from the GIA. Prompted by France's financial backing of the regime in 1994 (which will be detailed in a later section), the GIA launched a bombing campaign in France itself. Used as a mobilization strategy, the GIA effectively played upon a feeling that was incredibly strong in Algeria, Algeria's persecution at the hands of the world community. Thus, instead of confining the struggle to within Algeria itself, the GIA extended the war to any country or entity that supported the regime—significantly augmenting the number of those viewed as the enemy. The regime's backing, especially from France, rankled the GIA and its enthusiasts, and the GIA used this support to its advantage by portraying the government as a puppet of the hated colonizing power.

Another notable phenomenon concerning the GIA is the significant power base comprised of young people with no first-hand knowledge of the war for independence. The older generation, those who were ex-combatants, were

extremely wary of the Islamist agenda. They viewed militant Islamism as a set of beliefs imported from the Middle East with no place in Algerian society,<sup>23</sup> and as they had fought a war in the name of their country's independence, they viewed themselves as Algeria's protectors. The older generation was, to an extent, dissatisfied with the regime, but didn't harbor the hatred that was a hallmark of the youth's point of view. From their more mature perch, the ex-combatants saw the struggle between the regime and the armed Islamic groups as a struggle for power, with Islam playing no role. "They are fighting for *kursi* (power), that is why they are killing each other today, only for power."<sup>24</sup>

As its power base expanded, the GIA developed a system of control similar to the Mafia's, with individual districts having their own soldiers, commanders, and overall hierarchy. These Mafia-like structures would eventually piggyback off of the regime's revenue stream and develop a type of shadow state economy. As alluded to above, the higher-ranking members of the GIA became so enamored with their financial gains that the economic spoils of war would eclipse idealistic motives as reasons to continue the fight. This shift in attitude, coupled with the people's fatigue of all-out-war tactics, eventually led to the GIA's decline. However, in 1992-1993, the armed Islamic groups were at the height of their power and seemingly unstoppable. The regime was in serious distress; however, a financial turn-around in 1994, via various avenues of foreign aid, would give the government the resources necessary to equip itself for the long fight ahead.

"By 1994, Algeria was again on the edge of financial disaster.... Foreign debt amounted to \$25 billion and total debt service represented 70 per cent of foreign currency proceeds from Algeria's total exports."<sup>25</sup> At this juncture, the Algerian government had little choice but to dial-down state control of its oil and gas sector and open up its economy to privatization. This move brought 40 billion francs to the regime in the form of loans, credits, and other financial arrangements.<sup>26</sup> Additionally, it resulted in significant investments from private companies eager to tap what had previously been a virtually unopened market. This injection of money proved to be the regime's lifeline. Algeria had always been wary of foreign interference, in fact, since the war for independence, this wariness has become a type of national hallmark. Though, in the case of this extraordinary financial package, the regime was able to put aside its skittishness to accept the aid. This influx of funds allowed the government to modernize its army and anti-terrorism mechanisms, and subsequently, it was able to institute some state reforms to pacify its more moderate-minded citizens, the original

FIS members. On the flip side, the financial boon further entrenched an elite class that had become accustomed to a lavish lifestyle. With the flow of external funds, in addition to the revenue from the oil and gas sector, the regime launched a campaign to solidify its hold on power. The war had officially entered the greed phase.

The international community was initially unsure of its position, vis-à-vis Algeria, in the early 90's. The cancellation of elections had concerned some members, yet so did the overwhelming popularity of an Islamic political party. Thus, the world adopted a wait-and-see attitude, and as violence gripped the country, large foreign powers saw no choice but to throw their support behind the regime. The support given by the international community and by private investment companies, who were looking for the safest bet on the issue of protection for their oil and gas dollars, gave the world a personal stake in the regime's success. With the backing of the world's most powerful nations, the regime seemed destined for victory. Having pledged their support, these foreign actors were now committed to the regime's cause, a situation that the Algerian government capitalized on to its fullest.

This international backing hinged on France's decision to support the regime unconditionally.<sup>27</sup> France's aid, alone, constituted a six billion franc package.<sup>28</sup> The international community may have taken an earlier interest in the crisis had the war disrupted the flow of oil and gas, yet France's support was critical to the IMF's agreement to an immense debt reduction/rescheduling plan. What prompted France's unilateral support? Certainly, one has to consider France's fear of radical Islam, not only its consequences for Algeria, but also its effects on France's Algerian population, at that time estimated to be 1.5 million strong.<sup>29</sup> "Fears over the diffusion of radical Islam are high."<sup>30</sup>

Mainly concerned that an Islamic regime in Algeria would have a domino effect in the region, France's decision to send aid coincided with an increase in violence, courtesy of the GIA.<sup>31</sup> The GIA's militant agenda and its bent towards violent massacres played into the regime's international message for support. In fact, scholars note, "The lucrative theme of the menace of an Islamic state seems...to have been perfectly mastered by the new Algerian political leaders."<sup>32</sup> Additionally, since the emergence of the GIA led to France's unilateral support and its violent tactics worked to the regime's overall benefit, some have questioned whether the GIA was infiltrated by the government's secret security forces, which then carried out horrendous massacres with the goal of continuing international support.<sup>33</sup>

As the war dragged on and certain armed groups, such as the AIS, expressed a wish to negotiate with the government, outside observers openly questioned the regime's lack of interest in putting a stop to the violence. In 1995, the Catholic community of Sant'Egidio in Rome called a summit to address the ongoing conflict in Algeria. The meeting was attended by many Algerian parties (FLN, FIS, etc.) who desired to put an end to the combat. Notably absent were the GIA, unsurprisingly; however, the Algerian regime (fully controlled by the army since the deposition of Chadli Bendjedid) also refused to send a representative. As discussed earlier, the government disliked the idea of foreign interference in Algeria's internal affairs; however, greed as a motivating factor cannot be overlooked. "For the new army elite...the end of hostilities would mean the end of privileges."<sup>34</sup>

John Entelis notes in his preface to Luis Martinez's work on the Algerian civil war, "...there are few differences between incumbents (state elites) and insurgents (Islamic militants) in their efforts to consolidate control over resources..."<sup>35</sup> Furthermore, Martinez himself notes, "The privatization policy adopted by the regime in 1994 was instantly taken over by the participants in the civil war to their own advantage; this led to a "plunder economy" in which people have been laying hands on new resources and maintaining the level of violence that way."<sup>36</sup> In the GIA's case, it began its economic machinations by establishing a sector of its organization whose sole focus was on economic destruction and devastation. This group began its campaign by concentrating, not on the oil and gas sector which due to its location in the extreme south of the country may have proven too logistically difficult to disrupt, but on the state's transportation companies. In areas of GIA control, which included critical transport highways near the capital, any state-owned truck was liable to be stopped, have its goods taken, and the vehicle subsequently destroyed. These determined assaults prompted a dramatic increase in the number of private trucking companies. The government's policy of economic liberalization also proved helpful, since new avenues of trade, i.e. imports of second-hand vehicles from France, were now open to the public. In addition to trucks, private companies began to import buses, since the GIA destroyed state means of public transportation, as well. These companies would charge two or three times the usual fare for rides on private buses, which were in as poor condition as those that had been state-owned. The GIA's armed bands, which existed one per district and captained by an "Emir," operated in a Mafia-style fashion. Depending on the bus's location,

the appropriate Emir became or employed an “inspector” of these vehicles and then charged a protection fee.<sup>37</sup>

As the GIA’s grip on the insurgent agenda grew more powerful, its members would forcibly overrun districts in order to install individual armed bands in power. Captained by an Emir, the district was patrolled by armed adolescents in the employ of the GIA, with allegiance to only their particular emir. Once this forced governmental system was in place, the band set about securing protection money from the local population. Martinez’s account of the civil war details the story of Brahim, a small trader, as an example of the manner in which funds were coerced from average citizens. Brahim recounts, as follows:

I was sitting down reading the sports newspaper, I was listening to music when two young men entered the shop and said, “Turn off the radio!” I turned it off and as I got up, I saw the klach they were carrying, and then I understood that they were Moudjahidin. They told me to have no fear because I was a good Muslim. They told me I must give to help fight Taghout (the name given by the Islamists to the state—it was taken from Koranic vocabulary applied to the devil.) I said that I had no money, what I earned was just enough to feed my family, then they said, “You give what you can.”<sup>38</sup>

Brahim’s experience demonstrates the pervasiveness of the protection racket. At the outset of the civil war, much of the citizenry gave money voluntarily to the armed groups, including the GIA. However, the increasing violence attributable to the armed bands made people reluctant to donate to the cause. A refusal to give money was answered with death, and thus, the Emirs and armed soldiers killed citizens, as noted by another Martinez interviewee “... They cut you up into pieces as if you were a sheep. I tell you, people are going to turn against them if that continues.”<sup>39</sup> Another Algerian further noted, “They call themselves “Moudjahid” but they are bandits. All that they want is your money. They are a bunch of jealous, hungry people: they are hungry for everything that they have never had.”<sup>40</sup> The armed groups of the GIA also clamped down and extorted money from industries engaged in behavior found not to be in keeping with their version of Islam. This practice was particularly evident in their dealings with the hotel and restaurant sector. Restaurants and hotels that served alcohol were subject to arson, as were those that allowed entry to women.

Like the regime, the Emirs and other armed actors benefited from the civil war--from the violence that they perpetuated. These financial benefits reaped during wartime account for the ability of the GIA to quickly and easily replenish forces that had been diminished by casualties.<sup>41</sup> Unemployed, young men, who were rejected by more moderate organizations such as the AIS, found a home in the GIA's armed bands. The position of Emir was viewed as prestigious, and the opportunity for financial gain propelled many a youthful recruit. The Mafia-style environment, touting an ethic of right of revenge against social inequality was a powerful attractor, as was the possibility of advancement to Emir. "The armed groups' jihad was a lucrative business."<sup>42</sup>

This shift from an ideological struggle to the continuation of conflict for economic reasons was the downfall of the GIA. Their cause no longer viewed as noble and their penchant for violent massacres too much for the populace to bear, support for these armed groups waned. Eventually, the GIA was heavily infiltrated by the regime's secret service, a situation which created an atmosphere of mistrust within the organization and led to heavy infighting, and finally, self-destruction. "Concern for making money became stronger than concern for the struggle, and the people ceased to see them as protectors."<sup>43</sup>

As detailed above, the opening of Algeria's market economy, which coincided with the IMF's decision to support debt rescheduling, was a boon to the regime and subsequently, to the armed Islamic insurgency. The insurgency's financial gains were won at the expense of ordinary citizens who came to view its banditry and rapacious greed as being equal to that of the state's. With their movement into the greed phase, the insurgents, namely the GIA, lost legitimacy with the Algerian people. On the other side of the equation, the IMF's debt rescheduling, coupled with an increase in outside aid from foreign nations and investments by private enterprise, shored up a regime that seemed on the verge of defeat in '92-'93. This influx of cash allowed the government to modernize its counter-terrorism apparatus, and it then began to undertake a series of reforms that would improve the lives of Algerian citizens, causing them to question their support for the Islamic cause.

The creed factor in the Algerian civil war is challenging to discuss. Creed is defined by Arnson as "generalized belief and identity feelings."<sup>44</sup> When noting creed as a factor in civil war, the discussion often pertains to the subjugation of a minority agenda at the hands of a majority power. One can look at the various Christian factions fighting during the Lebanese civil war of the 1980's as an

example. The Algerian situation presents a problem in the ability to view an Islamist agenda as a minority perspective in a country that is 99% Muslim.<sup>45</sup> The nature of the brand of Islam ascribed to by the armed insurgent groups has its roots in a more Middle-Eastern version of the religion; yet, the general principles are essentially the same. This distinction was lost on the Algerian public as concluded by Martinez after an interview with Si Lakhdar, a local Algiers citizen. “The war being waged by the Islamists and security forces could not, he said, be explained otherwise than by a desire for personal enrichment. The proof of that was that the word *jihad* was meaningless in a Muslim country.”<sup>46</sup>

Another potential creed issue has roots in the country’s Berber population, located in a northern province known as Kabylia. The Berber residents of Kabylia have a history of agitation against the Algerian government as they seek acknowledgement of their distinct identity, as well as, official recognition of their language, Tamazight.<sup>47</sup> Initially quiet demands gave way to overt activism, and the first protests and demonstrations, which occurred in the 1980’s, were met with harsh reaction and repression from the regime. With the opening of the political system in 1989, the Berber minority founded its own party the Front of Socialist Forces (*Front des Forces Socialistes* or FFS), which has continued to garner support, mainly from within the Kabylia, throughout the electoral process. In my view, the Berber agenda did not play a major role in the civil war, which I perceive to be waged by armed Islamic groups and the regime for control of Algeria’s government. Furthermore, the Berber and Islamist agenda are at cross-purposes as the Berbers advocate for recognition of their identity and language, while the Islamists, intent upon “Arabizing” Algeria, viewed the Berber’s request for status as being contrary to the principles of Islam.

The model of the Algerian civil war conforms to the conflicts explored in *Rethinking the Economics of War*. Arnson states, “It is notable that none of the conflicts explored in this book started as a greed-based rebellion.”<sup>48</sup> With the cancellation of elections, the regime thwarted the Algerian people’s desire for a peaceful change in leadership; a change through which the citizens hoped for a redress of their long-standing list of grievances. However, once the civil war was co-opted by certain armed insurgency groups who piggybacked off of the state’s increased revenue, the conflict made a full-blown move into the greed phase. It should be noted that greed, both for money and for power, was always a motive behind the regime’s actions; however, the people, the proponents for change, had equality and economic benefits for all Algerians as their principal



motivation, as did the early Islamic agenda.

In conclusion, the Algerian civil war is the bloody manifestation of an issue that plagues Algeria to this day, a fundamental problem that has been a major cause of citizen discontent since independence: “the absence of adequate political institutions for the orderly representation of interests and expressions of grievances.”<sup>49</sup> As demonstrated earlier in this discussion, the Algerian population’s discontent comprised a host of concerns stretching back to the 1980’s, and the increasing educational level of its greatly expanding youth segment led to a large portion of the populace’s rising expectations, which its government failed to meet. The citizens’ disappointment with the regime that had liberated them from French control simmered until it was given release in the riots of October 1988. The government’s thwarting of a democratic experiment, the first in Algeria’s history, added kerosene to a burning fire, and the entire country was convulsed by waves of bloodshed, which to this day, have not completely subsided.

The violence endured by the public at the hands of both the regime and the armed insurgency groups has left the Algerian population traumatized and scarred. Initially a revolution of ideas, the Algerian civil war degenerated into brutal carnage as the public suffered at the hands of both opposing factions, each side twisted by its greed for wealth and power. Buoyed by the support of the European community and other international actors, the regime proved victorious as it managed to eradicate the lion’s share of the extremist Islamist threat, though pockets of radical armed insurgency still remain today.<sup>50</sup>

The international community cannot predict what would have been the course of the Algerian government, had the FIS been allowed to assume power in 1992. However, the Algerian civil war will hopefully serve as a powerful lesson for the global community: the will of the people will be heard, either initially through moderate and peaceful means, or at a later date, through violent shows of force, which will come at a cost too high for anyone to bear.

## END NOTES

<sup>1</sup>John P. Entelis, preface to *The Algerian Civil War: 1990-1998*, by Luis Martinez, trans. Jonathan Derrick (London: Hurst & Company, 2000) ix.

<sup>2</sup>Entelis, xi.

<sup>3</sup>Clement M. Henry, "Algeria's Agonies: Oil Rent Effects in a Bunker State," in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 77.

<sup>4</sup>Daniel Singer, "Algeria Slides into Civil War," *The Nation*, (February 21, 1994), <http://www.thenation.com/doc/19940221/singer> (accessed July 15, 2007).

<sup>5</sup>I. William Zartman, "Need, Creed, and Greed in Intrastate Conflict," in *Rethinking the Economics of War: The Intersection of Need, Creed, and Greed*, eds. Cynthia J. Arnson and I. William Zartman (Washington, DC: Woodrow Wilson Press Center, 2005), 269.

<sup>6</sup>Luis Martinez, "Why the Violence in Algeria?" in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 25.

<sup>7</sup>Ali Kouaouci, "Population, Transition, Youth Unemployment, Postponement of Marriage and Violence in Algeria," in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 36.

<sup>8</sup>"Encyclopedia of the Orient," <http://lexicorient.com/e.o/fis.htm>. (accessed August 4, 2007)

<sup>9</sup>Michael Bonner, Megan Reif and Mark Tessler, *Introduction to Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 2.

<sup>10</sup>William Quandt, "Algeria's Transition to What?" in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 83.

<sup>11</sup>Mohammed Akacem, "The Role of External Actors in Algeria's Transition," in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 166.

<sup>12</sup>Mohamed M. Hafez, *Why Muslims Rebel: Repression and Resistance in the Islamic World*, (Boulder, CO: Lynne Rienner, 2003) xv.

<sup>13</sup>Luis Martinez, *The Algerian Civil War: 1990-1998*, trans. Jonathan Derrick (London: Hurst & Company, 2000), 43.

<sup>14</sup>Azzedine Layachi, "Political Liberalism and the Islamist Movement in Algeria," in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 49.

<sup>15</sup>International Crisis Group, "Islamism, Violence and Reform in Algeria: Turning the Page (Islamism in North Africa III)," (July 30, 2004), <http://www.crisisgroup.org/home/index.cfm?id=2884&1=1>, (accessed July 15, 2007).

<sup>16</sup>Council on Foreign Relations, <http://www.cfr.org/publication/9154/> (accessed August 4, 2007).

<sup>17</sup>Martinez, *The Algerian Civil War: 1990-1998*, 198.

<sup>18</sup>Ibid.

<sup>19</sup>John Entelis, "Islamist Politics and the Democratic Imperative: Comparative Lessons from the Algerian Experience," in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 212.

<sup>20</sup>Martinez, *The Algerian Civil War: 1990-1998*, 208.

<sup>21</sup>Slogan attributed to Qari Said, one of the ideologues of the GIA. Martinez, *The Algerian Civil War: 1990-1998*, 209.

<sup>22</sup>“Islamic Militants’ death threat drives foreigners from Algeria,” *The Times*, (November 20, 1993), <http://www.timesonline.co.uk> (accessed July 22, 2007).

<sup>23</sup>Martinez, *The Algerian Civil War: 1990-1998*, 84.

<sup>24</sup>*Ibid.*, 89.

<sup>25</sup>Kada Akacem, “Economic Reforms in Algeria: An Overview and Assessment,” in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 116.

<sup>26</sup>Martinez, *The Algerian Civil War: 1990-1998*, 228.

<sup>27</sup>Yahia H. Zoubir, “The Dialectics of Algeria’s Foreign Relations, 1992 to the Present,” in *Algeria in Transition: Reforms and Development Prospects*, eds. Ahmed Aghrouit and Redha M. Bougherira (London: RoutledgeCurzon, 2004) 156.

<sup>28</sup>Martinez, *The Algerian Civil War: 1990-1998*, 228.

<sup>29</sup>Mohammed Akacem, 158.

<sup>30</sup>Fulvio Attina, “The Barcelona Process, the Role of the European Union and the Lesson of the Western Mediterranean,” in *Islam, Democracy and the State in Algeria: Lessons for the Western Mediterranean and Beyond*, eds. Michael Boner, Megan Reif & Mark Tessler (London: Routledge, 2005), 150.

<sup>31</sup>Zoubir, 156.

<sup>32</sup>Martinez, *The Algerian Civil War: 1990-1998*, 229.

<sup>33</sup>Zoubir, 156.

<sup>34</sup>Martinez, *The Algerian Civil War: 1990-1998*, 232.

<sup>35</sup>Entelis, xi.

<sup>36</sup>Martinez, *The Algerian Civil War: 1990-1998*, 119.

<sup>37</sup>*Ibid.*, 122.

<sup>38</sup>*Ibid.*, 108.

<sup>39</sup>*Ibid.*, 109.

<sup>40</sup>*Ibid.*, 128.

<sup>41</sup>*Ibid.*, 138.

<sup>42</sup>*Ibid.*

<sup>43</sup>*Ibid.*, 139.

<sup>44</sup>Cynthia J. Arnson, "The Political Economy of War: Situating the Debate," in *Rethinking the Economics of War: The Intersection of Need, Creed, and Greed*, eds. Cynthia J. Arnson and I. William Zartman (Washington, DC: Woodrow Wilson Press Center, 2005), 11.

<sup>45</sup><http://www.infoplease.com/ipa/A0107272.html> (accessed August 3, 2007).

<sup>46</sup>Martinez, *The Algerian Civil War: 1990-1998*, 129.

<sup>47</sup>Heba Saleh, "The Kabylie Riots: Repression and Alienation in Algeria," in *Algeria-Watch*, (May 11, 2001). <http://www.algeria-watch.org/farticle/kabylie/riots.htm> (accessed July 28, 2007).

<sup>48</sup>Arnson, 11.

<sup>49</sup>International Crisis Group, "Algeria: Unrest and Impasse," (July 10, 2003), <http://www.crisisgroup.org/home/index.cfm?id=1415&1=1>, (accessed July 15, 2007).

<sup>50</sup>International Crisis Group, "Diminishing Returns: Algeria's 2002 Legislative Elections," (June 24, 2002), <http://www.crisisgroup.org/home/index.cfm?id=1758&1=1>, (accessed July 15, 2007).

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**Shadows of Our Heroes:  
The Vietnam War's Social,  
Medical and Psychological  
Impact on Both American and  
South Vietnamese Veterans,  
1969 to 2006**

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*by Dorothy Campbell*

Written for  
Course: *U.S.-Vietnam Relations: Five Themes*  
Professor: Pamela Sodhy, Ph.D.  
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While the heroes of World War II came home to accolades, the veterans of the Vietnam War stumbled back into a world like none they could have ever imagined. For the past two decades, both the often misunderstood American Vietnam veterans and the overlooked South Vietnamese veterans have had to come to terms with devastating disease, social inequities, economic disparity, and internal psychological warfare. What was the social, medical, and psychological impact of the Vietnam War on both American and South Vietnamese veterans from 1969 to 2006?

Vietnam veteran is a term used to describe someone who served in the armed forces of participating countries during the Vietnam War. It is usually associated with veterans who were in the armed forces of South Vietnam, the United States, and countries allied with them, whether or not they were actually stationed in Vietnam during their service. There is sometimes a distinction made between those who served “in country” and those who did not actually serve in Vietnam by referring to the “in country” veterans as “Vietnam Veterans” and the others as “Vietnam Era Veterans.” However, the U.S. government officially refers to all as “Vietnam Era Veterans.”<sup>1</sup>

There are persistent stereotypes about American Vietnam veterans as “psychologically devastated, bitter, homeless, drug-addicted people who had a hard time readjusting to society, primarily due to the uniquely divisive nature of the Vietnam War.”<sup>2</sup> Such social division was evident in the lack of both public and institutional support for the former soldiers, which had been previously provided to returning combatants of most other conflicts, such as World War II or the Korean War.

While some American veterans bore emotional and physical injuries which they would carry for the rest of their lives as a result of armed conflict, perhaps the most severe trauma was surviving one of the most emotionally charged eras in American history upon their return home. Although many of the physical and psychological hardships endured by veterans were similar, the “attitudes of veterans and non-veterans changed dramatically between the post-World War II and post Vietnam War eras.”<sup>3</sup> The culture of the post-Vietnam decade, glorifying the expression of emotion, deeply suspicious of public institutions, and for much of the period, pessimism, accounted for much of the ambivalence of the larger society towards veterans.<sup>4</sup>

Some Americans who did not go to Vietnam perceived veterans as “villains who committed inexcusable atrocities; victims of incompetent political

or military leaders; suckers who needlessly put themselves in harm's way; or people so psychologically damaged they could not live productive, stable lives in peacetime."<sup>5</sup> The experience of American Vietnam veteran, Lewis Puller Jr., illustrates the alienation American Vietnam veterans felt from their non-veteran peers. He recalled that every where he looked "it seemed that Vietnam veterans were being shunned and reviled, and I could not reconcile my father's generation's triumphal return from World War II with my own experience."<sup>6</sup>

Unlike World War II veterans, who spanned across social and racial lines, most American Vietnam veterans shared a specific economic or racial background. During the Vietnam War, approximately twenty-seven million American men dealt with the draft but only eleven percent of them served in some fashion in Vietnam. As a result of college deferments, most U.S. soldiers in Vietnam came from minority and working-class backgrounds. The average age of U.S. soldiers in Vietnam was, at nineteen, three years younger than for American men during World War II and Korea.<sup>7</sup>

In a material sense, the benefits provided to American Vietnam veterans were dramatically less than those enjoyed by veterans of World War II. This economic disparity has been recognized by the U.S. government, and although The Vietnam Era Veterans' Readjustment Assistance Act of 1974<sup>8</sup> was meant to try and help the veterans overcome this, parity has yet to be established.

Also in contrast to World War II, American soldiers in Vietnam served individualized tours of duty rather than remaining attached to their units throughout the war. This sometimes produced difficulties in adjusting to life back at home. It is believed that some soldiers in Vietnam became addicted to drugs and continued their self-medication upon their return to the U.S. The difficulties of "transitioning to a peacetime existence, the availability and climate of drugs in the United States, and the lack of federal programs to help veterans cope with postwar life at home"<sup>9</sup> all contributed to some American veterans' continued drug addiction.

Many veterans "felt alienated from the larger society"<sup>10</sup> and often expressed "guilt and rage."<sup>11</sup> These feelings often led to an inability to resume ties to loved ones or friends and to form new relationships; thus making it extremely difficult to "keep jobs or marriages."<sup>12</sup> American Vietnam veterans often drank and took drugs to alleviate the "unconsummated grief of soldiers—impacted grief in which an encapsulated, never-ending past deprives the present of meaning."<sup>13</sup>

Some veterans wrote about their war experiences to educate the nation as

well as improve their own understanding of their participation in the conflict and the public reception they received. Ron Kovic, a disabled veteran who served two tours of duty in Vietnam with the marines, explained in an autobiography, his participation in the war and the difficulties of coming home in a wheelchair to an angry and hostile American public. Even after he returned home paralyzed from the waist down, he still felt that Vietnam was important to “the security of the American people.”<sup>14</sup>

He had a change of heart, however, and became an anti-war activist who soon realized that one “gets nothing out of combat but heartache and sorrow.”<sup>15</sup> Director Oliver Stone, also an American Vietnam veteran, transformed Kovic’s autobiography into a successful film in 1989 entitled *Born on the Fourth of July*. Stone used filmmaking to express his experiences by producing another film about the Vietnam War entitled *Platoon* (1986). Both films were well received by the public, but came almost a decade after most American Vietnam veterans returned home.

Although most veterans were not permanently physically damaged by the Vietnam war, some 15 to 25 percent of American Vietnam veterans (between 500,000 and 700,000) suffered from a stress-related impairment known as post-traumatic stress disorder (PTSD), a psychological disease brought on by acute combat experience. Some of the 11,500 women who served in the war—90 percent of them as nurses—also returned exhibiting PTSD.<sup>16</sup> This condition can occur in combat soldiers or other individuals suffering from violent trauma and may not manifest itself until years after the initial experience. Also known as shell shock or combat fatigue, the disorder is vaguely defined and was believed to be “overused in diagnosing the psychological reactions to war of Vietnam veterans.”<sup>17</sup>

Kovic asserts:

Post-traumatic stress disorder (PTSD), which afflicted so many of us after Vietnam, is just now beginning to appear among soldiers recently returned from the current war. For some, the agony and suffering, the sleepless nights, anxiety attacks, and awful bouts of insomnia, loneliness, alienation, anger, and rage, will last for decades, if not their whole lives. They will be trapped in a permanent nightmare of that war, of killing another man, a child, watching a friend die ... fighting against an enemy that can never be seen, while at any moment someone--a child, a woman, an old man, anyone--might kill you. These

traumas return home with us and we carry them, sometimes hidden, for agonizing decades. They deeply impact our daily lives, and the lives of those closest to us.<sup>18</sup>

Several studies have been conducted concerning PTSD, including *The Vietnam Experience Study* by the Centers for Disease Control (CDC), which concluded that “the psychological evaluation found that certain psychological problems were more common among the Vietnam veterans than among non-Vietnam veterans.”<sup>19</sup> Not only was PTSD prevalent among American Vietnam veterans, but also other “problems included depression, anxiety, and combat-related post-traumatic stress disorder.”<sup>20</sup>

While the psychological effects of PTSD touched many American Vietnam veterans, almost all the Americans and Vietnamese who served in the armed forces in Vietnam during the Vietnam War were exposed to a defoliant herbicide mixture called Agent Orange. A mission, known as Operation Ranch Hand, involved spraying 20 million gallons of Agent Orange over roughly 3.6 million acres of Vietnamese land to remove forest cover, destroy crops, and clear vegetation from U.S. bases. The large scale sprayings in Operation Ranch Hand were done “using airplanes and helicopters, but herbicides were also sprayed from boats, ground vehicles, and by soldiers.”<sup>21</sup> Because exposures were so varied, it is difficult to quantify which levels of exposure resulted in which health effects.

In the 1970’s some veterans became concerned that exposure to Agent Orange might cause delayed health effects but the government dismissed these claims as “fantasies.”<sup>22</sup> One of the chemicals in Agent Orange contained small amounts of dioxin (also known as “TCDD”), which had been found to cause a variety of illnesses in laboratory animals. More recent studies have suggested that dioxin may be related to several types of cancer and other disorders.<sup>23</sup>

Unlike South Vietnamese veterans, American Vietnam veterans can seek relief from the government for Agent Orange related illnesses. Under the law, American veterans who served in Vietnam between 1962 and 1975 (including those who visited Vietnam even briefly), and who have a disease that is recognized “as being associated with Agent Orange, are presumed to have been exposed to Agent Orange.”<sup>24</sup> These veterans are eligible for service-connected compensation based on their service if they have one of the diseases on the United States Department of Veterans Affairs (VA) list of “diseases associated with exposure to certain herbicide agents.” Some diseases include “chloracne or other acneform

diseases consistent with chloracne, chronic lymphocytic leukemia, diabetes mellitus, Type II, Hodgkin's disease, multiple myeloma, Non-Hodgkin's lymphoma, acute and subacute peripheral neuropathy, porphyria cutanea tarda, prostate cancer, respiratory cancers, and soft-tissue sarcoma.<sup>25</sup>

The U.S. government is not the only place American Vietnam veterans can seek relief. In 1984, Agent Orange manufacturers Dow Chemical, Monsanto (now Solutia), Diamond Shamrock, Hercules, Uniroyal, and others agreed to a class action settlement of \$180 million to be paid to American Vietnam veterans exposed to Agent Orange during the Vietnam War, and funds were distributed between 1988 and 1996.<sup>26</sup> Although this was a great victory for the American victims of Agent Orange, "individual veterans suffering from Agent-Orange-caused disorders received little money from the settlement since the court set numerous restrictions on the way the money was paid."<sup>27</sup> Fewer than 5 percent of the plaintiffs received any compensation from the fund, and only American Vietnam veterans "who could demonstrate a 100-percent disability due to Agent Orange received compensation of \$12,800."<sup>28</sup>

While the settlement and payments of American Vietnam veterans may seem paltry, South Vietnamese veterans and citizens, unfortunately, have had no recourse for their Agent Orange exposure. For many years the Vietnamese have been pursuing diplomatic channels to persuade the U.S. government to accept responsibility for the health and environmental consequences of toxic herbicides used by the U.S. during the war in Vietnam. However, these negotiations did not get very far. The U.S. continues to insist that "more scientific research is needed in order to address this issue,"<sup>29</sup> whereas the Vietnamese continue to stress the need for immediate humanitarian assistance for the victims. As a result, many in Vietnam have become frustrated that nothing is being done to assist those whose health had been adversely impacted by Agent Orange, even though the U.S. currently provides compensation for American veterans who became ill from their exposure to Agent Orange in Vietnam.

A small group of Vietnamese doctors, scientists and others who have worked over the past several decades with victims of Agent Orange decided that the time had come to pursue the "American"<sup>30</sup> way to solve this problem; by suing those responsible. They formed the Vietnam Association of Victims of Agent Orange and, along with several other individual plaintiffs, reached out to American lawyers to file a lawsuit in American courts.

On March 10, 2005, Judge Jack Weinstein of Brooklyn Federal Court dis-

missed the lawsuit filed by the Vietnamese Victims of Agent Orange against the chemical companies that produced the defoliants/herbicides despite the fact that it was known that they were tainted with high levels of dioxin. Judge Weinstein in his 233 page decision ruled that “the use of these chemicals during the war, although they were toxic, did not in his opinion fit the definition of ‘chemical warfare’ and therefore did not violate international law.”<sup>31</sup> While the debate rages on as to whether or not the U.S. is responsible for compensating Vietnamese victims of Agent Orange, there is no doubt as to who is actually responsible for exposing the Vietnamese to the chemical.

Meanwhile, the negative image of the Vietnam veteran has been battled in recent years, primarily by people such as B. G. Burkett, an American Vietnam veteran who was awarded the Bronze Star Medal, Vietnamese Honor Medal, and Vietnamese Cross of Gallantry. Burkett gathered statistics attempting to prove that Vietnam veterans were actually “quite prevalent among the government and business leaders of America 30 years after the Vietnam War.”<sup>32</sup> Furthermore, he discovered a large number of people claiming to be veterans who were not. Using the Freedom of Information Act and military personnel records, he found these “fake vets”<sup>33</sup> in every walk of life.

Despite the myth of the chronically impaired Vietnam veteran, most vets “married, found jobs, and successfully reintegrated into American society.”<sup>34</sup> Many became successful businessmen and politicians whose experiences in the war shaped subsequent U.S. policy toward Vietnam. American Vietnam veterans such as John Kerry and John McCain, “became the point men leading the nation to a complex but more hopeful phase of Vietnamese-American relations.”<sup>35</sup>

While the treatment of American Vietnam veterans may seem unfair or heartbreaking, the treatment of South Vietnamese veterans was a tragedy. For Vietnamese veterans on both sides of the conflict, the violence of war remained firmly with them for the rest of their lives. For the victorious communist troops, the end of the war meant a return home to participate in village life and the rebuilding of a united nation. For South Vietnamese veterans and villagers, the end of the war meant the beginning of a whole new nightmare.

The five million South Vietnamese veterans (including 500,000 disabled vets) faced difficult choices at the war’s end. The number of Vietnamese refugees who fled Vietnam was in the hundred of thousands and most of them were South Vietnamese. According to David Lamb, an American reporter during the Vietnam War, “never before in any country had so many people fled peace.”<sup>36</sup> Among those



who fled were Vietnam's "best and brightest."<sup>37</sup> This loss of human capital would eventually become devastating to a country where "the writers and scholars and statesmen and economists and merchants" were "the very people Hanoi desperately needed to build a new society incorporating all Vietnamese."<sup>38</sup>

As Saigon "fell to the communists,"<sup>39</sup> some 135,000 Vietnamese fled to America. Among those included were as follows:

... mainly ex-military and government officials, Vietnamese who had worked for the U.S. during the war and their families. Initially, they came to four U.S. military bases in California, Arkansas, Pennsylvania, and Florida. Several national voluntary agencies, under contract from the Department of State, resettled these new arrivals in communities throughout the country and arranged 'sponsorships' for the refugees. These sponsorships involved the provision of housing and initial support from interested Americans.<sup>40</sup>

While many fled to the United States, other countries such as Germany, Bulgaria, Czechoslovakia, and the Soviet Union<sup>41</sup> also received many Vietnamese refugees.

Most South Vietnamese veterans who fought with the Vietcong were, along with their families, forced into land redevelopment projects, or New Economic Zones, established in the rural countryside to increase land productivity. They comprised nearly half of the one million Vietnamese detailed to the rural projects. Those who survived malaria and malnutrition drifted back to major southern cities when food supplies dissipated. There, many reentered Vietnamese urban society as cab drivers. In the late 1970s and early 1980s, many of these veterans and their families swelled the tide of "boat people" seeking refuge in the United States.<sup>42</sup> Approximately 100,000 South Vietnamese veterans entered the United States in this fashion, though an unknown number perished at sea.<sup>43</sup>

Those who stayed did so for a variety of reasons-- because they did not want to leave their homeland, because they couldn't find a way to escape, or because they felt they had nothing to fear from the communists and wanted, now that the war was finally over, to contribute their energy and talents to the rebuilding of their country. Some civilians who had opposed the war and been imprisoned by South Vietnamese authorities believed that "the communists would not bother them."<sup>44</sup> However, following the communist victory, many civilians and veterans were rounded up and sent to reeducation camps, essentially forced labor camps

in desolate areas, because they “just happened to be at the wrong place at the wrong time.”<sup>45</sup> Usually they were told to “pack enough clothes and personal effects to last ten days or two weeks,”<sup>46</sup> but most often they were detained without trial for up to decades. Many did not return for several years and some remained until 1988, a period of fourteen years.

Over “400,000 South Vietnamese—soldiers, teachers, writers, student activists, businessmen, intellectuals, along with some common criminals—were sent off to reeducation camps.”<sup>47</sup> The system of reeducation involved regular confessions of “crimes” against Vietnam, coupled with readings on American imperialism and Vietnamese socialism. Higher officials and those who resisted were sometimes tortured. Terms of service ranged from a few months to several years. Those prisoners viewed as the most threatening were sent to camps in northern Vietnam, where slave labor was not uncommon. Some of these prisoners were held until 1989, when the camps finally disbanded. According to Vietnamese government reports, “at least fifty camps existed in the 1970s and 1980s, with an average population of four thousand people each.”<sup>48</sup> An unknown number of the war veterans “died before seeing freedom and mistreatment was common.”<sup>49</sup> They sometimes “perished from disease, starvation, and overwork”<sup>50</sup> and family members who attempted to smuggle food to the prisoners endured “great suffering by having to support themselves while they made long trips to the camps.”<sup>51</sup>

One of these prisoners, Huynh Sanh Thong, explains as follows:

[t]he term ‘reeducation,’ with its pedagogical overtones, does not quite convey the quasi-mystical resonance of *cai-tao* in Vietnamese. *Cai* (‘to transform’) and *tao* (‘to create’) combine to literally mean an attempt at ‘recreation,’ at ‘making over’ sinful or incomplete individuals. Born again as ‘Socialist men and women,’ they will supposedly pave the way to the Communist millennium. In reality, however, the camps were terrible places in which men were forced to work at hard labor with not enough food and no medical attention.<sup>52</sup>

Prisoners were forced to do hard labor under “brutal discipline.”<sup>53</sup> A very light violation could be heartlessly punished. Flogging a few hundred blows with bamboo sticks was very common. Many were crippled or suffered broken ribs and bones after being beaten to a pulp by guardians. In many places, beatings

were done every evening at the criminal prisoners' ward. Usually, those prisoners who violated the camp's regulations were kept in solitary confinement cells for at least one week or more and one or two legs were locked in stocks. Food allowance was reduced by one-fourth and the guardians on patrol might beat them, pour cold water, mud, or even urine over their face at any time.<sup>54</sup>

In many camps, prisoners in dark cells were given two small bowls of rice a day, mixed with a tablespoon of salt and a little water so that salt couldn't be separated. Along with it, they were allowed only one cup (1/4 liter) of water. This unbearable thirst killed an unknown number of prisoners in the reeducation camps.<sup>55</sup>

One of the reeducation prisoners, Tran Tri Vu, explained that just before he was released after four and a half years in reeducation he was told by a cadre that the condition of his release was as follows:

[h]e had to denounce any fellow prisoners who opposed the revolution or had not yet achieved a good education. The cadre handed him a pen and a piece of paper. His face flushed and his heart pounding at the prospect of freedom, of seeing his wife and children again, he sat dumbfounded. Freedom was almost in his grasp but it could only be achieved by betraying the trust of his fellow prisoners. Finally, he hit upon a solution: he would denounce himself, admit what he knew his wardens already knew, that he had made some tables and chairs for another prison guard who had sold them.<sup>56</sup>

The tactic worked for Tran Tri Vu but this episode and others in these accounts hint at the compromising decisions that prisoners had to make in order to survive.

The freedom of most of the 60,000 prisoners was eventually won with the help of American and Vietnamese efforts in 1990. Of this number, those Vietnamese veterans who fought for South Vietnam immigrated to the United States and secured political asylum beginning in 1988 through the official Orderly Departure Program (ODP). Since its inception, more than 600,000 Vietnamese have been processed through the ODP. Of this number, some 486,000 Vietnamese have been approved for admission to the U.S., including 230,949 who were admitted as refugees.<sup>57</sup> Many remained bitter, however, over alleged abandonment by Vietnamese and American officials, who failed to provide

adequate financial support once the veterans arrived in the United States. Like many American Vietnam veterans, many South Vietnamese veterans suffered from substance abuse and unemployment upon arriving in the U.S.

For those Vietnamese veterans still in reeducation camps outside of Vietnam, in March 1996, the Vietnamese Government agreed, in principle, to cooperate with the U.S. Government on a new resettlement opportunity for certain Vietnamese migrants. This initiative, known as the Resettlement Opportunity for Vietnamese Returnees (ROVR), was designed to offer a final chance at a U.S. resettlement interview to eligible Vietnamese who were then still in first asylum camps in Southeast Asia, or who had recently returned to Vietnam. Under ROVR, certain Vietnamese could register for consideration for a resettlement interview with the Department of Homeland Security (DHS).<sup>58</sup>

While some prisoners got the chance at a new life in the United States through ODP and ROVR, the estimated 2 million of those South Vietnamese veterans still living in Vietnam who were “involuntarily moved into ecologically unfriendly ‘economic zones’ for cooperative farming”<sup>59</sup> experienced a different torture. Soon after the fall of Saigon, food production plummeted and the education system and school curricula were quickly changed to suit the North Vietnamese agenda. According to Lamb, “the world view was through a lens of Marxism, and in this new society jobs went to Northerners, university slots to the children of Northerners.”<sup>60</sup>

Along with their hope for opportunity, South Vietnamese veterans and their families quickly learned that their personal property would also be confiscated by the North Vietnamese. An eye witness recalls soldiers “descended on the maze of teeming, narrow streets to inventory private property—everything from gold watches to factory machinery—that was to be turned over to the state in the name of destroying free enterprise. Within days the property was confiscated and South Vietnam’s currency was abolished. Overnight millionaires became paupers.”<sup>61</sup>

Economic life continued to spiral as “newspapers, brothels, and restaurants in Saigon closed.”<sup>62</sup> In order to fill the “cultural void,” the North Vietnamese sent “170,000 books to the South—mostly about Marx, Lenin, Engels, and the accomplishments of communism—and 450,000 pictures, almost all of them of Ho Chi Minh.”<sup>63</sup> While American Vietnam veterans suffered physical and emotional trauma upon their return home, South Vietnamese veterans remained in a country “internationally isolated, increasingly poor, gripped by near famine,”

and “as dispirited and desperate”<sup>64</sup> as the North once was.

The perceived lessons of the past are more compelling when the memories are troubling, and there is a nearly irresistible urge to avoid repeating mistakes. Americans have tended to see every contentious or dangerous foreign policy issue through the prism of Vietnam for more than a quarter century, including the war in Iraq, and there is no reason to think that this will abate. Whether it does or does not remains to be seen, but one can only hope that, at the very least, this prism of Vietnam will continue to positively impact the treatment of future American veterans.

END NOTES

<sup>1</sup>*Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) of 1974*, §4212.

<sup>2</sup>Robert D. Schulzinger, *A Time for Peace: The Legacy of the Vietnam War* (New York: Oxford University Press, 2006), 73.

<sup>3</sup>*Ibid.*

<sup>4</sup>*Ibid.*, 74.

<sup>5</sup>*Ibid.*

<sup>6</sup>Lewis B. Puller, Jr., *Fortunate Son: The Autobiography of Lewis B. Puller, Jr.* (New York: Grove Weidenfeld, 1991,) 234.

<sup>7</sup>*Ibid.*, 75.

<sup>8</sup>*Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) of 1974*, §4212.

<sup>9</sup>Schulzinger, *A Time for Peace: The Legacy of the Vietnam War*, 78.

<sup>10</sup>*Ibid.*

<sup>11</sup>*Ibid.*

<sup>12</sup>*Ibid.*

<sup>13</sup>*Ibid.*

<sup>14</sup>The Internet Movie Database, IMDb user comments for *Born on the Fourth of July*, 26 July 2000, available from <http://www.imdb.com/title/tt0096969/usercomments>; Internet; accessed 10 November 2006.

<sup>15</sup>*Ibid.*

<sup>16</sup>Schulzinger, *A Time for Peace: The Legacy of the Vietnam War*, 86.

<sup>17</sup>*Ibid.*

<sup>18</sup>Alternet, *Born on the Fourth of July: The Long Journey Home*, 13 June 2005, available from <http://www.alternet.org/story/22181/>; Internet; accessed 10 November 2006.

<sup>19</sup>“Health status of Vietnam veterans: I. Psychosocial characteristics,” *Journal of the American Medical Association* 259 (1988): 2701.

<sup>20</sup>Ibid.

<sup>21</sup>Fred Wilcox, *Waiting for an Army to Die: The Tragedy of Agent Orange* (New York: Random House, 1983), 31.

<sup>22</sup>Wilbur J. Scott, *The Politics of Readjustment* (New York: Aldine De Gruyter, 1996), 75.

<sup>23</sup>“Serum 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin levels in US Army Vietnam-era veterans,” *Journal of the American Medical Association* 260 (1988):1249–54.

<sup>24</sup>Title 38--Pensions, Bonuses, and Veterans' Relief, 38 C.F.R. §3.309(e) (2003).

<sup>25</sup>Ibid.

<sup>26</sup>*U. S. Veterans vs. Dow Chemical*, 597 F. Supp. 740 (E.D.N.Y. 1984).

<sup>27</sup>Peter H. Schuck, *Agent Orange on Trial: Mass Toxic Disasters in the Courts* (Cambridge: Harvard University Press, 1986), 165.

<sup>28</sup>Gerald Nicosia, *Home to War: A History of the Vietnam Veterans' Movement* (New York: Crown Publishers, 2001), 573-75.

<sup>29</sup>*Vietnam Assoc. for Victims of Agent Orange v. Dow Chemical Co.*, No. 05-1953, U.S. Court of Appeals for the Second Circuit.

<sup>30</sup>Ibid.

<sup>31</sup>Ibid.

<sup>32</sup>B. G. Burkett and Glenna Whitley, *Stolen Valor: How the Vietnam Generation was Robbed of Its Heroes and Its History* (Dallas: Verity Press, 1998), 36.

<sup>33</sup>Ibid.

<sup>34</sup>Ibid.

<sup>35</sup>Ibid., 56.

<sup>36</sup>David Lamb, *Vietnam Now: A Reporter Returns* (New York: Perseus Books Group, 2002), 108.

<sup>37</sup>Ibid.

<sup>38</sup>Ibid.

<sup>39</sup>Southeast Asia Resource Action Center, *Vietnamese Refugees*, available from <http://www.searac.org/vietref.html>; Internet; accessed 23 January 2007.

<sup>40</sup>Ibid.

<sup>41</sup>Hy V. Luong, *Postwar Vietnam: Dynamics of a Transforming Society* (Lanham, Maryland: Rowman & Littlefield, 2003), 120.

<sup>42</sup>Ibid., 123.

<sup>43</sup>Vo Nguyen Giap, *Unforgettable Days* (Hanoi: Foreign Languages Publishing House, 1975) 135.

<sup>44</sup>Accounts of Imprisonment and Reeduction, *Vietnamese Perspectives on the War in Vietnam*, 18 June 1996, available from <http://www.yale.edu/seas/bibliography/chapters/chap9.html>; Internet; accessed 10 November 2006.

<sup>45</sup>Ibid.

<sup>46</sup>Ibid.

<sup>47</sup>Lamb, *Vietnam Now: A Reporter Returns*, 106.

<sup>48</sup>Giap, *Unforgettable Days*, 135.

<sup>49</sup>Lamb, *Vietnam Now: A Reporter Returns*, 106.

<sup>50</sup>Tran Van Don, *Our Endless War: Inside Vietnam* (San Rafael, Calif.: Presidio Press, 1978), 93.

<sup>51</sup>Ibid.

<sup>52</sup>Accounts of Imprisonment and Reeduction, *Vietnamese*



*Perspectives on the War in Vietnam*, 18 June 1996, available from <http://www.yale.edu/seas/bibliography/chapters/chap9.html>; Internet; accessed 10 November 2006.

<sup>53</sup>Ibid.

<sup>54</sup>John C. Schafer, *Vietnamese Perspectives on the War in Vietnam: An Annotated Bibliography of Works in English* (New Haven, Conn.: Yale University Council on Southeast Asian Studies, Yale Center for International and Area Studies, 1997), 98.

<sup>55</sup>Ibid.

<sup>56</sup>Tran Tri Vu, *Lost Years: My 1,632 Days in Vietnamese Reeducation Camps* (Berkeley, Calif.: Institute of East Asian Studies, University of California, 1988) 376.

<sup>57</sup>Julia Taft, *Testimony Before the Committee of Foreign Relations*, United States Senate (March 10, 1998).

<sup>58</sup>United States Department of State, *Refugee Admissions Program for East Asia*, 16 January 2004, Internet; available from <http://www.state.gov/g/prm/rls/fs/2004/28212.htm>; accessed 10 November 2006.

<sup>59</sup>Lamb, *Vietnam Now: A Reporter Returns*, 107.

<sup>60</sup>Ibid., 108.

<sup>61</sup>Ibid.

<sup>62</sup>Ibid., 109.

<sup>63</sup>Ibid.

<sup>64</sup>Ibid., 110.

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**Sojourner Truth,  
Early American Civil Rights  
Activist**

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*by Raymond F. Danieli*

Written for  
Course: *What is an American? Cultural Identity in the U.S.*  
Professor: Ronald M. Johnson, Ph.D.  
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## RAYMOND F. DANIELI

Raymond (Ray) F. Danieli is currently a M.A.L.S. candidate in American Studies at Georgetown University. A native of Connecticut, he graduated with a Bachelor of Arts degree in Political Science from the University of Bridgeport in 1965. Next, he matriculated at the University of Maryland working toward a Master's degree in Public Administration. In 1970, Ray joined the Metropolitan Police Department, District of Columbia, (MPD) as a police officer. He spent thirty-four years as a police officer/Sergeant working with different city neighborhoods to improve the quality of life in those neighborhoods. In his career with MPD, Ray received three medals including the rarely awarded MPD Distinguished Service Medal. Currently, Ray works for Georgetown University as Assistant Director of Off Campus Student Life. Also, he is an adjunct professor at Northern Virginia Community College teaching courses in the Administration of Justice Program.



Sojourner Truth's Christian spirituality led her to become an activist, the defining trait in her life as an American. On February 4, 1986, the United States Postal Service issued a postage stamp in the "Black Heritage" series commemorating Sojourner Truth and her life. The stamp's First Day Cover was postmarked in New Paltz, New York, the town of John Dumont, Sojourner's last slave master. She is one of the few African Americans to have had a postage stamp minted in her honor.

Sojourner Truth, nee Isabella Baumfree, was born into slavery in 1797 in Ulster County, New York. She was the daughter of Betsey and James Baumfree. Betsey was the mother of ten or twelve children. "Systematic use of black slaves in New Netherland began in 1626, when the first cargo of 11 Africans was unloaded by the Dutch West India Company."<sup>1</sup>

Slave revolts had taken place in New York City in 1712 and again in 1742. When Isabella was nine years, she was sold to John Nealy of Ulster County. "Slave labor was essentially important in the agricultural development of the Hudson Valley, where an acute scarcity of free workers prevailed."<sup>2</sup> As Isabella wrote in her *Narratives of Sojourner Truth*, "she could only speak Dutch, and so couldn't understand the English speaking Nealy. Sojourner continued, as a result of this language barrier, to receive 'plenty of whippings.' She said that one time she was whipped till the 'blood streamed from her wounds.'"<sup>3</sup>

After these physical beatings, for the first time in her *Narratives*, Isabella "prays to God to deliver her from her persecutors."<sup>4</sup> This would be the beginning of Sojourner's strong relationship with God.

Isabella was sold two more times, the last time in 1810 to John Dumont, of New Paltz, New York. Isabella, as Sojourner in her *Narratives*, said that Dumont "whipped her soundly, though never cruelly, and that she looked upon her master as a god. Consequently she considered that slavery was right and honorable."<sup>5</sup> Nell Irwin Painter writes in *Sojourner Truth, a Life, a Symbol*, that Isabella was sexually abused by Sally Dumont, Dumont's wife.<sup>6</sup> It should be noted that in my research of Sojourner Truth, this particular issue has not been documented in other sources.

In 1815, Isabella married Thomas, another of Dumont's slaves. As was the custom in slavery, Thomas was probably forced by Dumont to marry Isabella. Five children were born of this union, with one child not surviving. In late 1826 according to her *Narratives*, after being told by God that it was all right to leave, she left the Dumont house with her youngest child Sophia.<sup>7</sup> She

left her remaining children since they were not legally free until they served their time as indentured servants. Isabella also left her husband Thomas. Isabella went to the home of Isaac Van Wagenen, who was not a slave owner. Van Wagenen paid Dumont for Isabella's freedom. Isabella was a free woman for the first time in her life.

On July 4, 1827, the State of New York freed all slaves. At this time, Dumont, Isabella's former slave master, sold her son Peter to a man in Alabama. Under the 1827 New York Emancipation law, slaves could not be sold out of state. In 1828, Isabella sued in New York State Court and won the freedom of her son Peter. The verdict in this case was unusual, since the plaintiff was a black woman and a former slave.

In 1828, while still working for the Van Wagenens, Isabella had a religious experience. According to her *Narratives*, "God revealed himself to her, with all the suddenness of a flash of lightning showing her, in the twinkling of an eye that he was all over—that he pervaded the universe—and there was no place where God was not."<sup>8</sup> Continuing on, Isabella saw a vision, brightened into a form distinct, beaming with the beauty of holiness, and radiant with love. "An answer came to her, saying distinctly, 'It is Jesus. Yes she responded, it is Jesus.'"<sup>9</sup> Isabella would speak later of being baptized in the Holy Spirit. "Experiencing a second birth of entire sanctification, she had been born again with an assurance of salvation that gave her the self-confidence to oppose the rich and powerful of this world."<sup>10</sup>

In September, 1828, Isabella with her son Peter moved to New York City. She became involved with a group of "free Methodists," called "perfectionists." James Latourette and his wife were the leaders of this group. Isabella worked for the Latourettes. This sect of people were known to speak in "tongues" when moved by the Holy Spirit. The "free Methodists," were part of the religious upheaval taking place in America

From the time period of the 1790's to the 1840's, America was overcome by the "Second Great Awakening." Methodist and Baptist denominations experienced a surge of membership, at the expense of other denominations, prompting a move toward the liberalization and competitiveness on the part of the Anglican, Presbyterian and Congregationalist churches."<sup>11</sup> People were caught up in an emotional frenzy as God was introduced to them by itinerant preachers "aimed toward plain folk and led by plain folk, camp-meeting religion



can be called without exaggeration a creation of the plain-folk.”<sup>12</sup>

“Where traditional Calvinism had taught that divine grace, or election into heaven depended on the arbitrary will of a severe God, the evangelical Protestants preached that the regeneration and salvation of the soul depended on one’s inner faith.”<sup>13</sup> The Second Great Awakening changed Americans spiritually as now they were able to reach out and have a relationship with God.

During this time in Isabella’s life, about 1835, she began to preach the word of God on the streets. As Carlton Mabee states in his book, *Sojourner Truth, Slave, Prophet, Legend*, “some time after she arrived in the city Isabella became involved in the efforts of Elijah Pierson to evangelize prostitutes. Eventually, Pierson asked her to do housework for him. She gradually fell under his spell.”<sup>14</sup> Sojourner became very vulnerable to evangelical preachers.

The next chapter in Isabella’s life was her association with Matthias, the prophet. Isabella joined the “Matthias Kingdom.” Matthias was self-proclaimed as a wandering Jewish prophet who was an authoritarian dictator, on a twenty-nine acre commune on the Hudson River in Westchester County. Isabella was the only black in the community.

According to Nell Painter, “Matthias had long inflicted corporal punishment on those he controlled. As Robert Matthews, he had beaten his wife and children, and as the Prophet Matthias he beat Isabella for the infraction he considered abominable in women: insubordination.”<sup>15</sup> The “Kingdom of Mathias” dissolved after Matthias’s arrest for killing Elijah Pierson. Isabella instituted a slander suit against two former members of this group, winning her second court case and clearing her name. Isabella continued to work as a household servant for the next few years.

On June 1, 1843, according to Painter, “Isabella was called by the Holy Spirit to go east as a Christian missionary. The name Isabella would be no more. Her new name would be Sojourner Truth. Sojourner means temporarily staying in one place. Sojourner may have seen herself as an itinerant preacher traveling to preach the word of God.”<sup>16</sup> Mabee states, that in 1853 in a letter to Harriet Beecher Stowe, Sojourner said that “the Lord gave me (the last name) Truth, because I was to declare truth to the people.”<sup>17</sup>

Sojourner Truth thus began her new life by traveling in Long Island, New York, Connecticut, and Massachusetts. In her travels in Long Island and Connecticut, Sojourner met the Millerites, people who believed in predicting the

end of time. This group evolved and became the Seventh Day Adventist Church. In Massachusetts, Sojourner joined the commune called the Northampton Association for Education and Industry. During this time Sojourner, while working in the commune, first met William Lloyd Garrison, publisher of the “Liberator,” and Frederick Douglass. The Northampton Association dissolved in late 1846. In 1850 Sojourner, with William Lloyd Garrison’s help, published *The Narratives of Sojourner Truth*. This narrative focused on Sojourner’s life up to 1849. She wrote about her life as a slave, about her evangelism, and about her struggles and triumphs in life. Olive Gilbert of Brooklyn, Connecticut, helped Sojourner write the book.

The next and last segment of Sojourner’s life from 1851 to 1883, the year of her death, covers her fight against slavery, her fight to help fugitive slaves find work and housing, her fight for women’s rights, her fight for blacks to ride street cars in Washington, D.C., her efforts to support and help the black Union troops, her stand against capital punishment, and her fight to have black war veterans receive free land in the West.

Sojourner Truth gave her most famous speech in May, 1851, in Akron, Ohio. This speech is known, as “Ar’n’t I a Woman?” This speech focused on women’s rights, and a woman’s ability to be equal with men. According to Fitch and Mandziuk, this speech “showed Sojourner’s ability to attack with a directness and power that left her opponents nearly speechless.”<sup>18</sup> The phrase “Ar’n’t I a Woman?” is reported in only one account of Sojourner’s speech.

A controversy exists as to whether Sojourner ever said those words or if they were inserted in the published reports of the speech by Francis Gage, one of the promoters of the Akron Women’s Rights Convention. Nell Irwin Painter believes that those words were Francis Gage’s invention.<sup>19</sup> Painter said that “had Truth said it several times as in Gage’s article, Marius Robinson, who was familiar with Truth’s diction, most certainly would have noted it. This rhetorical question inserted blackness into feminism and gender into racial identity.”<sup>20</sup>

During 1858 in Northern Indiana, at a United Brethren community house, Sojourner, as an anti-slavery speaker, addressed a crowd hostile to her because of her anti-slavery beliefs. Some people were under the impression that Sojourner was a man masquerading as a woman. “Suddenly, without preamble, Sojourner ripped open the front of her dress. ‘I will show my breasts to the entire congregation, she cried. It is not my shame but yours that I should do this. Here, then see for yourself.’”<sup>21</sup> Sojourner disarmed the audience by this

act. "Truth said that she showed her mother's breast, 'in vindication of her truthfulness,' but this truth concerned her sexual identity, not necessarily her experience as a slave."<sup>22</sup>

"Truth's closest approach to carnal themes came with the exhibition of her breast, which entrained everything connected with sexuality without her naming it. Her words, instead relate to motherhood and suckling. She shames the white men who taunt her by patronizing and belittling them, not making them into rapists."<sup>23</sup>

As a black woman, Sojourner also had from time to time to contend with white women who championed women's rights for white women and not for black women. According to Fitch and Mandziuk, in 1867, in a speech before the American Equal Rights Association, Sojourner said, "I am glad to see that men are getting their rights, but I want women to get theirs, and while the water is stirring I will step into the pool."<sup>24</sup> In the same meeting the next day Sojourner exhorted women to "have faith in God. Be strong women! Blush not! Tremble not!"<sup>25</sup> These are some examples of Sojourner's stance for women's rights. She employed strong biblical words in her speeches to make her point.

In 1857, Sojourner bought a house in Harmonia, Michigan, about five miles from Battle Creek, Michigan. According to Mabee, Harmonia was a small Spiritualist community, its name being a popular Spiritualist term, Harmonia as formed by Quakers-become-Spiritualists.<sup>26</sup> The question has been asked why Sojourner moved to the Battle Creek area. Mabee feels that there might have been job opportunities for her children and grandchildren.<sup>27</sup> In the fall of 1863, Sojourner collected money from her friends and neighborhoods, and on Thanksgiving day brought food to a group of black soldiers stationed in Detroit, Michigan.

In September 1862, President Lincoln issued the "Emancipation Proclamation," effective January 1, 1863, freeing the slaves in all territories still at war with the United States. In the summer of 1864, Sojourner Truth left Michigan and headed for Washington, D.C., campaigning for President Lincoln on her travels. Sojourner Truth stopped in Boston to meet Harriet Tubman. According to Mabee, "Truth tried to persuade Tubman that Lincoln was a real friend to the blacks, but Tubman insisted that he was not because he allowed black soldiers to be paid less than white soldiers."<sup>28</sup>

On October 29, 1864, Sojourner Truth met with President Abraham Lincoln in the White House. There is scholarly discussion as to what really took place at

this meeting. Painter quotes Sojourner's *Narratives*, in which Sojourner said, "I am proud to say that I was never treated with more kindness and cordiality than I was by the great and good man Abraham Lincoln, by the grace of God, President of the United States for four more years."<sup>29</sup> Painter continues on to say that according to Sojourner's friend Lucy Coleman, "Lincoln wasn't very cordial to Sojourner, and (Lincoln), did not believe in the equality of the races."<sup>30</sup> Sojourner also visited with Presidents Andrew Johnson and Ulysses S. Grant, and campaigned for General Grant for President.<sup>31</sup>

In 1864, Sojourner joined other African Americans who successfully integrated the Washington, D.C., street cars. In that same year she also began to work for the Freedman's Bureau in Arlington, Virginia. Sojourner also worked doing many kitchen and domestic chores for the Freeman's Hospital in Washington, D.C. In the late 1860's and early 1870's, Sojourner tried in vain to obtain western land in Kansas for freedmen. Sojourner Truth also campaigned against capital punishment.

According to Fitch and Mandzuik, Sojourner, in a speech in 1881, said, "When I thought for so many years that I lived in the most blessed state in the union, and then to think of its being made the awful scene of hanging people by the neck till they are dead. We are the makers of murderers if we do it. Where did we get this stupid spirit from?"<sup>32</sup>

In the last years of her life, Sojourner suffered from various illnesses, including ulcers on her legs. She passed away on November 26, 1883.

Painter quotes Frances Titus who concluded that Sojourner Truth "had risen from the mud and slime of basest enslavement, sought, and found her level among the purest and the best."<sup>33</sup>

The question has been asked, how, and in what way did Sojourner Truth see herself as an American? Sojourner saw herself every bit an American. As history shows us, she faced several major challenges in her life, challenges that you or I never had to face or imagine. Some of these included being born a slave, unable to ride on a horse drawn bus because of the color of her skin, unable to vote because of her sex, and ultimately being born in the country and not being a citizen.

Sojourner worked within the system of the time. She took to the streets of the cities she visited with the flavor of the "Second Great Awakening" preachers. "During her lifetime, however, she was deeply immersed in the Second Great

Awakening's propagation of Methodist-infected and unconstrained religiosity."<sup>34</sup> With her faith in God, she confronted agitators, hecklers, and nonbelievers in her causes. In 1852, she even confronted a violence-prone Frederick Douglass, with the words, "Is God dead?"

Sojourner Truth was a forerunner of the nonviolent civil rights' movement of the 1960's that included Dr. King and many others. By integrating the Washington, D.C., horse driven street cars, Sojourner was an early "Freedom Rider" as Rosa Parks was in Alabama. She was involved in these causes because she was an American and wanted to change them within the framework of the American political system.

Sojourner Truth, in the nineteenth century, an ex-slave, nearly six feet in height, speaking in a masculine voice, had an impact on her audiences. "Sojourner Truth's religious faith gave her a public voice, first as a preacher; then, as resistance to women preachers stiffened in the 1850's, as an abolitionist and feminist."<sup>35</sup>

As history has shown, Sojourner Truth was a feminist one hundred years before the feminist movement took place. "Although several black women worked for the abolition of slavery and the achievement of women's rights in the middle of the nineteenth century, (e.g., Sarah Mapps Douglass, Frances Ellen Watkins Harper, Sarah Remond), the ex-slave Sojourner Truth has become the emblematic nineteenth-century black woman and the symbol of the conjunction of sex and race."<sup>36</sup>

Sojourner Truth lived to see the Thirteenth Amendment of the Constitution of the United States passed in 1865, outlawing slavery. Also, she witnessed in 1868 the ratification of the Fourteenth Amendment to the Constitution, giving citizenship to people born or naturalized in the United States. It would take another thirty-seven years after Sojourner's death for the Nineteenth Amendment to the Constitution to be passed giving women the right to vote.

Sojourner Truth's name tells people for what she stood. She was a traveling preacher for God, the abolitionist movement, the anti-slavery movement, and the anti-capital punishment movement. She spoke out against the inequalities that African-Americans faced, but also, she was proactive in her approach to working for solutions on race issues. Sojourner was a seeker, searching to find the truth in humankind based on her Christianity. She did not believe in the traditional roles that society assigned black women and women in general.

According to Painter, Truth was unforgettable for two reasons. “First, she was a forceful speaker like Frances Dana Gage, Frances Ellen Watkins Harper, Emma Coe, Nancy Prince, and Jane Swisshelm. Second, she presented herself as woman who had been a slave; she made her persona as different from the educated white women who made her famous as they thought it possible to be.”<sup>37</sup>

Sojourner Truth felt these traits were important in being, or becoming an American. As Fitch and Mandziuk said, her *Narratives* were fundamentally grounded in her own life experience, so she was able to give personal testimony about slavery, discrimination, and sexism that was difficult to argue against. Because she embodied the principles she advocated, the truthfulness of her appeals was unmistakable.<sup>38</sup>

Sojourner Truth respected the dignity of every man and woman, believing them to have been created equally by God. She believed in herself as a woman of color and as a child of God. Her faith as being a faithful Christian is well-documented. Sojourner loved her fellow African-Americans, and her heart allowed her to have forgiveness for her last slave master, John Dumont.<sup>39</sup> She had the trait of humor as was exhibited in most of her speeches. She was a conscientious mother to her children and grandchildren. Furthermore Sojourner was a hard working woman as showed by her commitment to the three major communes in which she belonged.

Sojourner had the trait of perseverance as she constantly preached the word of equality for women, and freedom for her enslaved brothers and sisters.

She serves the interests of African Americans and feminists by demanding that feminist thought—so long the preserve of middle and upper class northern whites—include black women who have worked for other people all their days. Today Sojourner Truth is the embodiment of the need to reconstruct an American History that is sensitive simultaneously to race, class, and gender.<sup>40</sup>

In summary, Sojourner Truth had a strong sense of pride in being an African-American woman. She traveled throughout the midwest and eastern part of the United States, tirelessly preaching the equality of women, and the anti-slavery message. Sojourner’s legacy did not continue through her children, as they did not follow in her footsteps.

Sojourner’s persona as an American is just as strong now as it was in

the nineteenth century, and this is because of her beliefs in God, justice, and individual freedom for all men and women. Her honesty and belief in her evangelical messages were accepted by most of her audiences. Sojourner was not afraid to speak or debate with men. Sojourner predicted that her legend would continue because of her speeches and causes. The story of her life as an ex-slave has been immortalized by others, and this is one of the reasons she is well-known today. I would write Sojourner Truth's epitaph as, "It was not so much what she did that mattered, but how she did it." Sojourner Truth, in her life, was the epitome of the title words from Charles Tindley's old gospel song, "I'll Overcome Some Day."

Sojourner lived her freedom as an American, and her actions opened the doors for many others to enjoy freedom. Sojourner Truth is truly a memorable American.

## END NOTES

<sup>1</sup> E.B.O'Callaghan and Berthold Ferrnow, eds., *Documents Relative to the History of the State of New York*, Vols. 1851-87 accessed April 30, 2006; available from <http://www.slavenewyork.com/newyork.htm>.

<sup>2</sup> Edgar J. McManus, *A History of Negro Slavery in New York* (Syracuse University Press, 1966) 7.

<sup>3</sup> Sojourner Truth, *Narratives of Sojourner Truth*, (New York: Vintage Books, 1993), 15.

<sup>4</sup> *Ibid.*,

<sup>5</sup> *Ibid.*, .21.

<sup>6</sup> Nell Irvin Painter, *Sojourner Truth, A Life, A Symbol* (New York, W.W. Norton Co., 1996), 16.

<sup>7</sup> *Narratives of Sojourner Truth*, 28.

<sup>8</sup> *Ibid.*, 48.

<sup>9</sup> *Ibid.*, 50, 51.

<sup>10</sup> Painter, *Sojourner Truth, A Life, A Symbol*, 30.

<sup>11</sup> John Bodo, "The Protestant Clergy and Public Issues, 1812-1848" (Princeton, 1954), Charles Cole, "The Social Ideas of the Northern Evangelists 1820-1850," (New York, 1954), and Charles Foster, "An Errand of Mercy, the Evangelical United Front, 1790-1837," (Chapel Hill 1960) available from <http://xroads.virginia.edu/~ma95/finseth/evangel.html>.

<sup>12</sup> Dickson D. Bruce Jr., *And They All Sang Hallelujah* (Knoxville: Tennessee Press, 1981), Second Printing 5.

<sup>13</sup> Nathan Hatch, *The Democratization of America* (Yale University Press, 1991), and Donald Matthews, "The Second Great Awakening as an Organizing Process, 1780- 1830," "American Quarterly," Number 21, (1969) available from <http://xroads.virginia.edu/~ma95/finseth/evangel.html>.



<sup>14</sup> Carleton Mabee with Susan Mabee Newhouse, *Sojourner Truth, Slave, Prophet, Legend* (New York, New York University Press, 1993) 27.

<sup>15</sup> Painter, *Sojourner Truth, A Life, A Symbol*, 54.

<sup>16</sup> *Ibid.*, 73, 74.

<sup>17</sup> Mabee and Newhouse, *Sojourner Truth, Slave, Prophet, Legend*, 45.

<sup>18</sup> Suzanne Pullon Fitch and Roseann M. Mandziuk, *Sojourner Truth as Orator, Wit, Story, and Song* ( Westport, Connecticut, Greenwood Press, 1997). 105.

<sup>19</sup> Painter, *Sojourner Truth, A Life, A Symbol*, 171.

<sup>20</sup> *Ibid.*

<sup>21</sup> L. Bennett, "Sojourner Truth," "Ebony," Number 19, August 1964, 68.

<sup>22</sup> Painter, *Sojourner Truth, A Life, A Symbol*, 141.

<sup>23</sup> *Ibid.*, 140.

<sup>24</sup> Fitch and Mandziuk, *Sojourner Truth, as an Orator*, 125.

<sup>25</sup> *Ibid.*, 128.

<sup>26</sup> Mabee and Newhouse, *Sojourner Truth, Slave, Prophet, Legend*, 96.

<sup>27</sup> *Ibid.*, 97.

<sup>28</sup> *Ibid.*, 118.

<sup>29</sup> Painter, *Sojourner Truth, A Life, A Symbol*, 121, 122.

<sup>30</sup> *Ibid.*, 123.

<sup>31</sup> Marie Harlowe, "Sojourner Truth," "The First Sit In," "The Negro Bulletin," Number 129, 1966.

<sup>32</sup> Fitch and Mandziuk, *Sojourner Truth, as an Orator*, 135.

<sup>33</sup> Painter, *Sojourner Truth, A Life, A Symbol*, 55.

<sup>34</sup> Nell Painter, *Encyclopedia of Black Women in America, The Early Years, 1619-1899*, ( New York, Facts on File 1997), 174.

<sup>35</sup> Nell Irwin Painter, "Sojourner Truth," in *The American Radical*, edited by Mari Jo Buhle, and Harvey J.Kaye, ( New York, 1994), 24.

<sup>36</sup> Painter, *Encyclopedia of Black Women in America the Early Years, 1617-1899*, 175.

<sup>37</sup> Nell Irwin Painter, "Sojourner Truth," in *The Abolitionist Sisterhood, Women's Political Culture in Antebellum America*, Jean Fagan Yellin and John C. Van Horne Editors, ( Cornell University Press, 1994), 153.

<sup>38</sup> Fitch and Mandziuk, *Sojourner Truth as an Orator*, 82.

<sup>39</sup> *Narratives of Sojourner Truth*, 101.

<sup>40</sup> Nell Irwin Painter, "Sojourner Truth in Life and Memory: Writing the Biography of an American Exotic," *Gender and History*, Vol.2, No.1, Spring 1990, 13.

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**The Fulbright Legislation:  
Cultural Diplomacy and the  
Development Dichotomy**

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*by Daniella M. Foster*

Written for  
Course: *National Social and Domestic Policy*  
Professor: Nikki Castle, Ph.D.  
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## **Introduction**

From the Monroe Doctrine to the Fulbright-Hays Act, the United States implementation of international development policy has undergone a slow-moving and bureaucratic evolution beset with competing priorities. Historically, the pragmatic goals of U.S. foreign policy have overshadowed the altruistic rhetoric used to describe development policy. Senator J. William Fulbright believed U.S. foreign policy should “consider trans-national educational exchange not solely or even primarily as an intellectual or academic experience but as the most effective means to ‘deliver mankind from the menace of war’” (Fulbright 1967, 110). The above quote reflects the dual nature of the Fulbright legislation as both an altruistic vision for universal scholarship and understanding and as a pragmatic policy tool to deter future war. At its peak in the 1960s, the Fulbright program reached a balance between pragmatic security goals and altruistic vision for mutual understanding. Its current implementation has been affected by the overarching shift to a more pragmatic approach to development policy and diplomacy.

The evolution of the Fulbright-Hays legislation, within the larger context of development policy, illustrates that the shift towards pragmatism has had consequences on cultural diplomacy. The impact of this shift demonstrates that U.S. development policy would benefit from a re-alignment reflecting a balance between pragmatism and altruism.

## **Historical Precedence: The Foundation of US Development Policy**

The dichotomy between altruism and pragmatism is apparent in two policies serving as the foundation for U.S. development policy: the Monroe Doctrine and the Marshall Plan. Altruism refers to development policy motivated primarily by the promotion of mutual understanding. Pragmatism refers to political pragmatism and policy that is motivated primarily by the promotion of political goals. By tracing the history of the Monroe Doctrine and the Marshall Plan within the context of development policy, it becomes apparent these early policies set a strong precedent for the dual nature of foreign policy such as the Fulbright-Hays legislation.

### ***The Monroe Doctrine***

The initial focus of U.S. development policy reflected a primarily pragmatic approach to cultural diplomacy that grew out of both U.S. security concerns and deep rooted ideology. In his State of the Union Address to Congress in 1823,

President James Monroe delivered a speech that would later become a major component of U.S. foreign policy known as the Monroe Doctrine. In his speech, he noted that the United States “should consider any attempt [on the part of European powers] to extend their system to any portion of this hemisphere as dangerous to our peace and safety” (Brooks, 2001, 3). President Monroe’s internationalist approach was based on the assumption that in order to avoid American involvement in “quarrels of the Old World,” U.S. isolationism needed to be modified to include “America’s special interest in and responsibility for the hemisphere of the New World” (Ibid).

President Monroe’s description of America’s role in the New World is a reflection of U.S. ideology dating back to the founding of the U.S. An early example of this ideology can be traced to 1776 when Thomas Paine set the tone for an ideology based on American exceptionalism. In his influential pamphlet *Common Sense*, Paine called upon citizens to understand that the creation of the United States meant they would have it in their power “to begin the world all over again” (Paine 1776, 31). This early concept of American exceptionalism was based primarily on the idea that the U.S. and the American people have been able to start their society all over again and hence, held a special place in the world. With this special place comes an assumption of U.S. responsibility to offer opportunity, hope and democracy to developing nations.

The belief in American exceptionalism was an underlying value in the Monroe Doctrine. It assumed that by separating Europe from America, an emphasis could be placed on “the existence of distinct American, and specifically U.S., interests” (Encarta 2007, 4). The Monroe Doctrine sought not only to quell security concerns but also to advance positive American values within the Western Hemisphere. President Monroe rejected the European political system of monarchy as detrimental to freedom and believed the Monroe Doctrine would help to ensure “no American nation would adopt it.”

While the Monroe Doctrine was visibly motivated by pragmatic security concerns, it was also a reflection of values and assumptions inherent in the ideology of U.S. foreign policy. The rejection of European monarchy as a viable political system was tied to the perception that this system perpetuated conflict and instability. Implicit in this rejection was the conviction that more liberal forms of government could engender peace and stability. By encouraging the development of open, liberal political regimes in the Western Hemisphere, America would be creating a community of peace and prosperity. The Monroe



Doctrine not only furthered American security, but sought to export the best of American products: democratic institutions, commerce, and political stability. Since 1823 the Monroe Doctrine has provided the framework for future U.S. development policies and has become one of the foundations of U.S. policy in Latin America.

In essence, the Monroe Doctrine was an early declaration of development policy setting a precedent for future foreign policies such as the Marshall Plan and the Fulbright-Hays Act. The Monroe Doctrine set a standard for duality in development policy because it did not simply seek to “seal the Western Hemisphere off from Europe” but rather it attempted to “foster something positive within the hemisphere” (Abrams 1995, 2). Though tied to the pursuit of American stability and leadership – stable neighbors make for a peaceful neighborhood – the Monroe Doctrine could also be seen as an attempt to “do well by doing good.” While the Monroe Doctrine remained only a declaration of policy and was not affirmed by congressional legislation or international law, it is still a prominent part of 21st century foreign policy and has been cited as the catalyst for modern day pragmatism found in diplomacy initiatives aimed at democracy promotion. As evidenced by the Monroe Doctrine, the foundation being laid for U.S. development policy was motivated primarily by the pragmatic pursuit of security and secondly by U.S. ideology rooted in the concept of American exceptionalism.

### ***The Marshall Plan***

The first piece of legislation to implement a policy for international development was the Marshall Plan. In 1947, U.S. Secretary of State George C. Marshall called for a massive program of foreign aid to help European states recover from World War II. Marshall envisioned a pragmatic European recovery program in which U.S. investments in the form of economic and technical assistance would help rebuild Europe (States News Service 1). Similar to the Monroe Doctrine the Marshall Plan was motivated by U.S. security concerns and ideology that reflected U.S. pragmatism in the aftermath of World War II.

In 1948, the urgent focus on reconstructing Europe and containing Communism from spreading across Europe prompted Congress to pass the Foreign Assistance Act. The Act established an agency to administer the Marshall Plan and focus on reconstruction of the European economy (Hogan 1987, 89). It was believed that by focusing on the economic development of Europe, the U.S.

would gain both a future trading partner and a partner against communism. An underlying assumption within the Marshall Plan was that if the European economy was reconstructed, it would bring stability to Europe and thwart the growing Soviet power in Europe. An unofficial goal of the reconstruction was the containment of Soviet influence in Europe which was particularly evident in the “growing strength of communist parties in Czechoslovakia, France, and Italy” (Ibid.). The ideology of American exceptionalism was inherent in the programs conducted under the Marshall Plan as all efforts were “considered a fulfillment of American leadership of the free world against the communist world” (Bu 199, 395). The Marshall Plan can be considered a primarily pragmatic policy “designed to serve the goals of national security in the Cold War” (Ibid.).

As the Marshall Plan became the largest postwar assistance program focused on restoring Europe, it helped solidify the foundation for political pragmatism in future U.S. development policies. In addition, the Marshall Plan brought new meaning to educational exchange by creating “large-scale overseas operations in technical assistance and economic aid that boosted a plethora of exchanges that relied extensively on university resources” (Ibid.). Because of the large scale of overseas operations, economic, military and academic exchange programs were all interrelated. Academic exchange programs played a large part in reconstructing Europe because they brought as described below:

...hundreds of thousands of technical and industrial trainees as well as traditional foreign students and scholars to the United States from Europe and the ‘underdeveloped’ countries of Asia, the Middle East, Latin America, and Africa, as the United States reached the needs of the masses of the underprivileged. (Bu 1999, 396)

The Marshall Plan’s economic aid and technical assistance distributed to “underdeveloped” countries helped to define what would become modern day development policy.

While the Fulbright program has grown to be an international symbol of mutual understanding and scholarship, the Monroe Doctrine and Marshall Plan set the precedent for the pragmatic elements of this policy.

### **Historical Surround: Evolution of the Fulbright Legislation**

The Fulbright legislation was a product of both Senator Fulbright’s experience as a Rhodes scholar and of the post-WWII geopolitical landscape. In the

aftermath of World War II, the rise of independent nations and the struggle for influence in world regions caused U.S. leaders to become increasingly confronted with the need to “understand the Soviet Union, its allies, and the countries of the world in which the Cold War was being played out” (U.S. Department of Education 3). The Fulbright Act surfaced during this period of American power and amalgamated pragmatic U.S. security interests with an altruistic vision for universal scholarship and mutual understanding.

On September 27, 1945, freshman Senator J. William Fulbright from Arkansas rose in the Senate to “a nearly empty chamber,” and asked unanimous consent to use “credit for reparations and foreign loan repayments to fund an academic exchange program” (Bader 2000, 3). The Fulbright legislation slipped almost unnoticed through Congress because Senator Fulbright chose not to invite attention to the larger purposes of the legislation. Fulbright emphasized the modest scope and cost of the program by proposing it be added as an amendment to the Surplus Property Act of 1944. On August 1, 1946, President Harry Truman signed the Fulbright Act, authorizing the Fulbright Program for “the exchange of teachers, students, professors and research scholars between the United States and participating countries” (University of Arkansas Fulbright Exhibit 3).

Before introducing the bill, Senator Fulbright envisioned opening the exchange program to any nation. The actual text reflected a pragmatic approach and specified that “only those countries in which there was surplus property credit” were eligible (Fulbright 1946, 112). Senator Fulbright had the foresight to see in 1946 an overall plan would not meet passage. In order for the program to succeed, he knew he had to propose an expansion that would “come after the program had already established itself” (Dubois 5). Fulbright knew the importance of alleviating financial burden on the American public and was able to make use of non-valuable war property taxpayers had already paid for (Fulbright 1946, 110). By moving the funds to the State Department, the Fulbright program was able to utilize “foreign credits from the sale of U.S. surplus war properties abroad for international educational exchanges” (University of Arkansas Fulbright Exhibit 1). The amendment would allow the funds to be used by Americans to study in Lend Lease countries and Lend Lease country students to study in the United States. Senator Fulbright’s pragmatic plan for funding academic exchanges contributed to the passage of the initial amendment and provided a structure for future expansion of the program.

## **The Dual Nature of The Fulbright Program: Alignment of Altruistic Vision and Pragmatic Implementation**

Senator Fulbright's initial amendment to the Surplus Property Act of 1944 reflected a balance between his altruistic vision of mutual understanding and pragmatic U.S. security concerns. The legislation successfully incorporated pragmatism in three ways. First, the legislation employed a practical means of implementing the program by consolidating control and making "the Department of State the disposal agency for American war property remaining overseas after World War II" (Dubois 2000, 6). This provided a stable structure for funding and served as an incubator for the program to expand. Secondly, this consolidation brought in major stakeholders by giving the Secretary of State the power to "stipulate that the sale of property be paid in foreign currencies or credits when in the interest of the United States" (State Department 4). This also helped to make the legislation financially feasible. Finally, though a seemingly small amendment, the Fulbright legislation authorized the Secretary to "enter into executive agreements with foreign governments to finance American educational activities" and also "sponsor transportation for foreigners attending American institutions of higher education" (Ibid., 3). The sponsorship of foreign students helped to garner support for partnering countries and facilitate the mutual exchange of students. The three policy elements were pragmatic because they addressed key economic and structural concerns critical to the passage of the policy and to the institutionalization of the program. The pragmatic elements of the policy were aligned with the official purpose of the Fulbright legislation, which was and remains to "increase mutual understanding between the people of the United States and the peoples of other countries" (Mutual Educational and Cultural Exchange Act 1). The pragmatic elements of this legislation provided a framework within which Senator Fulbright's vision of universal knowledge and mutual understanding could flourish.

In addition to having this practical structure through which the program could be funded and implemented, Senator Fulbright was aware of the importance of the political climate surrounding its passage. Despite his ability to obtain passage of the legislation with ease, Fulbright's exchange program had its early opponents. One former Fulbright staff member, Dr. William B. Bader, noted that Senator Kenneth McKellar of Tennessee said, after the bill's passage, "Senator, that's a very dangerous piece of legislation. . . you're going to take our

young boys and girls over there and expose them to those foreign 'isms'" (Bader 2000, 2). While Fulbright's internationalist vision was not always aligned with his fellow Congress members from the South his ability to compromise with most stakeholders involved advanced his agenda. Fulbright knew the legislation would initially gain support based on the pragmatic security needs of the United States at that time. Hence, he promoted the practical use of international exchanges as an instrument of democracy promotion. This promotion, coupled with an altruistic vision to build universal scholarship and understanding, made the Fulbright-Hays legislation acceptable to all stakeholders. Thus, the Fulbright program was established at a time when Fulbright's vision of mutual understanding also appeared to be a politically pragmatic solution to prevent further military conflict.

### ***Expansion of the Fulbright Program***

Similarly to former Secretary of State George Marshall, Senator Fulbright was interested in pragmatic postwar planning. Specifically, he wanted to "wage a creative war" in order to secure a "creative peace" (Glazer 1987, 39). One of Fulbright's goals, announced two weeks after the atomic bomb hit Hiroshima, was to achieve creative peace by instilling "a capacity for empathy, a distaste for killing other men" (Fulbright 1946, 501). Senator Fulbright believed building mutual understanding among people would lead to the achievement of that goal. Given its new status as a superpower, the United States could no longer live in isolation:

As never before in American history, it became vital to national security to understand the minds of people in other societies and to have American aspirations and problems understood by others. (Dubois 2000, 4)

The historical context in which the program was conceived contributed to the support and success of the program. After the funds allocated under the initial amendment expired, Senator Fulbright was successful in expanding the purpose of the Fulbright programs. Three years later, the Smith-Mundt Act broadened the Fulbright program to countries other than those Lend Lease countries specified in the original law. The Act also helped facilitate Fulbright's vision of creative peace by establishing "bi-national centers around the world to coordinate the exchanges between the countries" (Cyprus Fulbright Commission 2006, 2).

The modest amendment that created the Fulbright programs reached its peak of expansion in 1961, when the original legislation was superseded by the Mutual Educational and Cultural Exchange Act. On September 21, 1961, when President John F. Kennedy signed the Act, he officially consolidated all previous laws under which U.S. exchange programs operated. This new act consolidated several international activities funded by the federal government and extended the capacity of Fulbright programs. The Mutual Educational and Cultural Exchange Act, also known as the Fulbright-Hays Act, remains the “basic charter for all U.S. government-sponsored educational and cultural exchanges” (University of Arkansas Fulbright Exhibit 2, 2007). This Act was particularly significant because it institutionalized much of the program in its present form.

Author Randell Wood notes, in 1945, nearly no universities in Europe taught American history, unless it was part of the history of Europe (Wood 1945, 134). At the time when the U.S. had emerged as a super-power, little was known about its culture and history. Wood cites the Fulbright program as a catalyst for that change:

...in part because of the Fulbright program, every nation in Western Europe offered American studies by 1964 and many had established chairs in American history, literature, or civilization. (Ibid., 135)

By the 1960s, the Fulbright program proved to be successful in meeting the mission of the legislation and in serving national interests by promoting American values abroad. By the time the effects of the Fulbright program were evident in the 1960s, policymakers were beginning to adopt an altruistic approach to development policy.

### **The Development Dichotomy: Pragmatism Without Altruism**

In the 1960s, policymakers appeared to adopt an altruistic approach to development policy. During this time, the expansion of balanced legislation, such as the Fulbright-Hays Act, began to narrow the dichotomy between pragmatic policy objectives and altruistic vision.

According to USAID, the Kennedy and Johnson administrations marked the “decade of development,” during which time the U.S. witnessed “tremendous growth in international development assistance” (USAID 2006). The change in culture in the U.S. during the 1960s produced development policy reflecting a more altruistic approach to developing nations. By the 1960s, the term

“development” also encompassed social progress and “improvements in the quality of life indicators such as life expectancy, literacy, and child mortality” (Lancaster 2006, 2).

Progress in social development was reflective of the less pragmatic and more altruistic policies of the Kennedy and Johnson administrations. Kennedy administration officials developed a new foreign assistance policy aimed at social development and “moving developing nations into self-sustained economic growth” (Office of the Historian Bureau of Public Affairs 1). These administrations operated within a progressive political climate fueled by the U.S. civil rights movement and appeared much more sympathetic to the developing world and progressive development policies.

As the Cold War effort shaped the U.S. foreign policy agenda, the need for containment on all fronts drew attention to the developing world and the need for a tailored strategy to stop the spread of communism in developing nations. At a time when developing nations may have benefited most from a balance of altruism and pragmatism, the political climate had shifted and Congress was seeking to scale back altruistic development policy in favor of a familiar pragmatic approach. Despite altruistic goals inherent in development policy, the politically pragmatic approach to development policy has come to dominate the implementation of development legislation. Author Michael Hunt notes that American leaders encountered greater difficulties with solely pragmatic approaches because our straightforward policy of containment was modeled on our European experience with policies such as the Marshall Plan. Hunt suggests development policies based primarily on a pragmatic approach are ill suited for developing nations that do not share the same culture and values as Americans. He notes that sole pragmatism is a flawed approach to employ in developing nations because it fails to take into account three influential factors. First, rural economies are more solely pinched by poverty than those in Europe. Second, leaders in developing countries may still be struggling to end colonial control or the effects of it and give form to national aspirations. Third, in developing countries, people have distinct cultures which may be largely immune to the appeal of American political values (Hunt 1987, 159).

Senator Fulbright expressed similar concern about a primarily pragmatic approach to the implementation of development policy. In his book, “The Arrogance of Power,” Senator Fulbright warned as follows:

...bringing power without understanding, Americans as well as Europeans have had a devastating effect in less advanced areas of the world; without knowing they were doing it, they have shattered traditional societies, disrupted fragile economies and undermined peoples' self-confidence by the invidious example of their own power and efficiency. They have done this in many instances simply by being big and strong, by giving good advice, by intruding on people who have not wanted them but could not resist them. (Fulbright 1967, 87)

While pragmatic development policies based on the Marshall Plan were effective in Europe, they have not been effective in building mutual understanding in developing countries. A solely pragmatic approach, unbalanced with the mission and vision of a policy, cannot shape effective foreign policy towards developing nations.

### **Consequences of Pragmatism on Development Policy**

While a balance between pragmatism and altruism characterized the creation of the Fulbright legislation, the transient nature of the political climate has had an affect on the implementation of educational exchanges in the late-twentieth century to the present.

Since its peak in the 1960s, support for altruistic development policy has continued to decrease and the shift to a more pragmatic approach to policy has had two adverse consequences on educational exchanges.

First, the funding for educational exchanges has decreased since the end of the Cold War causing programs to fight amongst themselves for scarce resources. The Fulbright program "has seen significant downsizing," says Patti McGill Peterson, vice-president of the Institute of International Education and executive director of the Council for International Exchange of Scholars, which administers the Fulbright program for scholars (Desruisseaux 1998, 5). In 1997, the government cut the exchange program budget by around 25% in three years. The cut in funding caused concern among educators that these programs "will have even lower priority in the United States Department of State" and concern about whether "Department of State policies toward particular countries will influence exchange arrangements" (Rubin 1997, 34). In comparison to the total federal budget of "2.6 trillion in fiscal year 2006," educational exchanges represented a small portion of the budget (White House, Office of Management and Budget 1). For example, in fiscal year 2006, the U.S. Congress appropriated \$184.6 million to



the Fulbright program (Department of State 1). The unintended consequence of a decrease in funding results in important international programs having to fight among themselves for “these precious few dollars” (Desruisseaux 1998, 5).

The explosion of the use of earmarks has caused the interests of policy makers to take precedence over the intent of institutionalized programs. Within the act making appropriations for fiscal year 2006 for Educational and Culture Exchange Programs, which the Fulbright Program falls under, congressional stipulations required that not less than \$13,000,000 of the overall budget shall be set aside for educational and cultural exchanges with the People’s Republic of China (Foreign Operations FY 2006, 3). In 2005/2006, this was one of 23 earmarks on educational and cultural programs (White House, OMB 1). Current earmarks, such as the one mentioned above, reflect a shift to a more pragmatic approach to cultural diplomacy driven by the political climate and strategic interests of U.S. policymakers.

Second, in addition to a decrease in funding, the agency for implementing educational and cultural exchange programs has been forced to shift with the political climate. Harold C. Pachios, former Chairman of the Advisory Commission for Public Diplomacy, noted that in the 1950s and 1960s most Americans accepted cultural diplomacy activities as necessary (Pachios 2002, 2). The necessity of these programs were reinforced by fairly strong support from “Congress and each succeeding presidential administration” during those decades (Ibid.). Since the end of the Cold War in the late-twentieth century, the pragmatic security interests of policy makers have changed. Pachios noted, “neither Congress nor the Bush I and Clinton administrations saw a rationale for these [cultural diplomacy] activities” (Ibid.). The end of the Cold War shifted the focus away from cultural diplomacy and reflected a pragmatic approach to development policy. In the early 1990s, a mixture of forces such as the end of the Cold War, budget deficits and the “Contract with America” Congress, “led to greatly reduced Congressional appropriations for exchanges and other public diplomacy accounts” (Pachios 2002, 3). By 1999, the push from Congress to gain political capital by improving the economy prompted them to cut spending and merge the United States Information Agency (USIA) into the State Department. Since its establishment in 1953, USIA was an independent agency which administered educational exchange programs such as the Fulbright program. The merge of USIA into the State Department was contentious because it was believed to have been completed without “any regard for the merits of, and new requirements for,

information age diplomacy” (Ibid.).

One year after the consolidation, the Advisory Commission for Public Diplomacy evaluated the effect of the merger on cultural diplomacy, and concluded innovation and flexibility were very difficult to achieve in “the huge and rigid bureaucracy of the State Department” (Pachios 2002, 4). The Commission noted under the State Department, public diplomacy was largely driven by the needs of U.S. embassies overseas. It was found, given the institutional culture of the State Department, it was unrealistic to expect embassy staff to implement programs revolving around exchanges and information dissemination because this “stands in contrast to the policy-driven State Department” (Ibid.). The State Department is structured to be a primarily pragmatic, highly centralized and hierarchical institution driven by the policy needs of the Secretary of State and the President. The Commission noted many employees acknowledged the State Department “does policy not programs.” In contrast, USIA was an independent agency formed to implement programs. While policy makers were quick to merge USIA into the State Department, they failed to see the unintended consequences this would have on cultural and educational programs. In conclusion, the commission noted:

Melding the field-driven, program-oriented USIA into the Washington-driven, policy-oriented State Department has proven to be a major challenge... people at USIA ‘have come from an organization that sent out information and arrived at an organization that draws information in and by nature keeps it locked in. (Pachios 2002, 4)

When the USIA was merged into the State Department, it became the Bureau of Educational and Cultural Affairs (ECA 2006). According to the Mutual Educational and Cultural Exchange Act of 1961 (Mutual Educational and Cultural Affairs Act 1), the official purpose of ECA is to “increase mutual understanding between people of the United States and people of other countries by means of educational and cultural exchanges” (ECA 2006, 3). Despite the altruistic rhetoric used to describe ECA, the shift from USIA to the State Department has caused programmatic areas to function like a pragmatic bureaucracy. The shift occurred in part because the implementation of the programs became even more tied to promoting national interest for the Department of State.

The use of development policy as a means of obtaining U.S. foreign policy

objectives has made developing countries skeptical of U.S. assistance. Since the inception of U.S. development policy in the 20th century, the altruistic rhetoric inherent in U.S. development policy has conflicted with the interests of U.S. foreign policy. For example, in fiscal year 2002, the U.S. Government spent \$378 billion on defense, while allotting only \$247 million for educational and cultural exchanges that develop mutual understanding (including such programs as Fulbright, Humphrey, International Visitors etc.) (Hamilton 2003, 2). Employing primarily 'hard power' to solve international crises is a reflection of the shift away from 'soft power' that seeks to "co-opt people rather than coerce them" (Nyes 2004, 5).

As with previous development policies, the political climate has determined the implementation of the legislation. The shift to a more pragmatic approach to development policy has created a gap between the altruistic rhetoric inherent in the mission of U.S. development policy and the pragmatic implementation of the policy. Sole pragmatism has fostered U.S. foreign policy interests while neglecting the intent of development policies.

The gap between the mission and implementation of U.S. development policies has created a complex system where altruistic intentions are sifted out as policy moves to the implementation stage and becomes more decentralized.

### **Realignment of Pragmatism and Altruism**

While emergent U.S. development policy has evolved out of altruistic rhetoric driven primarily by pragmatic foreign policy goals, in the 1960s the Fulbright legislation stood out as an example of balanced policy. Senator Fulbright's legislation successfully passed through Congress because he was able to back up his altruistic vision of universal knowledge and understanding with a pragmatic approach to the implementation of the policy. The Fulbright legislation grew out of a pragmatic need to further U.S. interests, but was driven by the altruistic desire to spread knowledge and mutual understanding.

While the use of solely pragmatic policies has not been effective in the developing world, Senator Fulbright's vision of mutual understanding and his advocacy of multilateralism instead of bilateralism helped to further U.S. cultural diplomacy. The Fulbright program has been an effective tool to promote cultural diplomacy because the exchanges provide a forum for the nation to project its values, purposes, interests, and policies to the people in other countries while also making efforts to understand the values, purposes, interests and policies of the people in other countries (Hamilton 2003, 2). The promotion of cultural

understanding has been cited as a potential “long-term solution to the current problems of terrorism, cultural conflicts, misunderstanding and hatred as well as a means of avoiding future problems in international relations” (Prevots 2001, 4).

In his Fulbright Prize address, former President William J. Clinton noted, “Fulbright essentially thought that a country had to have a military, but that there were limits to what you could achieve militarily” (Fulbright Association Newsletter XXVI, no. 1). Senator Fulbright believed over the long run, the gains achieved through “reasonable conversation and coming to a common understanding of our mutual interest through really coming in contact with each other are those that were most lasting” (Ibid.). Senator Fulbright’s vision for universal scholarship was rooted in the high value he attached to international education and scholarship. He valued international education to the extent that he understood “neither the wealthy, nor the elite, nor the learned carry the hopes for increasing international peace alone, but rather the people of all nations” (Bader 2000, 3).

Part of the success and survival of the Fulbright program is contingent upon the foundational balance of pragmatism and altruism set up by Senator Fulbright in the initial legislation. The Fulbright “feature of reciprocity” serves U.S. national security interests in a dual capacity because the “presence of American scholars and students overseas helps foreigners learn about U.S. institutions and the Western principles of free democracy” (Dubois 2000, 6). By bringing scholars and students to the United States, foreigners can receive hands-on experience with U.S. institutions that they can then take back to their home country and utilize to effect change. The dual nature of the Fulbright legislation to fulfill both practical and altruistic goals makes the Fulbright program an effective tool to build mutual understanding and is appealing to national interests such as spreading democracy (Ibid., 5).

The dual nature of the Fulbright legislation is a reflection of Senator Fulbright’s ability to balance pragmatism with altruism. While the current political climate lends itself to deadlock debate and a polarized Congress, Fulbright was able to sail through the approval process by compromising with many stakeholders involved. After promising the legislation would be financed by selling old military equipment instead of by raising new funds from the US Congress, Fulbright was able to use his ability to think outside the box to obtain passage of the legislation. The Fulbright program placed the United States “at the center of postwar intellectual and cultural exchange” and brought attention to the

importance of cultural diplomacy (Fulbright 110).

As the political landscape of the global village evolves, so must the way in which the U.S. intentionally and unintentionally communicates with the developing world. In order for cultural diplomacy to have a successful and tangible impact in developing nations, the U.S. must not only speak of altruistic visions but must see those visions through to implementation.

In order to begin to realign pragmatism and altruism, policymakers must recognize that cultural diplomacy and to a larger extent U.S. foreign policy interests have been weakened by solely pragmatic policies. In order to achieve this balance, cultural diplomacy must be moved from the margins of foreign policy to the center. The U.S. should make it a top priority to examine what is communicated to the developing world and take evolving cultural and regional differences into account throughout the policy process. The balance of pragmatism and altruism in the Fulbright Hays legislation is a powerful model for effective cultural diplomacy if the balance of pragmatism and altruism inherent in the legislation is preserved.

In order to win the wars of ideology in the 21st century, the U.S. must remain at the center of intellectual and cultural exchange and harness 'soft power' to fight against prejudice and intolerance. To do that, the U.S. Government must support balanced policies and allocate more resources for international education and exchanges. Ultimately, it is through harnessing programs seeking to foster mutual understanding and peace that increases credibility on the global stage and achieve the long term pragmatic goals.

In the words of Senator Fulbright, "education is a slow-moving but powerful force. It may not be fast enough or strong enough to save us from catastrophe, but it is the strongest force available for that purpose, and its proper place, therefore, is not at the periphery but at the center of international relations."

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**Christine de Pizan: A Fifteenth  
Century Champion for Women**

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*by Daphne Palmer Geanacopoulos*

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Many think of power in the Middle Ages as a male-dominated sphere. In many ways it was. History records that men held what was called the formal, direct exercise of public authority. They controlled the Church and the aristocracy, the two power centers in medieval culture. Their decisions influenced the social, economic and political life of society, and touched the lives of every citizen.

In fourteenth-century France, women were generally thought to be inferior and subordinate to men. The ruling men—the two groups with the least familiarity with women, formed ideas about women.<sup>1</sup> “On the one hand was the clerkly order, usually celibate, and on the other, a narrow caste who could afford to regard its women as an ornamental asset while strictly subordinating them to the interests of its primary asset, the land.”<sup>2</sup>

These factions defined women’s lives: they determined, among other things, the concept of marriage and the status of women under law. Since both agreed women should be in subjection to man, women were denied access to the power, privilege and prestige these men created for themselves. The history of misogyny dates back to the time of antiquity.

Power can and should be defined in another way, in a less conventional way, as the ability to act effectively and influence others. Despite the obstacles faced by women in the late medieval period, one woman without recognized public authority created her own authority and wielded power in a significant way. That woman was Christine de Pizan.

Christine de Pizan used her skills as a writer to defend her gender against misogyny. Her actions set an example for other women. A careful analysis of her writings and a discussion of her life shows that Christine was an early “modern” woman who used her life experiences and self-taught knowledge to affect change. The study will also define power in a broader sense, as that exerted by Christine de Pizan.

Although the list of her writings is lengthy, three of her works are important illustrations of her effectiveness and influence. These three works, described chronologically, show Christine’s view of women and since no woman before her had taken on the task of denouncing misogyny, her work is important not only for its historical content, but for the tone and spirit which reveals so much about her as a woman of the early fifteenth century. This is seen in her participation in “La Querelle de la Rose” in 1401, and her books *The Book of the City of Ladies*, (1404-1405), and *The Treasure of the City of Ladies*, in 1405.

In addition to defining Christine’s influence, is the argument that it was

Christine's positive relationships with educated enlightened men that contributed to her ability to move beyond the traditionally held private sphere of women as wife, mother and daughter, to the male-centered public sphere of professional author and advocate.

### **What Women Were Up Against: The History Of Misogyny- Three Components**

#### *Medical and Scientific View*

The history of misogyny is long, dating back to the time of Aristotle, one of the most scholarly and influential of the ancient Greek philosophers. A biologist, he espoused woman's inferiority in one of his scientific treatises writing in the fourth century B.C. that "A woman is...an infertile male. She is female in fact on account of a kind of inadequacy" (Generation of Animals 728a).<sup>3</sup>

Eighteen hundred years later, most men in Christine's era still embraced the philosopher's view. In addition, medieval thinkers bolstered the argument of women's defective physiology "by adding the theory of the four elements that make up all things in creation: earth, fire, water and air, each with its related quality of coldness, heat, moisture or dryness. They believed heat was the primary instrument of nature and concluded that man was superior to woman, as he was allegedly the warmer and the dryer of the two sexes, whereas woman's coldness and moistness was seen as making her more unstable, changeable and irrational."<sup>4</sup>

#### *Judeo-Christian Theology*

In addition to believing the medical and scientific works of classical antiquity, history records that negative opinions about women came from Judeo-Christian theology. The Church fathers, especially St. Paul and St. Augustine, interpreted key verses from the Bible to support their view that women were inferior to men in all respects: morally, physiologically and intellectually.<sup>5</sup>

Clerics quoted from Genesis (1:26-7 and 2:21-3) and I Corinthians (11:7) to put forward the idea that "although woman was made in God's image to the extent that she, like man, possessed a rational soul, she was nevertheless subordinate to him, being created for the specific purpose of helping him to perpetuate the human species."<sup>6</sup> This meant that women differed not only in body from a man but had an inferior rationality. Because of this lesser reason, she was supposedly thought to have been an easier target for the Devil than Adam: Eve was held responsible for the Fall and her punishment was suffering

the pains of childbirth and subjection to her husband.<sup>7</sup>

All women then, in a broad category as daughters of Eve, were held responsible for the same moral failings of Eve. Clerics said all women possessed the distasteful traits of disobedience, garrulity, and pride, the character flaws that Eve used to seduce her husband into eating the forbidden fruit.<sup>8</sup>

St. Jerome, trying to recruit new members to the celibate clergy, used this negative rhetoric to dissuade men from marriage. He explained that wives make men's lives miserable when they resist against subordination to their husbands.<sup>9</sup> (The Church addressed this problem of insubordination allowing men, through Canon law, to have the authority to beat their wives).<sup>10</sup>

Even the example of the beloved Virgin Mary was not enough to dissuade the misogynists. Mary's virtue did not erase women's guilt for their part of the Fall.<sup>11</sup>

Clerics cited I Corinthians 11: 5-13, a verse which required that all women cover their heads in shame when they pray, as a necessary gesture to continually remind them of Eve's transgression.<sup>12</sup>

#### *Literature*

Medieval literature shows the heavy influence of the scientific and theological ideas. Few women were educated, much less able to write: what was known about women was conveyed through men. Because the Church was the primary source of education, it was inevitable that the church's view of women filed page after handwritten page of the parchment manuscripts.<sup>13</sup>

A key tendency in medieval literature was to categorize individual women as if they were representative of their entire gender rather than respecting the individuality of the person. (Men were depicted as individuals.) These broad overstatements were often "short moralizing texts which ascribed stereotypically pejorative traits to women, citing the familiar arguments about Eve's responsibility for the Fall, the faithlessness and the instability of the female sex, and its lesser degree of godlikeness."<sup>14</sup> Geoffrey Chaucer in his *Canterbury Tales* (1343-1400), created a list of all the women in history from Eve downwards, who led men astray and had his character, the Wife of Bath's fifth husband, insist that his wife read the book of 'wikked wives' every night.<sup>15</sup>

One of the most influential and widely distributed pieces of literature in the late medieval period was the poem "The Romance of the Rose." (In French known as "Le Roman de la Rose.") It was written in two parts by two authors, in two different time periods and transmitted two very different messages. Some

200 manuscripts of the poem are known to survive.

Guillaume de Lorris wrote the first 4058 lines in 1237 during the height of the age of chivalry and courtly love. His text is about the “whole art of love.”<sup>16</sup> He celebrated the charm and warmth of romantic love by telling his story through the use of a dream-allegory. He died before the celebration was over.

Forty years later, Jean de Meun, a universal scholar from the University of Paris (he was interested in law, medicine, philosophy and theology)<sup>17</sup> undertook “The Romance of the Rose” project and completed it. His continuation of the poem, nearly eighteen thousand lines (lines 4059-21780),<sup>18</sup> includes information about religion, philosophy, history, science, sex, love, marriage and women.<sup>19</sup> Ironically, both authors were born not far from each other, in Orleans, France, but four decades separated the men’s psyches. They were worlds apart in their attitudes towards women.

To contrast the two authors: in Guillaume’s part the allegorical figure, Reason, plays a small part in the story serving only to curb the most excessive of the Lover’s passions. In Jean de Meun’s section, Reason is the mouthpiece for his biting satire about women and marriage. This change in tone reflects what one historian called “anti-courtliness,”<sup>20</sup> a more rationalist mood that emerged in the second half of the thirteenth century.

### **Time of Enrichment-Christine de Pizan’s Early Life**

When Christine de Pizan was born in 1364 in Venice, Italy she entered a time period in which inequality between the sexes was an inevitable part of human existence.<sup>21</sup> From an early age, Christine de Pizan had a unique life that prepared her for the challenge of misogyny.

At the age of four, her family moved from Italy to France so that her father, Tommaso di Benvenuto da Pizzano, (Thomas de Pizan) could take the position of astrologer in the Parisian court of King Charles V. (In the fourteenth century, astronomy was thought the most advanced branch of scientific knowledge and observing the skies and the movement of the planets was considered an important way to determine “the means by which God had chosen to carry out his punishment.”)<sup>22</sup>

Christine knew a life of luxury and sophistication. She mingled with the children of the court, learned the nuances of etiquette including the proper way to curtsy to the queen, Jeanne de Bourbon, and attended the balls and fetes for the Dauphin Charles and his brother Louis, Duke of Orleans.<sup>23</sup> More importantly,

while some young French girls were helping their parents work their land, or other French girls were learning how to become skilled at weaponry and riding,<sup>24</sup> Christine was schooled by her father in Latin, philosophy and various branches of science, including astrology, subjects not usual in any girl's education.<sup>25</sup>

Because Christine showed an interest and aptitude for intellectual pursuits, her father encouraged her.<sup>26</sup> A learned man, he had a degree in medicine. (At that time, astrology was part of the medical curriculum because "the constellations were thought to govern not only the destiny of the individual but also the various members of one's body at specified seasons of the year.")<sup>27</sup>

His views on education for women were unusually liberal for his day but as a university student he had studied at the University of Bologna, considered one of the great intellectual centers of Europe (the other was the University of Paris, also known as the Sorbonne) and one of the most liberal. What made the University of Bologna different from other universities was the fact that "its faculties did not rest on religious foundations"<sup>28</sup> and many of its professors were laypersons. This meant that to have studied at the University of Bologna was to have been exposed to some of the best and most progressive ideas of the day (many of them available through books because Bologna was also one of the most important centers for book production)<sup>29</sup> and to have been schooled by some of the most important thinkers of the fourteenth century. Thomas de Pizan's enlightenment came from scholarly pursuit, and he shared that enthusiasm with his daughter. (Christine's mother was more conventional in her outlook believing that her daughter should tend to more domestic affairs such as spinning.)<sup>30</sup>

While Christine had the benefit of a personal tutor, she had the further benefit of an extraordinary resource, what was essentially an in-house library, and one of the finest in the world. Through her father's association with the court, Christine had access to Charles V's collection of 1200 rare books housed in one of the specially built towers of the Louvre.<sup>31</sup> (Charles V was known to have had a passion for book collecting.)<sup>32</sup>

Immersed in the world of ideas, she shared her intellectual inquisitiveness not only with her father but also another man known for his intellectual qualities and love of learning—the king. As part of a reading group, Christine, her father and Charles V (later the group included her future husband, Etienne de Castel, a member of the king's court) read aloud such authors as Petrarch, Boccaccio, Boethius and Dante.<sup>33</sup> Christine's "education" also included regular conversations with court visitors-- men of the social, political and intellectual

elite. They were noblemen, courtiers, scholars and ambassadors, including the exotic ambassador from the sultan of Cairo.<sup>34</sup> This “schooling” lasted until she married in 1380 at the age of fifteen.

Marriage was common at this age, (although in the case of nobility it might be legally concluded in infancy or childhood),<sup>35</sup> young women were considered mature and it was customary for a father to choose an older man for his daughter.

Christine’s husband was twenty-five year old Etienne de Castel, the royal secretary to Charles V, (a job that was a lifetime appointment and entailed writing many letters and notes for state documents and representing the king on diplomatic missions)<sup>36</sup> and a knight from Picardie, northern France. In the late medieval period, royal secretaries were the intellectual elite of Paris, so Christine was paired with someone of her father’s ilk.

Etienne was, it seemed, of the same ilk as Christine’s father in another way: he was an enlightened man who cared very much about her. Christine’s poetry records a very happy marriage. It was believed that Etienne taught Christine the notary style of writing she often used,<sup>37</sup> and he sympathized with her in her longing to attend a university. (As a woman, she was forbidden from receiving a formal education at the Sorbonne or any university because admittance was limited only to men. It was believed by some men that having women attend university would be a distraction and unhealthy. They cited such reasons as: dancing with a women for half an hour would make a student unable to study for two weeks; and a menstruating woman was poisonous.)<sup>38</sup>

Between Thomas de Pizan, Charles V, Etienne, and the men at court, Christine had an unusual and dynamic group of men that supported, respected, admired and encouraged her in her intellectual pursuits.

Soon after her marriage, Christine’s circumstances changed. The Pizan family had been so enriched by Charles V, the good king who “would not allow any need in his friend’s household to go unfulfilled”<sup>39</sup> died in the fall of 1380. Her father lost his position and the loss had serious financial repercussions. Christine wrote: “Now was our door opened to misfortune since the large pensions now were unpaid to my father.”<sup>40</sup>

As court astrologer, Thomas de Pizan had been the beneficiary of many royal favors. In addition to a generous stipend, and an annual income of twenty Parisian pounds from a property given to him by the king, he was further gifted two pieces of real estate--a chateau in the region of the Forest of Fountainbleau,



near one of the king's residences, and the Barbeau Tower in Paris.<sup>41</sup> (Christine later sold these to help make ends meet.)

While Etienne was still employed at court, gone were the days Christine had known. Now times were full of strife, unrest and uncertainty. The boy king, Charles VI, not yet twelve years old, was being fought over by his three guardian uncles, the dukes of Burgundy, Anjou and Berry, and there were uprisings in Flanders and other cities.<sup>42</sup>

Christine's father fell gravely ill and he was not prepared financially for the long sickness. The Pizan family fortunes suffered accordingly.<sup>43</sup> In 1387, he died and Christine's husband became head of the household. (The legal system in the fourteenth century recognized women only through their fathers and husbands. The head of the household was head in legal matters, and they therefore had the fullest legal rights.)<sup>44</sup>

Three years after her father's death, in the fall of 1390, Christine's fate took another turn. While in Beauvais, France on court business, Etienne caught an epidemic raging there. He died before Christine could reach him. Within eight years, Christine had lost her strong male line of support—her husband, her father and her king.

### **Time of Crisis**

Because it was the custom that women were prevented from knowing their husband's financial affairs, Christine did not know Etienne's financial situation. Compounding her personal losses, were serious financial difficulties for the woman who had no experience in the world of male responsibilities.

When Christine tried to collect money due Etienne's estate, she was met with deception and dishonesty and became burdened with as many as four law suits at the same time.<sup>45</sup> (This was a common problem for widows and Christine used this experience to counsel women in her book, *The Treasure of the City of Ladies*.)

Her situation was further complicated by Etienne's position as a royal secretary. In addition to his pension he was entitled to a "purse"<sup>46</sup> (a bonus peculiar to the position) but due to the extenuating circumstances of his death—the fact that he was away from Paris when he died--it made it even more complicated and difficult for her to collect the money she was due.

At midlife, (Christine was twenty-five years old, and this was considered middle age in the Medieval period) Christine's life was in crisis. Left in poverty

and with many mouths to feed—her three small children, her aging mother, and a niece--Christine wrote that all the responsibility she bore was as much as “six times one person.”<sup>47</sup> It would be fourteen years (and large sums of money later) before Christine was extricated from the financial disasters that burdened her, and even then she was not free of financial worries.

*Period of Recreation*

Burdened with financial and personal demands, Christine wrote that the change in her circumstances forced her to “become a man.”<sup>48</sup> With her need to take on the responsibilities normally assumed by men, she set out at midlife to recreate herself. No longer was she a child of court; no longer was she a wife of a courtier; now she was a widow alone and the head of household. It can be said that it is at this point she moved out of the private sphere of wife, mother and daughter into the public sphere traditionally inhabited by men. In order to do that, she had to regroup and further educate herself in order to redefine herself.

Christine launched into a program of self-edification reading books from the Sorbonne and the royal library at the Louvre.<sup>49</sup> (Even though women were not allowed admission to a university, Jean Gerson, another member of her male network and Chancellor of the Sorbonne, allowed her access to the library). She read fiercely and widely. Of her studies in the liberal arts she wrote: “I betook myself like the child who at first is set to learn its ABC, to ancient histories from the beginning of the world; histories of the Hebrews and the Assyrians, of Romans, French, Britons, and diverse others. And then to the deductions of such sciences as I had time to give heed to, as well as to the study of the poets.”<sup>50</sup>

In poetry she found her calling. She wrote in a journal to herself, “Child, be consoled, for you have found the thing, this is your natural aspiration.”<sup>51</sup> She found the makings of a career as a writer.

Writing was not a career available to women in the medieval period, because few if any women knew how to read or write. Christine’s training and unique exposure to the social, intellectual and political milieu of the early fifteenth century made her new career possible. Although an Italian by birth, she wrote in the language of her adopted country, France, and wrote in the vernacular rather than Latin, the dominant literary language of the Middle Ages.<sup>52</sup>

At first, writing poetry was a way for her to ease her grief over her circumstances, especially the loss of her beloved husband who died “in the flower of his youth,”<sup>53</sup> at the age of thirty-four. One of her most famous pieces of poetry was a lament she wrote in the form of a ballad on the anguish of widowhood.

The first verse reads:

Alone am I, alone I wish to be,  
Alone my gentle love has left me,  
Alone am I, without friend or master,  
Alone am I, in sorrow and in anger,  
Alone am I, ill at easy, in languor,  
Alone am I, more lost than anyone,  
Alone am I, left without a lover.<sup>54</sup>

The piece circulated at court, and was so widely received soon there were orders for her to write such work as love lyrics, ballads, rounds, and plays. It became popular for young knights to let Christine put into verse “their pleasure for a lady’s hand, or to compose a new song to sing on their lutes.”<sup>55</sup>

Her work became popular not only with the young of the court, but also with the older men: the prince Jean, Duke of Berry commissioned her to write the biography of his brother, King Charles V, and prince Louis of Orleans was an admirer and supporter. John the Fearless, son of Philip the Bold, was another patron of Christine. A record in the Burgundian accounts cites her commissioned work:

To Demoiselle Christine de Pisan, widow of the later Master Estienne du Caste, a gift of 100 crowns, made to her by my lord the duke, for and in acknowledgement of two books which she has presented to my lord the duke, one of which was commissioned from her by my lord the duke, one of which was commissioned from her by the late duke of Burgunday, father of the present duke . . . shortly before he died.<sup>56</sup>

(It should be noted that because Christine had financial responsibilities, she, like other medieval writers, supplemented her writing income with additional work. Christine copied manuscripts for others for a fee.)<sup>57</sup>

Humbly, she thought her work was successful because of the novelty that she was a woman, but in fact, learned men read and circulated her books.<sup>58</sup> The poet, Eustache Deschamps, wrote about her as described below:

Muse eloquent among the nine, Christine, without equal today in acquired wisdom and all doctrine, you have learning from God and from

no other; your letters and books, which I read in many places, of great philosophy, and what you once wrote me, make me certain of the great abundance of your knowledge which continues to multiply—you are alone in your deeds in the kingdom of France.<sup>59</sup>

*Champion of Women--Three Examples of Her Influence*

1399 is the year Christine attributed as the real beginning of her writing career. Thirty-five years old and armed with success in the public sphere (her poetry was well known inside and outside of French court circles including in England and the Visconti court in Milan,<sup>60</sup>) she began a new phase in her development as a writer.

She saw her role in the public sphere as that of a teacher or an advisor, (as her early male mentors had been to her), providing her readers with lessons in ethics and morality. She related this ethical perspective in a variety of ways, depending on the audience she addressed (male or female) and the genre in which she wrote which varied “from literary debates to courtesy manuals, lyric poetry to treatises on chivalry, and from a biography of a king to a book of pious devotion.”<sup>61</sup>

Feisty, articulate and direct, Christine broke new ground in the early fifteenth century as an advocate against the social ill of misogyny. In her *L'Epistre au Dieu d'Amours*, written in May 1399, she harshly attacked Jean de Meun's misogynist views in his second part of the “Romance de la Rose.” Christine thought Jean de Meun had an immoral view of women, that his attitude was “non-human and irrational, corporeal and corrupting.”<sup>62</sup> She suggested that it was only when a female writer takes up her pen could a truly balanced presentation of the facts about women be put forward.<sup>63</sup>

It is highly possible, she said, that her attack against Jean de Meun led to the series of lively and contentious literary debates called the “Querell de la Rose” (querelle is the French word for quarrel, row or brawl) that went on sporadically for about two years (1401-1402). The debates were an interlinked series of letters (along with one rather more loosely connected treatise)<sup>64</sup> debating the worth and morality of Meun's text.

“Querell de la Rose”

Christine's participation in the “Querell de la Rose” was an important start to the dialogue in defense of women. The debaters on one side were Christine, and her ally and old acquaintance, Jean Gerson, who was so violently opposed to

Jean de Meun's rhetoric he said that even if he owned the only copy in existence and it was worth the stupendous amount of 1,000 livres, he would not hesitate to "consign it to the flames."<sup>65</sup>

On the defending side of "The Romance of the Rose" were some of the most influential men of the late medieval period. Men like Jean de Montreuil, Provost of Lille and sometime Secretary to the Dukes of Berry, Burgundy and Orleans; Gontier Col, First Secretary and Notary to the King, and his brother, Pierre Col, Canon of Paris and Tournay.<sup>66</sup>

What is important about Christine's participation in this debate is that until Christine, Jean de Meun's "knowledge in matters both amatory and philosophical had been overwhelmingly favourable."<sup>67</sup>

Christine's assertiveness, (writing six out of the twenty-two documents), her calling Jean de Meun's doctrine "poisonous"<sup>68</sup> and her expressed concern that his slander of women was a bad influence on contemporary men—was for the first time, giving voice to voiceless women. Of Jean de Meun she wrote:

Jean de Meun in his romance of the Rose,  
What a long affair! What a tiresome pose!  
What sciences profound, both clear and obscure,  
Devised for many a great adventure—  
So many people either begged or bribed,  
Such far-fetched devices sought out and tried—  
All just to seduce an innocent maid,  
Such is the end of this silly charade:  
For frail defense, why such a great assault?<sup>69</sup>

It is both appropriate and ironic that Christine took on Jean de Meun, the author-scholar from the Sorbonne. While he had all the advantages men enjoyed of formal education at one of the great universities, she was his intellectual match with her private tutor--her father, a scholar from the other great university, the University of Bologna-- and self-education from Meun's Alma Mater's library. With her pen as a sword she showed her matter-of-fact knowledge of real life by striking at Jean de Meun writing: "But truly since he blamed all women in general, I am constrained to believe that he never had acquaintance of, or regular contact with, any honorable or virtuous woman."<sup>70</sup>

To Gontier Col who, among others, spoke to her in anti-feminist language,

as a woman “impassioned, presumptuous and arrogant,”<sup>71</sup> Christine stood her ground showing confidence, poise and class. She reproached him: “You wrote in a fit of impatience your second, more offensive letter, reproaching my feminine sex, which you describe as impassioned by nature. . . please do not willfully choose to reproach and reprove my true opinion, honestly arrived at, just because it is not to your pleasure.”<sup>72</sup>

Christine’s approach was not to question the established theory that women were inferior to men but instead to admonish men “to do what they were supposed to do and were largely failing to do to a distressing degree.”<sup>73</sup> Her point, as she wrote in her reply to Jean de Montreuil, is that “once women are regarded as members of the same species as men, they no longer will be seen simply as objects to be desired or feared. On the contrary, they should be accorded the respect due to them for their central role within human society as partners with men in every facet of the latter’s existence as husbands, lovers, sons and brothers.”<sup>74</sup>

Her argument was broad and positive. She did not demean her opponents; instead, like a peace negotiator, she looked for a common middle ground. She focused on the sameness between the sexes rather than the differences and the “complementarity versus incompatibility.”<sup>75</sup>

Christine had a moral vision that the two sexes should and could find a way to co-exist and that it would be for the general good. Christine’s efforts to defend her gender and brush away the negative attitudes towards women was an important and valiant effort to effect change in the late medieval period. Tired of the rhetoric that was too easy for men to espouse—of women’s inferiority—instead she took on the harder task--that of spinning the positive from the negative--a clever strategy that undercut the nastiness of the accusers and insulters.

Well schooled in the historical philosophical and theological sources anti-feminists used, Christine uses these sources for her own purpose. For example, she turned around the famous philosopher, Aristotle’s, negative assertion that women are physiologically “inadequate men” arguing instead that the differences between men and women were “accident” rather than essential.<sup>76</sup>

With regard to Christian marriage, rather than seeing it as an endorsement of institutionalized domination, she wrote that it was an opportunity of the highest calling for moral commitment between a man and a woman.<sup>77</sup>

It took a remarkable woman to assemble the components of intellectual acumen, personal integrity and a balanced sense of life to communicate new

ideas into a historically oppressive environment.

Geoffrey Chaucer had his character, The Wife Of Bath, complain in the *Canterbury Tales* that women's voices were not heard, and that men wrote all the books:

Who peyntede the leoun, tel me who?  
By god, if women hadde written stories  
As clerkes han with-inne hir oratories,  
They wolde han written of men more wikkednesse  
Than all the mark of Adam may redresse.<sup>78</sup>

Now, Christine is the writer for women's views and Christine's participation in "The Querelle de la Rose" is an important indicator of a cultural, literary and moral shift in the early fifteenth century. So important was the debate that in February 1, 1401, Christine sent a collection of the "Rose" correspondence with accompanying explanatory letter to Isabeau of Bavaria, Queen of France. Sending the package shows Christine's astute political awareness, her comfort in corresponding with the nobility, and her strong interest in spreading the word to the highest level that nothing less than ethical and moral behavior towards women should be tolerated and addressing the problem of misogyny was of the utmost importance. In her package to the queen she wrote that she had heard "your Excellency delights to hear virtuous and well-expressed works, a laudable practice which increases virtue and good morals for your noble person."<sup>79</sup>

"The Querelle de la Rose" turned out to be the first phase of a broader tradition of literary debates on women, known as the 'querelle des femmes,' which extended into the Renaissance.<sup>80</sup> Christine's contribution as the first critic of misogyny makes her an early "modern" woman, an early feminist. With her slight form fitted figure, (as shown in a period miniature)<sup>81</sup> floor length dress with a train, and period headpiece concealing her hair, she was a far cry from her "sisters" 560 years later, who would advocate (and demand) in the 1960s her mantra of equality and respect from men while burning their bras.

Christine's role in calling for peace with the warring factions against women made her a powerful influence in the late medieval period.

*The Book of the City of Ladies*

Christine was so strong a champion of women that she wrote a book for the female audience to celebrate women who had distinguished themselves throughout history (prior to 1405, of course).

*The Book of the City of Ladies*, broken into three parts and approximately 250 pages in length, highlights women who have acted morally and virtually in their sphere. They are, “Ladies of Political and Military Accomplishment” such as Nicaula and Artemisia; “Ladies of Learning and Skill” such as Medea and Minerva; and “Ladies of Vision and Prophecy” like the Queen of Sheba and the sybil Almathea, to name a few. Christine identifies women who are examples of chastity and repugnant to rape (Sarah, Rebecca, Queen of the Galatians), those who are good models of women’s constancy (Nero, Galba, Griselda), generosity (Busa, Isabella of Bavaria, the Duchess of Orleans), filial piety (Hypsipyle, Claudia), marital love (Portia, Antonia, the wife of Alexander the Great), and faithful women in love (Dido, Medea, Thisbe), to name a few.

She highlighted the Blessed Virgin, martyred women saints, Mary Magdalene, women who helped the Apostles, and even two women saints who lived disguised as monks—Saint Marina and Saint Euphrosyne.<sup>82</sup> Although it broke the female celebratory line, Christine so appreciated those men who were in favor of educating women she noted among two others, her father.

The purpose of the book was to teach women that despite the restrictions imposed on them by their society, the reader could and should “aspire to and achieve moral virtue in their own particular sphere of influence.”<sup>83</sup> A woman has choices, the book argued, to act with intelligence, courage and integrity.

Another purpose of the book was to rewrite history. As Christine well knew, men had written history and details about women were recorded with their bias interpretation. Christine’s intention was to focus on women who had played a part in history but their role had not been sufficiently acknowledged for their contribution.

Christine identifies over one hundred praiseworthy women showing to the reading public that women are equal to men in important realms of human activity. Christine’s book, therefore, provides a more balanced view of history. This is an important contribution in the historical context.

So vast was her knowledge that she was the one expert in her time that could speak so eloquently and comprehensively about her gender. Christine structured her book using the framework of a dream city to shelter her strong and respected characters, and three allegorical figures, the virtues Reason, Rectitude and Justice. Christine inserted herself as a protagonist in the narrative as “a model for her reader, a female reader who must learn to valorize women as fully human.”<sup>84</sup>



As the author, she used the three Virtues as important voices whose remarks “aim at imbuing Christine (the protagonist) with an encompassing feminine ideal which uncompromisingly refuses to apologize for women against their detractors but rather seeks to demonstrate the indispensability of feminine contributions to the continuation of human civilization in the political, cultural, spiritual and practical spheres.”<sup>85</sup>

Prior to *The Book of the City of Ladies*, there was only one book in circulation about famous women. Boccaccio in his *De Mulieribus Claris* wrote about famous women regardless of their moral stature and he offered praise of women in a “negative, back-handed way: since women are so weak in body and slow in mind, they deserve all the more praise when they manage to muster the sufficient ‘manly courage’ for undertaking tasks difficult (even!) for men.”<sup>86</sup> Christine rejected Boccaccio’s tone and text and asserted instead her consistent “sameness” philosophy that civic, moral and spiritual virtues are not gender specific but they can be found in both sexes.<sup>87</sup>

*The Treasure of the City of Ladies*

Written as a follow up to *The Book of the City of Ladies*, Christine continued to write for the female audience in *The Treasure of the City of Ladies*. Her book is a detailed classification of women’s roles—roles for all women “high and low”<sup>88</sup>—and is an early front-runner for a modern (and at times, humorous) self-help book. Dedicated to Dauphine, Margaret of Burgundy, wife of Dauphin Charles, later Charles VII, Christine appeals to this princess to set the true tone to the life of the court with her reference to ladies of the nobility.<sup>89</sup>

Christine uses a similar format as *The Book of the City of Ladies*, three parts and the three virtue allegories, Reason, Rectitude and Justice. Christine does not, however, insert herself in the text as a character, instead she provides a female allegorical character, Prudence Mondaine, as the figure of unimpeachable moral authority.

In the first part, Christine addresses women of the nobility--queens, princesses and noblewomen—and counsels them not to put too much faith in possessions. She asks them to make time for charity, to have pity on the poor, and “to study themselves so as to take the place of their lords and husbands while they are away at war or at court.”<sup>90</sup> She gives seven “principal teachings of Prudence that any princess who loves honour must remember”<sup>91</sup> and these include her conduct in various settings: towards her husband, towards the relatives and friends of her husband, towards her children, towards those that do

not like her and are envious of her, towards all her subjects, towards the women of her court and towards the finances of court.<sup>92</sup>

In part two, she speaks to the second tier of society--the women of court and lesser nobility and bids them, among other things, “not to be afraid to go down into their own kitchens, and have a care to their management, and to avoid all luxury.”<sup>93</sup> She cautions her women in the ways of the world, such as to avoid too many friendships with men because no matter how innocent, even if “it is for laughter and amusement”<sup>94</sup> men will talk about them unfavorably. Taking an opportunity to jab at those that have that have belittled women for so long she wrote of men that they will “wickedly jump to conclusions and invent lies. . . they make jokes behind the back of women, whatever polite manner they may have adopted towards them to their faces and however gracious they appear to be. . . these jests and comments are reported in towns from mouth to mouth in taverns and other places, everyone adding to the story and putting in his own bit.”<sup>95</sup>

In the last group, she confers with the bourgeois and common women. She pleads with servants not to take bribes, “since God sees everywhere.” These women “must do their best and have a good heart, knowing that the misery of earth will be recompensed in heaven.”<sup>96</sup> She advises wives of farm laborers to “guide well the flocks and herds and to urge their husbands to work.”<sup>97</sup> She gives instruction even to prostitutes, commanding them to clean up their ways and take the high moral ground: “How can you tolerate indecency and living, drinking and eating entirely among men more vile than swine—men who strike her, drag her about and threaten her, and by whom she is always in danger of being killed?”<sup>98</sup>

Christine’s overriding concern is peace—peace between one’s husband and his vassals, peace with one’s husband and relatives, and peace among the ladies and women in the household. Her recurring theme is that women should stick together; they should be like sisters rather than antagonists who gossip and look for the faults in others.

What is important about this book is the spirit in which it is written. Christine was forty-one years old when she wrote it, past middle age for that time period. She speaks from the posture of a wise elderly woman--a leader of women. One of Christine’s gift as a writer is her vast knowledge either first hand or through book learning. In writing this book she shows her generosity in wanting to share this knowledge with her fellow women. She does it not in a tone of a patronizing authority but like a sister, one who shares her best recipes with those

she respects and admires. She sincerely wants to help her fellow women.

The fact that Christine is able to speak to a wide audience, women of different classes, shows her exceptional life experience. Not only did she know the life of privilege, but also she knew the life of poverty in her widowhood. Christine is a woman of women. Her ditties of advice show her keen eye and give vivid pictures of medieval life.

Christine addresses her female audience as if they are family—a group that shares a common bond. They do. They are victims of misogyny. Christine writes for a purpose. She believes she knows a way to help her sisters improve their relationships with men (she has as a base her successful relationships with men). She believes this will be helpful not only in the present but also in the future since relationships between men and women spill into the cultural, political and economic parts of society. Christine believes that if she can redefine power by leveling the playing field and empowering women to believe in themselves, that that is a start to repairing the damage the history of misogyny has done.

It is in this practice as a coach to her gender that Christine's power is seen and exerted. For her reader, she works to “rouse her from the despondency that misogyny induces when it claims that women cannot aspire to virtue, and to encourage her, as a moral being, to take responsibility for her own actions and reputation.”<sup>99</sup>

In *The Treasure of the City of Ladies* Christine has synthesized and organized ways in which women can do this by presenting in this handy guide practical tips such as “sober speech, modest dress and a chaste bearing,” which will help women achieve three goals: “a blameless life, a good name for posterity and a refutation of misogynist stereotypes.”<sup>100</sup>

### **The Power of Christine De Pizan**

Many think of power in the broad view—male domination of the public sphere. In medieval France in the fourteenth century men were, in many ways, powerful. History records their traditional terrain: they dominated the social, economic and political life of medieval society through their control of the Church and the aristocracy. Power can also be defined in a less traditional and conventional way. Christine de Pizan did just that.

Christine wrote that when her husband died she was forced to “become a man.” Had she not had the extraordinary training and mentoring by men of the social, political and intellectual elite who encouraged her scholarship

and expression it is possible that she would not have known how to be a man. Life experience, necessity, education and success in the public sphere gave her courage and confidence (two traits usually associated with men) to enter the male-centered public sphere and express herself.

Christine may have been a woman “slight” in size but she was a large force in her day. Using her life experiences and self-taught knowledge, she recreated herself and developed a career as a writer. With her pen she influenced people. By defending her gender and speaking openly and honestly about the social ill of misogyny she was an early “modern” woman. She gave voice to hundreds and thousands of voiceless women. She was an inspiration to them by example. Moving from the private sphere of a wife, mother and daughter to the public sphere as career woman in an age when women were so negatively regarded makes her a powerful figure in history.

Although there is no way to know for sure, but it is fair to contemplate, if more women had had similar positive experiences with men that taught them how to “be men,” perhaps the cultural changes which Christine began may have occurred at an earlier time.

Christine de Pizan began as a woman without recognized public authority. With her spunk, courage and articulateness she created her own authority. Rather than respond to the oppression of misogyny, she turned around negative accusations by responding in the positive. She drew on the cultural resources of her day and constructed an intellectual authority for herself that challenged the prevailing orthodoxy of the medieval period.

Christine de Pizan served as an advocate for her gender insisting on the moral if not the social equality of the sexes. She served as a teacher teaching women how to refute anti-feminist slander by adopting virtuous forms of behavior. Her courage, her determination, and her bigness of heart is Christine de Pizan’s gift and power. She redefined power in another way, in a less conventional way. Another woman of such influence would not be seen for another hundred years.<sup>101</sup>

**END NOTES**

<sup>1</sup> Eileen Power, *Medieval Women* (Cambridge: Cambridge University Press, 1975), 9.

<sup>2</sup> Ibid.

<sup>3</sup> Sue Blundell, *Women in Ancient Greece* (Cambridge: Harvard University Press, 1995), 186.

<sup>4</sup> Rosalind Brown-Grant, "Christine de Pizan as a Defender of Women," *Christine de Pizan Casebook*, eds. Barbara K. Altmann and Deborah L. McGrady (New York: Routledge, 2002), 82.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Power, *Medieval Women*, 16.

<sup>11</sup> Brown-Grant, *Christine de Pizan Casebook*, 82.

<sup>12</sup> Ibid.

<sup>13</sup> Barbara W. Tuchman, *A Distant Mirror: The Calamitous 14th Century* (New York: Alfred Knopf), 209.

<sup>14</sup> Brown-Grant, *Christine de Pizan Casebook*, 82.

<sup>15</sup> Power, *Medieval Women*, 30.

<sup>16</sup> Guillaume de Lorris and Jean de Meun, *The Romance of the Rose*, trans. Harry W. Robbins (New York: E.P. Dutton & Co., 1962), 31.

<sup>17</sup> Ibid., xvii.

<sup>18</sup> Ibid., vi.

<sup>19</sup>“Medieval Estate and Orders—Making and Breaking the Rules: exts and Contexts,” *The Norton Anthology of English Literature*, <[http://www.wwnorton.com/nael/middleages/topic\\_1/rose.htm](http://www.wwnorton.com/nael/middleages/topic_1/rose.htm)>.

<sup>20</sup> Guillaume de Lorris and Jean de Meun, *The Romance of the Rose*, xvii.

<sup>21</sup> Brown-Grant, *Christine de Pizan Casebook*, 95.

<sup>22</sup> Charity Cannon Williard, *Christine de Pizan: Her Life and Works* (New York: Persea Books, 1984), 17.

<sup>23</sup> Eloise Lownsbey, *Saints & Rebels* (New York: Longmans, Green and Co., 1937), 295.

<sup>24</sup> Joan Kelly, *Women, History, and Theory* (Chicago: The University of Chicago Press, 1984), 116.

<sup>25</sup> Lownsbey, *Saints & Rebels*, 295.

<sup>26</sup> Williard, *Christine de Pizan: Her Life and Works*, 33.

<sup>27</sup> *Ibid.*, 17.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*, 33.

<sup>31</sup> Lownsbey, *Saints & Rebels*, 295.

<sup>32</sup> Williard, *Christine de Pizan: Her Life and Works*, 21.

<sup>33</sup> Lownsbey, *Saints & Rebels*, 295.

<sup>34</sup> Williard, *Christine de Pizan: Her Life and Works*, 24.

<sup>35</sup> Tuchman, *A Distant Mirror: The Calamitous 14th Century*, 209.

<sup>36</sup> Williard, *Christine de Pizan: Her Life and Works*, 35.

<sup>37</sup> *Ibid.*, 34.

<sup>38</sup> Ruth Mazo Karras, "Sharing Wine, Women, and Song: Masculine Identity Formation in the Medieval European Universities," *Becoming Male in the Middle Ages*, eds. Jeffrey Jerome Cohen and Bonnie Wheeler (New York: Garland Publishing, Inc. 1997), 196.

<sup>39</sup> Williard, *Christine de Pizan: Her Life and Works*, 23.

<sup>40</sup> Lownsbery, *Saints & Rebels*, 297.

<sup>41</sup> Williard, *Christine de Pizan: Her Life and Works*, 23.

<sup>42</sup> Lownsbery, *Saints & Rebels*, 297.

<sup>43</sup> Williard, *Christine de Pizan: Her Life and Works*, 39.

<sup>44</sup> Tina Cooper, "The Use of Power and Influence by a Medieval Woman," <http://www.r3.org/life/articles/women.html>.

<sup>45</sup> Williard, *Christine de Pizan: Her Life and Works*, 39.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid., 48.

<sup>49</sup> Lownsbery, *Saints & Rebels*, 301.

<sup>50</sup> Ibid.

<sup>51</sup> Williard, *Christine de Pizan: Her Life and Works*, 44.

<sup>52</sup> Earl Jeffrey Richards, ed., *Reinterpreting Christine de Pizan* (Athens: University of Georgia Press, 1992), 1.

<sup>53</sup> Tuchman, *A Distant Mirror: The Calamitous 14th Century*, 217.

<sup>54</sup> Williard, *Christine de Pizan: Her Life and Works*, 53. (This verse was footnoted by Williard to mention that she got the verse from an article she wrote: "Lovers' Dialogues in Christine de Pizan's Poetry from the *Cent Ballades* to the *Cent Ballades d'Amant et de Dame*," *Fifteenth Century Studies*, 4 (1981), 167-180.

<sup>55</sup> Lownsbery, *Saints & Rebels*, 298.

<sup>56</sup> Richard Vaughan, *John the Fearless* (New York: Barnes & Noble, 1966), 235.

<sup>57</sup> John Lough, *Writer and Public in France* (Oxford: Clarendon press, 1978), 25.

<sup>58</sup> Joan Ferrante, "Public Postures and Private Maneuvers: Roles Medieval Women Play," *Women and Power in the Middle Ages*, Mary Erler and Maryanne Kowaleski, eds. (Athens: University of Georgia Press), 225.

<sup>59</sup> Ibid.

<sup>60</sup> Williard, *Christine de Pizan: Her Life and Works*, 51.

<sup>61</sup> Rosalind Brown-Grant, *Christine de Pizan and the Moral Defence of Women: Reading Beyond Gender* (Cambridge, United Kingdom: University Press, 1999), 2.

<sup>62</sup> Ibid., 50.

<sup>63</sup> Brown-Grant, *Christine de Pizan: A Casebook*, 83.

<sup>64</sup> Joseph L. Baird, and John R. Kane, eds. *La Querelle de la Rose* (Chapel Hill: U.N.C. Press, 1978), 11.

<sup>65</sup> Tuchman, *A Distant Mirror: The Calamitous 14th Century*, 480-481.

<sup>66</sup> Baird and Kane, *La Querelle de la Rose*, 12.

<sup>67</sup> Brown-Grant, *Christine de Pizan and the Moral Defense of Women*, 7.

<sup>68</sup> Ibid., 51.

<sup>69</sup> Williard, *Christine de Pizan: Her Life and Works*, 63.

<sup>70</sup> Joseph L. Baird and John R. Kane, eds. *La Querelle de la Rose: Letters and Documents* (Chapel Hill: North Caroline Studies in the Romance Languages and Literatures, 1978), 19.



<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

<sup>73</sup> Joseph L. Baird and John R. Kane, eds. *La Querelle de la Rose* (Chapel Hill: U.N.C. Press, 1978), 18.

<sup>74</sup> Brown-Grant, *Christine de Pizan: A Casebook*, 84.

<sup>75</sup> Ibid.

<sup>76</sup> Ibid.

<sup>77</sup> Christine de Pizan, *The Book of the City of Ladies*, trans. Earl Jeffrey Richards (New York: Persea Books, 1982), xxvix.

<sup>78</sup> Power, *Medieval Women*, 12.

<sup>79</sup> Baird, Joseph L. and John R. Kane, eds. "Christine de Pizan's Dedicatory Letter to the Queen of France," *La Querelle de la Rose* (Chapel Hill, U.N.C. Department of Romance Languages, 1978), 65.

<sup>80</sup> Brown-Grant, *Christine de Pizan and the Moral Defence of Women*, 8.

<sup>81</sup> Power, *Medieval Women*, 13.

<sup>82</sup> Pizan, *The Book of the City of Ladies*, xxxviii-xl.

<sup>83</sup> Brown-Grant, *Christine de Pizan and the Moral Defence of Women*, 217.

<sup>84</sup> Ibid.

<sup>85</sup> Pizan, *The Book of the City of Ladies*, xxxiv.

<sup>86</sup> Ibid., xxxv.

<sup>87</sup> Brown-Grant, *Christine de Pizan and the Moral Defence of Women*, 217.

<sup>88</sup> Lownsbey, *Saints & Rebels*, 308.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> Christine de Pizan, *The Treasure of the City of Ladies*, Sarah Lawson, trans. (London: Penguin Books, 2003), 36.

<sup>92</sup> *Ibid.*, 36-52.

<sup>93</sup> Lownsbery, *Saints & Rebels*, 309.

<sup>94</sup> Pizan, *The Treasure of the City of Ladies*, 94.

<sup>95</sup> *Ibid.*, 94-95.

<sup>96</sup> Lownsbery, *Saints & Rebels*, 309.

<sup>97</sup> *Ibid.*

<sup>98</sup> Pizan, *The Treasure of the City of Ladies*, 158.

<sup>99</sup> Brown-Grant, *Christine de Pizan and the Moral Defence of Women*, 51.

<sup>100</sup> *Ibid.*, 218.

<sup>101</sup> Williard, *Christine de Pizan: Her Life and Works*, 51.

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**Truth to Tell: Liberia's  
Truth and Reconciliation  
Commission and The Path to  
Peace and Security**

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*by Adrienne Goodman*

Written for  
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Liberia is the most recent of than two dozen countries to establish a Truth and Reconciliation Commission (TRC) in an effort to confront unspeakable atrocities committed during conflict, and to seek to move beyond them. In Liberia's case, the effort represents a particularly fraught and poignant state of affairs, given the country's idealistic founding in 1847 as Africa's first independent republic, and its long slide into anarchy, violence and instability, bottoming out under the rule of former president Charles Taylor in the 1990s. Only in recent years does Liberia seem to have stabilized sufficiently to embrace democracy fully, and, it is hoped, enter a phase of relative security. Liberia's TRC is integral to this comprehensive effort.

The goals of Liberia's TRC are examined within the context of other TRCs, and will seek to discuss Liberia's chances at "success," as measured against what has been achieved by other TRCs. This is a potentially tricky task, given the vast range, varied composition and differing aims of previous commissions. To reach factually grounded conclusions about Liberia's chances for success, this study will first examine the relatively new concept of truth commissions in general, and in an historical context. It will then look at the specifics of Liberia's TRC as outlined by its mandate.

A methodical comparison will be used to examine authoritative powers and goals of a number of TRCs around the world, in an effort to glean some measure of empirical knowledge to help assess Liberia's prospects. The themes discussed include: amnesty—whether and when it should be granted, and by whom; "naming names" and the quandary that TRCs face in terms of fairness, and due process, in facilitating public statements that have the potential to lead to criminal charges; the composition of TRCs and whether gender and religion factor into a commission's success; a cost-benefit analysis of the staffing and funding concerns that have historically plagued TRCs; the logistics of finding victims and perpetrators and the challenges of persuading them to testify—a particular challenge for Liberia and its far-flung diaspora; and the security issues that confront post-conflict nations with TRCs in general, and Liberia in particular.

A deep examination of these themes will provide a yardstick by which to measure what Liberia's TRC hopes to achieve, and will offer background for drawing conclusions about the chances that the commission will succeed.

### **Laying the Historical Groundwork for TRCs**

In assessing the aims of Liberia's TRC as detailed in the commission's mandate, it is useful first to step back and examine the evolving concept of establishing truth commissions as a way to build post-conflict peace and security. Most often, TRCs are set up by transitional governments that are assuming power after the removal of repressive regimes, and are seeking to move beyond state sponsored violence, ethnic rivalries and other forms of entrenched conflict.<sup>1</sup>

Given the long, bloody history of warfare throughout humankind, the phenomenon of TRCs as fact-finding entities that help move post-conflict societies toward democracy is nascent. Early efforts to grapple with post-conflict justice, including Germany's Nuremberg trials, exposed the limitations of existing judicial structures in bringing justice to perpetrators of gross human rights abuses; these efforts also exposed the shortcomings of court systems in addressing the attendant issues of emotional pain and anger that often linger after conflict has ended. These concerns about issues beyond criminal prosecution led transitional governments to turn increasingly to the notion of an extra- or quasi-judicial body—i.e. a “truth commission”—as a way to fill the gap.<sup>2</sup>

The notion of TRCs as “truth-seeking” bodies that aim simply to confront past atrocities, absent any prosecutorial or adjudicative powers, began to gain broader currency in the 1970s. One such effort, in 1974, was set up in Uganda by Idi Amin, who subsequently rejected the commission's findings and proceeded to commit even more heinous abuses for years; this futile exercise illustrated that TRCs can be used as a “whitewash, projecting the image of a concern for rights, satisfying donors who provide aid, but representing no will to change”<sup>3</sup> Throughout the 1980s and into the early 1990s, other countries—notably Bolivia, Chad, Zimbabwe, Chile and Nepal, among others—sought to confront past atrocities by employing TRCs in various forms. Most often, commissions during this period focused on inquiries into the fate of people who vanished during conflict, or the “disappeared.”<sup>4</sup>

The United Nations stepped directly into the TRC fray in 1992, undertaking the operation of the Commission on the Truth for El Salvador in the aftermath of peace accords negotiated under UN auspices. That same year, two inquiries in South Africa, spearheaded by the African National Congress, set the stage for South Africa's subsequent, more comprehensive and widely publicized TRC in 1995. This third commission, authorized by the South African Parliament, spanned a 34-year period of conflict and adopted a three-pronged methodology

that focused on human rights violations; amnesty; and reparation and rehabilitation.<sup>5</sup> The ground-breaking and comprehensive approach of South Africa's TRC became a *de facto* pilot program for the TRCs that came in its wake.

An analysis of the literature on transitional justice and TRCs shows that most societies that undertook TRCs after South Africa's comprehensive approach in 1995 did so under the sponsorship of the government, and with the full understanding that a broader approach—one that encourages truth-telling, but that also encompasses at least a promise of amnesty as an option—was a useful configuration in any effort to seek rapprochement through restorative justice. Efforts to define the “success” of TRCs invite easy comparisons; success—or perhaps more aptly put, impact—varies, depending upon the commissions' “structure and powers, the environment in which they operate, and the nature of the crimes they are to investigate.”<sup>6</sup> These variables are central to one of the questions at hand in this paper—i.e. whether Liberia's TRC will reach general, and less useful, conclusions, or whether it will go deeper and make specific recommendations that will be meaningful as Liberia seeks a way forward to stability and full-fledged democracy.

### **A Look at Liberia's TRC**

The act to establish the TRC was approved by the government on June 10, 2005, two years after Liberia adopted its Comprehensive Peace Agreement (CPA) as a means of halting the civil strife that for years had torn the nation asunder.<sup>7</sup> The TRC's mandate calls for an independent nine-member commission; at least four of its members must be women. The commission was inaugurated by Liberian President Ellen Johnson-Sirleaf in February, 2006, and is to operate for two years, with the possibility of a six-month extension. Perhaps, not incidentally, it is notable that Johnson-Sirleaf is the first democratically elected female head of state in Africa.

Under its mandate, the TRC is charged with investigating gross human rights violations, including “massacres, sexual violations, murder, extra-judicial killings and economic crimes” committed from January 1979 to October 14, 2003. The mandate also calls for the TRC to provide a forum for addressing impunity for those who committed human rights violations; investigate the “antecedents of the crises” that gave rise to conflict; review Liberia's history with an eye toward redressing misconceptions and falsehoods; address the experiences of women and children, and specifically, those of child soldiers; and issue a final report

that includes comprehensive recommendations.<sup>8</sup>

Issues of justice and jurisprudence are, clearly, tantamount to the outcome of Liberia's TRC. The commissioners have the authority to *recommend* amnesty for individuals who fully disclose their abuses, and who express remorse for their actions. But the act establishing the TRC makes an important distinction: the possibility of amnesty will not be available to persons whose stated acts violate international law and are determined, under international norms, to be crimes against humanity.<sup>9</sup>

This language leaves open to the TRC the possibility of invoking its authority to refer serious criminal matters to a special magistrate, appointed by the commission, who holds the powers of subpoena, search and seizure, and other more traditional law enforcement authorizations. The TRC itself holds the authority to compel the attendance of any person from whom a statement is sought; whether simply compelled by the TRC or legally subpoenaed by the special magistrate, those called upon to appear have the right to legal representation.

While Liberia's hearings are open to the public, the commission members have broad discretionary authority to take statements in private, as well as to decide if particular individuals should not be present "if the security of perpetrators, victims or witnesses is deemed to be threatened." However, any perceived victim who has an interest in the proceedings retains the right to be present.<sup>10</sup> This provision seems to offer the TRC some cover as pertains to due process issues when it come to "naming names" of accused perpetrators of serious crimes. However, it also leaves open a door for the TRC's findings to make their way into the criminal courts since, at the conclusion of their work, the commissioners will forward their findings to the National Legislature. The findings, which will be published and made publicly available, are to include recommendations for pursuing criminal prosecutions, as well as recommendations for granting amnesty.

### **The Nuances of Amnesty**

Comprehensive truth commission surveys that have been conducted in the past decade illustrate that amnesty can come in many forms, and its meaning can evolve over time. In Chile, General Augusto Pinochet, beginning a 17-year brutal dictatorship, orchestrated a broad amnesty for the military that covered nearly all crimes committed in the first five years after the military coup in 1973—years when abuses were most rampant.<sup>11</sup>

The amnesty law remained in effect even after President Patricio Aylwin Azocar took office in 1990, the same year that the country's TRC was established. President Aylwin initially decided that—despite pressure from human rights groups, among other organizations—he did not have the parliamentary support to abrogate the amnesty law. At the same time, however, Chile's TRC was required to forward to the judicial system any evidence of crimes that it uncovered in the course of its work. Subsequently, the president issued a re-interpretation of his position, directing the courts not to apply the blanket amnesty law until an individual case had been completely investigated. This interpretation cleared the way for many cases to be referred for criminal prosecution.<sup>12</sup> It also laid the groundwork for Pinochet's later prosecution in Spain, which relied heavily on the work of Chile's TRC.

Argentina experienced a similar shift in its government's official stance toward amnesty. An amnesty law on the books in Argentina, enacted in 1983, had in effect blocked the prosecution of human rights abuses committed while the country was under military dictatorship; this law was in effect during the period in which Argentina's TRC was in operation, from 1983-84. However, following a series of parliamentary efforts that sought to nullify the amnesty law, Argentina's Supreme Court struck down the law altogether in 2005.<sup>13</sup> The decision has ongoing ramifications regionally in countries including Chile, Uruguay and Colombia.

As in Liberia's case, many TRCs have the authority to recommend amnesty to those who have gone through statement-taking or a formal application process, but not the direct authority to grant amnesty themselves. In those instances in which TRCs are empowered to recommend amnesty, it is usually an outside governmental entity that makes the final decision on whether amnesty is granted.<sup>14</sup> A notable exception, however, is South Africa's TRC, which has direct amnesty-granting authority; however, this authority comes with conditions attached—namely, that it is granted on a case-by-case basis and only to those who tell all they know about past crimes, and that those crimes be politically motivated.<sup>15</sup> South African officials acknowledge that this form of amnesty raised the prospect that, in statements taken for South Africa's TRC, “either by exaggerating or downplaying the political motivations of an individual, we were given a false picture of what in fact caused a political motivation.”<sup>16</sup>

### **Naming Names**

At its most elemental, the notion of using TRCs as a public forum for identifying those accused of human rights abuses and crimes against humanity goes to the very heart of fairness and due process as defined by the judicial systems of most nations. Is it not unfair to publicly accuse an individual of a crime without giving them an opportunity for self-defense? Yet, another question is central here, as relates to TRCs: what is the point of such painful—and painstaking—undertakings, if not to shed a bright light on atrocities committed during conflict and, by necessity, publicly identifying those who committed the atrocities? The debate is one that sets in opposition “two contradictory principles, both of which can be strongly argued by human rights advocates.”<sup>17</sup> To name, or not to name?

In the final reports of several TRCs, high-profile government or military officials have been named as perpetrators of abuses carried out during war. Three case studies in particular—in Chad, El Salvador and Rwanda—are instructive in illustrating the repercussions of using TRCs as a means of identifying wrongdoers.<sup>18</sup> In its final report, Chad’s TRC named a number of public officials believed to be responsible for the worst human rights abuses, and also published their photographs. The report recommended purging these individuals from public service.<sup>19</sup> El Salvador’s United Nations-sponsored TRC named more than 40 officials, many of them members of the military, as well as the minister of defense and the president of the Supreme Court. The report, which covered abuses committed from 1980 to 1991, was issued in 1993; it recommended that the named officials be purged from office and barred from future public service—but it also urged that the officials be given the right to defend themselves against the accusations.<sup>20</sup> In explaining their rationale for naming the officials, the commissioners wrote: “Not to name names would be to reinforce the very impunity to which the parties instructed the commission to put an end.”<sup>21</sup>

A TRC effort in Rwanda, begun in 1990, presaged the incalculable carnage of the country’s mass genocide in 1994. The effort, called the “International Commission of Investigation on Human Rights Violations in Rwanda Since Oct. 1, 1990,” sought to expose and investigate atrocities committed after an armed rebel group, the Rwandan Patriotic Front, invaded Rwanda from neighboring Uganda.<sup>22</sup> The TRC’s report was lauded for calling international attention to human rights atrocities, including the discovery of a mass grave in the backyard of a government official.<sup>23</sup> The report named dozens of officials, and many were

consequently barred from government positions. Tellingly, in an example of the dangers of naming officials in a non-judicial setting, at least three of those officials were killed in the weeks after the report was published, one of them reportedly by government death squads who were seeking to cover up evidence of further atrocities.<sup>24</sup>

In South Africa, the decision by the TRC to name names was one of the most contentious elements of the commission's final report. The document identified hundreds of individuals as participants in perpetrating or condoning human rights violations, including former President P.W. Botha; Winnie Mandela, and members of the existing State Security Council. The report's release was delayed after former president F.W. de Klerk filed a lawsuit seeking to have his name removed from the report, though he was ultimately implicated.<sup>25</sup> In Argentina, the issue of whether to name names also had political consequences; although the TRC's report named victims, it did not name perpetrators. Instead, the commission provided to the president, in a sealed envelope, the names of military officials and others believed to be involved in some 9,000 "disappearances." The names were leaked to the media, prompting accusations that the TRC had failed in its overall mission by not bringing the military to justice.<sup>26</sup>

While examining cases in which high-profile officials were named offers one kind of lesson, other problems can ensue when those named are of a lower profile. These cases often involve neighbor versus neighbor, or even pit family members one against the other. Heightened sensitivity is also in order when the victims are women or children. In Liberia, some guidelines are in place to address witness security and protection, including the option for some victims to give testimony in private (provided the accused is given the opportunity for self-defense). Yet the TRC's success will be measured in part on whether "mechanisms are established to provide effective protection and support."<sup>27</sup>

As the work of Liberia's TRC proceeds, one potential development worth observing will be whether and how naming names factors into the overall process, and whether names are integral, or even a part of, Liberia's final report. The TRC's mandate, however obliquely, facilitates naming perpetrators; among the TRC's functions, the charter notes, is the power to identify "where possible persons, authorities, institutions and organizations involved in the violations."<sup>28</sup> A broad interpretation of this language leaves Liberia one creative option, should it choose to follow recommendation used by TRCs in Haiti and Argentina, among other countries. As an alternative way of naming names, the TRCs in Haiti and

Argentina suggested equating the commission's findings with the summary of testimony given in court, rather than equating the findings with an actual court verdict.<sup>29</sup> Given the extra-judicial status of Liberia's TRC, such an option could perhaps offer the commission a bit of legal latitude in deciding whether to name names in its final report and, more important, could increase the feasibility of more victims stepping forward to tell their stories before the TRC.

### **Commission Composition: Does it Make a Difference?**

To an inestimable degree, credibility matters when it comes to the makeup of a truth commission. As noted, the act that established Liberia's TRC is explicit in its requirement that at least four of the nine commissioners be women. This requirement acknowledges the many roles that are placed upon women in times of conflict—particularly the role of victim; Liberia's commission also gives a nod to the fact that women have already taken on significant leadership roles in post-conflict Liberia, not least of these is the role assumed by the nation's female president.

In South Africa, the designation of Bishop Desmond Tutu to head the TRC offered insight into the influence—for good or ill—of religion as a major component of TRC stewardship. Though most observers viewed Bishop Tutu's leadership as conferring tremendous credibility and moral insight to the TRC's work, others criticized what they viewed as Bishop Tutu's penchant for focusing too much on repentance and forgiveness, at the expense of a more judicial stance.<sup>30</sup>

“Composition counts. The actual identity of decision makers, including those charged with deciding the truth of contested matters and the consequences that should follow, matters.”<sup>31</sup> But the question holds: why does composition matter? The author posits that the TRC's composition is crucial to the perception that the commission is at once politically independent, and socially inclusive. The commission must be independent in the sense that it must operate separately from a post-conflict government that may well include figures who were central in the conflict and who may well be subject to future criminal prosecution; yet, the commission must also be inclusive in that it is seen as seeking to hear voices from every facet of the conflict.

Sierra Leone's TRC presents an instructive case study of the importance of perceived political independence from the government in power, either past or present. The process used to select the commissioners was promising: nominations were sought from the public at large, and the special representative of the UN Secretary-General coordinated the overall effort. The selection panel



was composed of members of the former government as well as its opponents; members of the government's human rights commission; representatives of a non-governmental inter-religious council; and human rights groups. After vetting by the selection panel, four national and three international members were selected.<sup>32</sup>

Despite this apparently thorough and inclusive process, problems still arose that cast doubt on the political independence of Sierra Leone's TRC. After the TRC's chairman publicly supported the president's refusal to apologize for crimes committed during the conflict, the TRC, in the minds of many in Sierra Leone, lost any semblance of credibility and independence.<sup>33</sup>

Other factors concerning the makeup of TRCs weigh significantly on their chances for success. These factors include whether members are entirely from within the country, whether some are international, or whether the TRC is some combination of national/international. Ethnic and tribal representation often are crucial elements, as are political alliances and connections with past corrupt administrations; whether commissioners are able to work part-time or full-time; the length of the commission's tenure; and who does the selection of TRC members.

In Sierra Leone, the United Nation's Office of the High Commission for Human Rights (OHCHR) exercised a high degree of day-to-day control of the TRC, primarily for budgetary reasons. However, the OHCHR's operational management of the TRC, including its failure to consult with other potential international partners and its failure to provide a presence in the field, raised questions about whether the UN was too integrally involved to the exclusion of actors with more direct stakeholds in the TRC's outcome.<sup>34</sup> In El Salvador and Guatemala, the TRCs also were commissioned by the United Nations, though the nature of the UN's involvement was seen as more collaborative and therefore not as controversial. TRCs in Haiti, Sri Lanka, Chad and Uganda, among other nations, were established by presidential decree with little or no outside input.<sup>35</sup>

The nine members of Liberia's TRC, all of whom are from Liberia, were selected from 150 nominations garnered from the general public in an effort that sought a broad inclusiveness. A seven-member panel, itself made up of national and international members and chaired by the Economic Community of West African States (ECOWAS), made the final selections.<sup>36</sup> The commission members come from a variety of professions, from lawyer to journalist to religious leader, and are uniformly characterized as having strong human rights records.<sup>37</sup>

### **Cost-Benefit Considerations**

One cold truth of truth commissions is that the post-conflict nations that undertake such efforts usually have vastly diminished resources to devote to them, and thus are often faced with the harsh reality of having to choose between rebuilding efforts, and efforts aimed at reconciliation.<sup>38</sup> Often, therefore, given the exigencies of trying to rebuild governmentally and physically, the vaguer goal of reconciliation takes a back seat—in other words, “the tasks of reconstruction are so pressing that reconciliation, leave alone resolution, recede into the background.”<sup>39</sup> Forced to make such stark budgetary choices, Uganda, for example, shut down its TRC for extended periods. Chad’s TRC, effectively homeless and without a base from which to function, operated for a time out of a former detention center.<sup>40</sup> Liberia’s external debt of some \$3.7 billion raises questions about whether the country, and its international donors, can consistently sustain the TRC’s financing over time.<sup>41</sup>

In many respects, South Africa stands as the gold standard for truth commissions. The resources devoted to its TRC were far and above what many other post-conflict countries could afford to dedicate to their respective efforts, though some of South Africa’s commissioners nevertheless considered the funding insufficient for the task. South Africa’s TRC had a staff of some 300; a budget of \$18 million per year for two and a half years from the government, (with additional funding from international donors); and four large offices around the country, among other resources. The overall scope of South Africa’s TRC exceeded that of any previous commission.<sup>42</sup>

By contrast, some other commissions hobbled along with starkly meager funding. Haiti’s TRC effort had funding of slightly more than \$1 million—a major reason, according to some commissioners, that they were unable to finish their work and deliver a final report.<sup>43</sup> The paltry budget for Chad’s TRC was less than \$500,000; Uganda’s effort in 1986 received an estimated \$500,000 to \$1 million in funding; Chile and El Salvador each received about \$1.5 million; very broad estimates for the funding of Guatemala’s TRC put the figure somewhere between \$5 million and \$35 million. One of the more comprehensive funding analyses of TRCs, conducted by Priscilla B. Hayner, concluded empirically (and not surprisingly) that higher funding is a strong indicator of a TRC’s success; notably this analysis also takes other factors into account, including mandate, powers of authority, caseload, length of the commission’s service. Hence, under this analysis, South Africa falls at the more effective end of the spectrum and

Chad is rated among the weakest TRCs.<sup>44</sup>

Liberia's estimated budget of \$14 million and its estimated staff of about 200 put its TRC somewhat in the middle on this spectrum. Much of the money is expected to come from the Liberian government and international donors, including the United Nations Development Program and the United States Agency for International Development. In fiscal year 2006, for example, USAID allocated some \$3.2 million to address "conflict transitional issues" in Liberia.<sup>45</sup> But in Liberia, funding gaps have already proven to be a potentially debilitating concern; the TRC's efforts stalled in June, 2007, some eight months after the commission officially began its work, because of a financial shortfall.<sup>46</sup> The USAID acknowledged that during its short existence, Liberia's TRC had been severely hamstrung by administrative and fiscal problems.<sup>47</sup>

TRCs in Latin America tended to be somewhat better funded than African TRCs, though many of Latin American efforts also limped along with fewer than optimal resources. But TRC funding problems are global—in Chad, Rwanda, Zimbabwe and the Philippines, the TRCs had near-skeletal staffs, often consisting of just a few aides and a legal counselor; and commissioners were often left to do much of the work themselves.<sup>48</sup>

Though the budget for Liberia's TRC places it in the middle of the spectrum when compared to TRCs undertaken in a broad range of countries, Liberia's TRC is at the higher end of the spectrum when looking specifically at TRC efforts in Africa. Using Hayner's analysis, the \$14 million devoted to Liberia's commission put its funding in the designated category of "ideal in most circumstances." Though this analysis encompasses other factors, Liberia's projected funding—assuming that this funding remains consistent and uninterrupted—offer some glimmer of hope. Perhaps, despite Liberia's financial stumbles and stalls so far, a foundation is in place and that may bode well for Liberia's prospects for success.

### **Finding the Voices: Diaspora and the Challenges of Geography**

The sheer geographic challenge that Liberia faces in seeking to find witnesses to the country's conflict, and to persuade them to come forward to testify, is a daunting test of resources.

During Liberia's years of conflict, as many as 250,000 people were killed, and more than one million people were displaced.<sup>49</sup> In recounting this period of protracted conflict and devastating violence, the TRC expects to take thousands of statements from witnesses and victims, not only in Liberia, but throughout

the Liberian diaspora—much of which is in the United States. By some estimates, as many as 600,000 former Liberians reside in the United States.<sup>50</sup> The scale of Liberia's TRC to reach across the diaspora is widely acknowledged to be unprecedented.

To take on this challenge, the Liberian government has set up the Liberian TRC Diaspora Project, a major component of which is based in Minnesota, where some 25,000 former Liberia residents live.<sup>51</sup> Separately, trained statement-takers have been holding hearings in Atlanta, Chicago, Washington, D.C., New York, and Philadelphia, among other American cities, as well as in Ghana and the United Kingdom.

This diaspora is highly mobile, both internationally and regionally in West Africa; as the violence raged, an estimated 340,000 people sought haven in neighboring West African nations, including Cote D'Ivoire and Guinea. Within Liberia, some 314,000 people were registered as internally displaced persons (IDPs).<sup>52</sup> Some of those who have fled are gradually making their way back to Liberia from refugee camps in neighboring countries, or from farther afield.

Many Liberians living in the United States have been granted permanent residency or have become U.S. citizens; others are here under Temporary Protected Status (TPS), an official designation of the U.S. Department of Homeland Security. Estimates for the number of Liberians categorized as TPS range from 4,000 to as many as 10,000 people nationwide.<sup>53</sup>

In Minnesota, the group Minnesota Advocates for Human Rights, has taken a lead role in gathering statements for Liberia TRC's, not only in Minnesota, but throughout the United States. After a successful pilot test in Minnesota in the fall of 2006, the group began informal "public engagement" sessions, in preparation for more formal truth-taking hearings that began in January of 2007. In addition to conducting research for the Liberia TRC's final report, the Minnesota group is charged with creating a separate report that will include recommendations from the Liberian diaspora. It is hoped that these findings will include voices from significant Liberian communities.<sup>54</sup>

One potential risk to those who give statements to the TRC in the United States is the fear that they will put themselves at risk not only for criminal prosecution, but for deportation, if they acknowledge committing human rights abuses—even if they give their statements anonymously and in private. This concern presents a significant potential deterrent to efforts to persuade people to come forward, particularly those who may have been reluctant to do so in

the first place.

This potential risk comes against the backdrop of other legal developments in the United States that may affect the global ambitions of Liberia's TRC. In early 2007, the U.S. Department of Homeland Security announced that, in October of 2007, thousands of Liberians who had been living in the United States as legal immigrants with TPS protections would be forced to return to Liberia because the dangers that had been the foundation for granting them protected status in the first place—namely, the civil conflict—no longer existed, given that the conflict officially ended in 2003 with the Accra peace accord. However, the U.S. government delayed this forced deportation, after an outcry from Liberians in the United States and their advocates. In September of 2007, the Homeland Security Department issued a statement declaring that the situation in Liberia remained “fragile” and that Liberians who had been granted TPS would be allowed to remain in the United States for another 18 months.<sup>55</sup>

Still, the specter of possible forced deportation has become a potential factor in whether and to what extent some Liberians living in the United States choose to participate in the TRC process. This specter is an unfortunate development; as one TRC official noted when launching the U.S. diaspora project, the significance of including former Liberians “cannot be over emphasized, considering the pivotal role of Liberians in the diaspora, particularly in the United States, in the body politic of Liberia, and their strategic position as a major constituency and stakeholders in the future of our nation.”<sup>56</sup>

### **Security: A Foundation for Success**

Can there be any hope for Liberia's TRC to succeed if the country has not established and maintained fundamental security for its citizens?

To date, the security situation in Liberia remains highly unstable and, as such, presents major challenges to any effort toward post-conflict reconciliation. A 2007 RAND assessment of Liberia's national security sector, conducted for the U.S. Department of Defense, found that “even under new, able, and decent leadership, the old structures and ways are unworkable, wasteful, and confused, and they enjoy neither the trust nor the cooperation of the Liberian people at this critical juncture.”<sup>57</sup>

Another assessment, by the United Nations in 2006, concluded that Liberia must overcome a number of problems in order to move toward greater stability. Those problems include the absence of structures that guarantee adherence to the

fundamental rule of law; absence of democratic oversight in the judicial sector; and an entrenched patronage system in which law enforcement personnel often are recruited based on ethnicity or personal connections.<sup>58</sup>

In fact, the social and ethnic divisions that confounded Liberia from the time of its independence continue to vex the country to the present day. In 1847, the Liberian Declaration of Independence characterized the new nation as a haven for free people of color who “were originally inhabitants of the United States of North America”; unfortunately, this characterization of Liberia’s population overlooked the vast majority of the country’s native inhabitants.<sup>59</sup> This historic and unfortunate oversight set up entrenched ethnic and social divisions among the country’s 16 recognized ethnic groups that still remain.

Another crucial factor that directly and immediately affects Liberia’s struggle for security has been the difficulty in tracking and confirming the disarmament of former combatants. The United Nations Mission in Liberia (UNMIL) is one of the major entities, in addition to the government of Liberia itself, that is charged with establishing and maintaining security; part of the UNMIL mandate is to protect civilians living under the threat of physical violence.<sup>60</sup> In December of 2003, seeking to fulfill requirements of Liberia’s peace agreement (CPA), the UNMIL launched what was intended to be a comprehensive program to disarm the major factions that had been involved in Liberia’s conflict, including the Armed Forces of Liberia (AFL) and the rebel group Liberians United for Reconciliation and Democracy (LURD), among others. The UNMIL initially estimated that some 38,000 fighters were to be disarmed; however, more than three times that number showed up at UNMIL cantonment sites, where former combatants could hand over their weapons.<sup>61</sup>

This unexpectedly high number raised profound questions about the UN estimate of fighters to begin with, as well as questions about whether many of the “fighters” who arrived at the cantonment sites had been actual combatants, or were people merely seeking to take advantage of the benefits of food and shelter offered by the UN program. There are also unanswered questions about the number of small-arms weapons that are still in the hands of former combatants, and whether they are being harbored for future conflicts, or are being used in criminal activity that is not directly related to internal conflict. Indeed, the United Nations assessment of Liberia in 2006 found that “small arms availability, youth unemployment, large displaced populations and a pool of unemployed ex-combatants all present distinct risks to peace.”<sup>62</sup> Reports of hijacking, armed

robberies, murder and other violent crimes are on the rise throughout Liberia, despite the continued presence of United Nations peacekeepers and 1,000 civilian police; the Liberian National Police force is widely viewed as weak, corrupt and inept. Ominously, the country's minister of justice has encouraged citizens to form vigilante groups for their own protection and reports of mob violence are widespread.<sup>63</sup>

In analyzing the cost estimates for providing security in Liberia, RAND's 2007 study estimated that a bare-bones security force could be funded for \$17 million a year, but would be insufficient to meet even basic internal security needs. The study offered another option, a larger security force (cost: about \$35 million a year) that could meet "straightforward law enforcement and known external defense needs as well as coastal security"; this option, however, would be inadequate against internal organized threats without relying heavily on army intervention. A final option, which would fully cover Liberia's internal and external security needs, would cost \$22 million a year to operate, but would require an outlay of \$119 million in capital costs.<sup>64</sup> In sum, this analysis exposes Liberia's continued insecurity and, by extension, its vulnerability to internal conflict, particularly given the country's inadequate resources (despite international assistance) and the massive internal rebuilding effort that it faces all around.

Other factors in Liberia's prospects for security offer some cause for hope, however. After more than two decades of political unrest that were heightened with the military coup led by Samuel Doe in 1980 and reached a crescendo with the forced departure of then-President Charles Taylor in 2003, there were comparatively few security issues during Liberia's most recent presidential election. Though the outcome was initially challenged by Johnson-Sirleaf's opponent, George Weah, the final tally was eventually accepted, Johnson-Sirleaf took office.

Still, Liberia's security issues remain monumental. The government appears to be lurching toward understanding the scope of the problems, and fixing them. Yet, Liberia has no overall "security architecture;" lacking that, "setting priorities will become increasingly difficult; gaps, redundancies, confusion, and political squabbling over forces are likely."<sup>65</sup>

### **What Comes After: Prospects for Criminal Prosecutions**

Liberia's TRC is charged with making recommendations for referring accusations of serious human rights abuses to the courts for criminal prosecution.

Yet, so far, “no decision has been made as to when, how and if those suspected of committing human rights violations will be brought to justice.”<sup>66</sup> Is Liberia’s TRC, then, a “toothless tiger”—the derisive designation assigned to some other TRCs that preceded it?

It is worthwhile to examine the aftermath of other TRCs where such referrals were a possibility. While the point of criminal trials is to decide whether punishment should be meted out to the guilty, TRCs harbor no such aims. However, many TRCs have recommended transfers to the criminal justice system for prosecution, and often, in cases where the accused is in a position of authority, removal from office. TRCs in Argentina, Uganda, Chad, El Salvador, South Africa and Guatemala have, in one form or another, strongly recommended follow-up action that included forwarding the findings of the TRC’s investigative work into the criminal arena; sometimes these recommendations are tied to the question of whether or not the accused had already sought amnesty. In South Africa, the TRC, as previously noted, had the rare authority to grant amnesty itself; however, it also could recommend that prosecution be considered in cases of gross human rights violations where amnesty had not been sought, or had been denied.<sup>67</sup>

In Argentina, the TRC’s recommendations for prosecution were somewhat obliquely and indirectly worded. The commission urged that, upon completion of its work, “the body that replaces us should speed up the procedures involved in bringing before the courts the documents collected during our investigation.”<sup>68</sup> As previously noted, however, Argentina’s TRC named victims, including the “disappeared,” but did not name perpetrators.

In the case of El Salvador, the TRC, as previously noted, named names, but ultimately the commission did not take the additional step of recommending prosecutions of those accused of human rights violations. El Salvador’s rationale was that the country’s judicial system had so disintegrated that, after years of conflict, criminal referrals were likely to come to naught.<sup>69</sup> El Salvador’s example may portend a similar outcome in Liberia, where the national judicial system is in a shambles and largely inaccessible to most Liberians. There are also few qualified judges or lawyers and little money to pay them; and an overcrowded prison system where inmates are held without charge for open ended periods, in violation of international law.<sup>70</sup>

Another factor that may affect the potential for criminal referrals in Liberia is the war crimes prosecution of Charles Taylor in The Hague which, in fits and starts, is unfolding more or less concurrently with the work of the TRC. Perhaps



the prosecution of Taylor, who is charged with backing rebels in neighboring Sierra Leone and fueling that country's bloody conflict, will offer salve, if not outright resolution, to Liberia's TRC, because the person believed by many to be most responsible for the conflict is already facing justice and potential punishment in the international criminal justice system.

**Conclusion: What Choice but Hope?**

Without question, Liberia is beset by a deep array of difficulties. Lawlessness is rampant. Vast numbers of former combatants are without employment. Abject poverty is the norm. Wide swaths of the country are without running water or electricity—street lights in downtown Monrovia were restored only two years ago. The economy is struggling to find equilibrium as the agriculture sector seeks to recover from the decades of conflict, and as returning refugees, as well as Liberians who remained during the conflict, cast about for ways to earn a living. Decades of bloody upheaval have exacerbated long-standing ethnic and class divisions, and “added to the historic divide between American settlers and indigenous Liberians.”<sup>71</sup>

These and other issues provide the backdrop against which Liberia's TRC is seeking to do its work.

At the outset, this study posed the question of whether Liberia's TRC can succeed and ultimately have a positive impact on the country's post-conflict outlook. The task that the TRC faces is daunting, but a number of factors offer some hope, based on the impact of other TRCs as assessed in the Hayner model discussed earlier. First, the Liberia TRC's budget and staffing—if they stabilize and remain consistent—are well within the range of other TRCs that have had positive outcomes; second, the TRC's tenure of more than two years would seem to offer sufficient time for thorough investigation, as well as time for witnesses, even reluctant ones, to make a decision about stepping forward. A third reason for measured optimism, is that the TRC's investigation covers a broad time frame, including not only years of the Taylor presidency but the preceding years beginning in 1979, shortly before the military coup led by Samuel Doe. And fourth, the breadth of the types of abuses covered (no specific abuses are excluded) allow the TRC to investigate virtually any incident or allegation, without restriction. Other commissions that have been similarly unfettered in their investigative abilities have met with success, hopefully providing a template for Liberia's TRC.

It is helpful to remember that some measures of economic and gov-

ernmental instability, as well as continued insecurity, are often the norms in the years immediately after a country emerges from protracted civil conflict. Liberia's democracy is embryonic; like other post-conflict countries, it is "trying desperately to grapple with the issues arising from the violence and from the settlement, while giving the fragile new democratic structures time to bed down into normalcy."<sup>72</sup>

Normalcy for Liberia, however, is relative. Liberia's problems are myriad and profound, and they will not be resolved in the short term. It is important, therefore, to be guarded in any optimism concerning the outcome of the TRC. Yet, the hope is that, once the TRC issues its findings, they will have a powerful impact and play a vital role in helping Liberia break free from the vicious cycle of conflict, once and for all.

## END NOTES

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<sup>2</sup> Priscilla B. Hayner, *Unspeakable Truths: Facing the Challenge of Truth Commissions* (New York, NY: Routledge, 2002), 14.

<sup>3</sup> Priscilla B. Hayner, "Commissioning the Truth: Further Research Questions." *Third World Quarterly*. 17 No. 1 (1996), 3.

<sup>4</sup> Hayner, *Unspeakable Truths: Facing the Challenge of Truth Commissions*, 305-308.

<sup>5</sup> Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston, Mass.: Beacon Press, 1999), 52-54.

<sup>6</sup> Erick Brahm, "Uncovering the Truth: Examining Truth Commission Success and Impact." *International Studies Perspectives*. 8 No.1 (2007), 2.

<sup>7</sup> Liberian Ministry of Foreign Affairs. "An Act to Establish the Truth and Reconciliation Commission (TRC) of Liberia. (Monrovia, Liberia, 2005). 2

<sup>8</sup> *Ibid.*, 4-5.

<sup>9</sup> *Ibid.*, 9.

<sup>10</sup> *Ibid.*, 11.

<sup>11</sup> Hayner, *Unspeakable Truth*, 97-98

<sup>12</sup> *Ibid.*, 35-38, 97-98.

<sup>13</sup> Human Rights Watch, [http://hrw.org/english/docs/2005/06/14/argent11119\\_txt.htm](http://hrw.org/english/docs/2005/06/14/argent11119_txt.htm)

<sup>14</sup> Hayner, *Unspeakable Truth*, 98

<sup>15</sup> *Ibid.*

<sup>16</sup> Robert I. Rotberg and Dennis Thompson (eds.), *Truth v. Justice: The Morality of Truth Commissions* (Princeton, NJ: Princeton University Press, 2000), 177.

<sup>17</sup> Priscilla B. Hayner, “Fifteen Truth Commissions—1974-1994: A Comparative Study” *Human Rights Quarterly*, 16 (1994), 647.

<sup>18</sup> *Ibid.*, 649.

<sup>19</sup> Hayner, *Unspeakable Truths*, 123.

<sup>20</sup> Hayner, “Fifteen Truth Commissions”, 649.

<sup>21</sup> Minow, *Between Vengeance and Forgiveness: Facing History After Genocide and Mass Violence*, 86.

<sup>22</sup> Hayner, “Fifteen Truth Commissions”, 629.

<sup>23</sup> *Ibid.*

<sup>24</sup> Hayner, “Fifteen Truth Commissions”, 650.

<sup>25</sup> Hayner, *Unspeakable Truths*, 126-127

<sup>26</sup> Chandra Lekha Sriram, *Confronting Past Human Rights Violations: Justice vs. Peace in Times of Transition* (New York, NY: Frank Cass, 2004), 109.

<sup>27</sup> Amnesty International, “Liberia: Truth, Justice, Reparation for Liberia’s Victims” <http://www.amnestyusa.org/print.php>, accessed 11 November 2007.

<sup>28</sup> Liberian Ministry of Foreign Affairs, “An Act to Establish the TRC of Liberia”, 9.

<sup>29</sup> Hayner, *Unspeakable Truth*, 131.

<sup>30</sup> Audrey R. Chapman and Patrick Ball, “The Truth of Truth Commissions: Comparative Lessons from Haiti, South Africa and Guatemala.” *Human Rights Quarterly* 23,XX 2001, 18.

<sup>31</sup> Rotberg and Thompson, *Truth v. Justice: The Morality of Truth Commissions*, 223.

<sup>32</sup> David Bloomfield, Teresa Barnes and Luc Huyse (eds.), *Reconciliation after Violent Conflict: A Handbook* (Stockholm, Sweden: Institute for Democracy and Electoral Assistance, 2003), 130.

<sup>33</sup> Jeroen DeZeeuw and Krishna Kumar (eds.), *Promoting Democracy in Postconflict Societies*. (Boulder, Colorado: Lynne Rienner Publishers, Inc., 2006), p. 191.

<sup>34</sup> *Ibid.*, 186-87.

<sup>35</sup> Hayner, *Unspeakable Truth*, 214.

<sup>36</sup> International Center for Transitional justice. [www.ictj.org/en/news/features/](http://www.ictj.org/en/news/features/) accessed

<sup>37</sup> Minnesota Advocates for Human Rights, <http://liberiatrc.mnadvocates.org> accessed 8 November 2007.

<sup>38</sup> Brahm, "Uncovering the Truth: Examining Truth Commissions Success and Impact", 12.

<sup>39</sup> John Galtung (ed.), "After Violence: 3R, Reconstruction, Reconciliation, Resolution." <http://www.transcend.org/TRRECBAS.HTM>, accessed 10 October 2007, 77.

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<sup>41</sup> UN News Service, "Liberia: Development challenges top agenda as the nation recovers from years of civil strife." [http://www.un.org/events/tenstories\\_2006](http://www.un.org/events/tenstories_2006) accessed 22 November 2007.

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<sup>43</sup> Chapman and Ball. "The Truth of Truth Commissions", 16.

<sup>44</sup> Hayner, *Unspeakable Truths*, 335.

<sup>45</sup> USAID website [www.usaid.gov/policy/budget/cbj2006/afr/pdf/lr\\_complete05.pdf](http://www.usaid.gov/policy/budget/cbj2006/afr/pdf/lr_complete05.pdf)

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<sup>48</sup> Hayner, “Fifteen Truth Commissions”, 644.

<sup>49</sup> Refugees International, “Liberia, Time for Justice” <http://www.refugeesinternational.org/content/article/details/8226>

<sup>50</sup> Oliver Furley and Roy May (eds.), *Ending Africa's Wars: Progressing to Peace* (Hampshire, England: Ashgate Publishing Limited, 2006), 195.

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<sup>55</sup> U.S. Department of Homeland Security statement, issued by the White House <http://www.whitehouse.gov/news/releases/2007/09/20070912-10.html>

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<sup>60</sup> Furley and May, *Ending Africa's Wars: Progressing to Peace*, 188-190.

<sup>61</sup> *Ibid.*, 190.

<sup>62</sup> UN Common Country Assessment, Liberia 2006, 8.

<sup>63</sup> United Nations High Commissioner for Human Rights, "Human Rights Watch World Report 2007 – Liberia." <http://www.unhcr.org/home/RSDCOI/45aca2a134.html>. accessed 22 November 2007.

<sup>64</sup> Gompert et al., *Making Liberia Safe*, 31-33.

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<sup>66</sup> Amnesty International, "Liberia: Truth Justice, Reparation for Liberia's Victims", 21.

<sup>67</sup> Hayner, *Unspeakable Truths*, 323-24.

<sup>68</sup> *Ibid.*

<sup>69</sup> Sriram, *Confronting Past Human Rights Violations*, 88-89.

<sup>70</sup> Amnesty International, "Liberia: Truth Justice, Reparation for Liberia's Victims", 3.

<sup>71</sup> United Nations Common Country Assessment, 7.

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**Stirring the Faithful:  
*Symbolic Politics and the  
Mobilization of the American  
Religious Right in the 1970s***

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*by Ben Gustafson*

Written for  
Course: *Investigating Social Values*  
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*The rise of the “Religious Right” as a major voting bloc in American elections represents one of the most significant political developments of the past quarter century. Until the late 1970s, Christian fundamentalists had generally kept a safe distance from organized involvement in the dangerously secular world of political campaigns. While sporadic small-scale religious uprisings had been a regular feature of American history, the massive national mobilization signified by the creation of groups such as the Moral Majority and the Christian Coalition heralded a remarkably new phenomenon. This study examines the factors that might account for such a fundamental shift in political behavior. Specifically, the study assesses the power of symbolic politics theory – which posits the active defense of distinctive cultural belief systems as a defining aspect of group identity – to explain Christian fundamentalist political mobilization in the mid-1970s. Data from the 1974 General Social Survey are used to evaluate fundamentalists’ beliefs on two key symbolic politics dimensions: common belief system and common perception of external threat. The analysis shows that, while American Christian fundamentalists had a distinctive culturally conservative belief system in 1974, an explanation for the “trigger” mechanism that spurred them to action is elusive: fundamentalists were no more likely than non-fundamentalists to express attitudes suggestive of a perception of external threat.*

## **Introduction**

Since pollster George Gallup Jr. first proclaimed “The Year of the Evangelical” in the fall of 1976, few phenomena in American politics have been as striking as the rise to prominence and power of the “Religious Right” (Woodward 1976, 68). From the election of the self-avowedly “born-again” Jimmy Carter to the explicitly evangelical administration of George W. Bush, the surge in influence of religiously conservative voters has fundamentally reshaped the political landscape – and the way in which social scientists understand political behavior (Shields 2007, 89-113). The political activity of Christian fundamentalists in the late 1970s reversed the approach toward social change that evangelical religious leaders had traditionally taken, in which the faithful were warned to refrain from overt involvement in secular public affairs (Wilcox 1992). As Lorentzen (1980: 144) has noted, religiously-based reform efforts had traditionally “aimed at individual regeneration rather than political action aimed at structural change. Although

appeals for involvement in the political process have come from highly visible evangelicals, seldom have they stirred a participant audience.”

Three decades on, it seems clear that this participant audience has indeed been vigorously “stirred” into a significant political force. Beginning with Jerry Falwell’s foundation of the Moral Majority in 1979 and continuing with the creation of groups such as the Christian Coalition, Focus on the Family and scores of others, many fundamentalist leaders have made a concerted, strategic effort to link conservative religious beliefs with conservative political action. The conventional account of American politics over the past thirty years holds that these leaders have been spectacularly successful: within three years of its founding, the Moral Majority had reportedly amassed a \$10 million budget and volunteers numbering in the millions (Applebome 2007). From its origins as an “unprecedented” anomaly in the late 1970s, the active political participation of religiously conservative citizens had become so firmly established by 1996 that, according to political analyst Michael Barone (Barone 1996, 56), “[i]f you want to know whom American voters are for, ask what they believe, that is, in the religious sense of belief. For nothing – not economic status, not region, not even race – divides American voters as starkly as their religious beliefs.”

The dramatic transformation in the political behavior of religious conservatives in the mid-1970s raises a number of interesting questions about the mechanics of political mobilization. In moving from a tradition of political acquiescence to an ethic of activism, fundamentalists had to be catalyzed to apply, for the first time, their deeply private moral beliefs to the public arena of politics and elections (Lienesch 1982, 403-425; Conover 1983, 632-649). Attitudes on moral issues such as abortion, homosexuality, pre-marital sex, and school prayer apparently had an inherent – but until the 1970s latent – political dimension (Ribuffo 2006, 311-337). This paper examines factors that may explain why this latent energy was suddenly released in the mid-1970s: what it was that American fundamentalist leaders tapped into that provoked such a powerfully successful and enduring political mobilization.

### **Theory and Hypotheses**

Much of the social science literature on the rapid and massive political mobilization of religious conservatives in the late 1970s and early 1980s is framed firmly within the conflict paradigm. In this paradigm, social behavior is interpreted through the lens of constant competition: individuals and groups

struggle with one another to advance their interests (Babbie 2007). Political activity can therefore be seen as an attempt to secure power over the organs of the state for one's own group at the expense of other, rival groups. Within this broad paradigmatic framework, two basic questions are immediately apparent. First, how do we understand the "interests" around which competing groups coalesce? And second, how do we understand the mechanisms through which the groups are mobilized to engage in the struggle? These questions are directly relevant to the political rise of American fundamentalism in the 1970s, and social scientists have used a number of different theories to help provide answers. Before the 1970s, the "status politics" theory, which traces its lineage to Max Weber and focuses on the concept of the socioeconomic "status group," had considerable influence (Lorentzen 1980, 144-154; Lienesch 1982, 403-425). Status politics theory placed an individual's concern over his position in the social hierarchy at the center of explanations of right-wing political activism. Thus, conflict and competition over scarce "status resources" such as occupation, education, and income were used to explain mobilization for conservative political causes (Conover 1983).

Many studies that examined the late 1970s-early 1980s phenomenon of politically active fundamentalists, however, found the classic socioeconomically-focused status politics theory lacking in explanatory power (Lipset and Raab 1981, 25-31; Tamney and Johnson 1988). Applying the concept of "status group" in a different way, they explained political behavior in terms of symbolic issues that come to signify shared values and lifestyles – "symbolic politics" (Conover 1983, 645). Rather than the material measures of status employed by the status politics model, status in the symbolic politics framework involves the protection (and elevation) of cherished beliefs within the larger society (Lorentzen 1980, 153). Opposition to abortion, support for school prayer, and a series of other conservative cultural beliefs, then, represent components of an overarching belief system whose adherents constitute a distinct ideological status group. Tamney and Johnson (1988), for example, found that "cultural fundamentalism"—in which people defend cultural traditions by opposing cultural change—was useful in explaining support for the Moral Majority. Conover (1983, 645) made similar findings in her study of the mobilization of the "New Right," concluding that "symbolic conflict over life styles and values" was a strong explanation for formal membership in conservative political groups. And Lorentzen (1980, 153) concluded that the new conservative political activism hinged on "legitimat[ing]

and protect[ing] the conservative evangelical lifestyle.”

This study examines whether the outlook and behavior of religious conservatives in the mid-1970s supports the symbolic politics theory of mobilization. The basic argument is that two conditions must be true to account for the rise of the Christian Right political movement as a “symbolic politics” phenomenon. First, fundamentalists must have constituted a “status group” in the symbolic politics sense, with distinct and unifying culturally conservative beliefs. Second, fundamentalists must have felt they were in conflict with the rest of society, necessitating political mobilization to protect their interests. The research hypotheses that follow establish propositions that can be used to test the concepts of these two dimensions.

*Research Hypothesis 1: Americans identified as “fundamentalist” in the mid-1970s were more likely than other Americans to hold culturally conservative positions on key cultural issues.*

The symbolic politics theory predicts that fundamentalists, as a status group that was poised for a dramatic political mobilization in the mid-1970s, should have cohered around a set of basic shared beliefs distinct from that of other Americans. The notion of distinctiveness is critical here: demonstrating the cultural conservatism of fundamentalists, while necessary, is not sufficient to establish them as an ideological status group. Under the symbolic politics theory, they should have been significantly more culturally conservative than other status groups against whom they were “competing” for social power and prestige (Conover 1983). Such differences are necessary to sustain the underlying conflict at the heart of the paradigm. Previous studies that have examined similar hypotheses have come to varying conclusions. Tamney and Johnson (1988, 234-255), for example, found that ideological conservatism tracked closely with fundamentalism and social traditionalism, and that opposition to change served a distinctively self-legitimizing function. Lipset and Raab (1981), on the other hand, concluded that the mobilization of evangelicals was merely a component part of a larger conservative movement that swept the entire nation in the late 1970s and early 1980s. Fundamentalists were no more mobilized than other groups, and were not distinctive in their cultural conservatism.

Confirmation of this first hypothesis is necessary to establish symbolic politics as an explanation for the rise of fundamentalist political activism, but it



is not sufficient. A second research hypothesis is required to capture the conflict that must be present under the theory to provoke political action.

*Research Hypothesis 2: Americans identified as “fundamentalist” in the mid-1970s were more likely than other Americans to perceive a high level of external threat to their lifestyle and beliefs.*

Taking the step from holding distinctive social beliefs to mobilizing for action in the political arena – the key transformation asserted in the conventional account of the rise of fundamentalist politics – requires a trigger of some sort. After all, staunchly conservative religious groups have existed since the beginning of the American republic, without the type of sudden outburst of massive political activism observed over the past three decades (Coe and Domke 2006, 307-330). The logic of the symbolic politics theory predicts that groups on the verge of “striking out” in active defense of their belief systems should have not only a shared cultural identity but also, crucially, a sense of being under threat from other status groups (Conover 1983). This study hypothesizes that this threat – and the vulnerability it implies – may manifest itself in unhappiness, pessimism, and a general dissatisfaction with life. Lipset and Raab (1981, 27), while agreeing with the proposition that “frustration over status loss” was particularly acute among evangelicals, assert that conservative political mobilization requires feelings of being “especially vulnerable or threatened.” “In sum,” they write, “the traditionalism of the evangelicals does not impinge on their political orientation except when some aspects of modernity radically threaten their status and security. Then, more than others, they tend to express themselves in terms of outraged morality, which comes to symbolize everything they feel they are losing.”

### **Methodology**

To evaluate the research hypotheses outlined in Section II, this study will undertake a secondary analysis of General Social Survey (GSS) data from 1974. The specific dataset used is contained in the GSS file included with the Student MicroCase version 4.7 software package. The GSS, conducted annually since 1972 by the National Opinion Research Center in Chicago and funded through both public and private sources, consists of 90-minute face-to-face interviews with a random sample of non-institutionalized, English-speaking American

adults 18 years of age or older (Babbie, Halley, and Zaino 2007). The overall sample size of the MicroCase dataset used for this study, including only 1974 GSS data, was 1,484 individuals. It is important to note that, in some cases, the dataset items examined were not precisely the same as the original GSS survey questions asked in 1974; to help create manageable variables for student use, the MicroCase software includes some pre-collapsed and pre-recorded items. The unit of analysis for all GSS variables used for this study is the individual.

The year chosen for analysis, 1974, represents an important point in time for an examination of fundamentalist political behavior. Given the emphasis that the symbolic politics theory places on the formation of status groups in conflict with larger society, we would expect the beliefs and frustrations predicted by the theory to be evident in the period just before “latent” political interests were activated. Indeed, virtually all of the key themes that would become essential to the fundamentalist agenda were the subject of intense debate in 1974, from gay rights and “women’s liberation” to abortion rights and the place of religion in public schools. Crucially, from the perspective of religious conservatives, the general course of the debate was moving steadily in the wrong direction; fundamentalists could see themselves as the threatened “out” group struggling to protect their beliefs against a rising tide of immorality (Conover 1983). Not coincidentally, 1974 was also the year that Jimmy Carter, a self-avowed evangelical, announced his candidacy for the presidency.

As discussed in Section II, the primary concept examined in this study is the symbolic politics idea of an ideologically-based “status group” that is primed for political mobilization. In this context, the specific question is whether American religious conservatives in 1974 formed the type of status group that could have been predicted to assert itself forcefully in the political arena. It is argued that there are at least two dimensions that are essential to the concept of a status group poised to activate itself politically. First, members of the group must share a common core of distinct cultural beliefs around which they can band together (Lorentzen 1980; Conover 1983). For the fundamentalist population examined in this paper, that shared belief system can be defined as being more “culturally conservative” than other groups. Second, members of the group must share a common perception of threat from the larger society, because they believe the very core of their belief system is endangered by rival forces in that society. It is this threat to their lifestyle that propels them to mobilize (Lorentzen 1980; Conover 1983).

Variables available through the MicroCase GSS dataset were employed to operationalize the essential dimensions of “common belief” and “common perception of threat” in the context of religious fundamentalism in the mid-1970s. The independent variable is *Religious Orientation*, operationally defined as the classification given to respondents in the MicroCase GSS dataset among three possible categories: “fundamentalist,” “moderate,” or “liberal.” Those whom the MicroCase GSS dataset classified as “fundamentalist” are defined as fundamentalists for this study. Those whom the dataset classified as “moderate” or “liberal” are “non-fundamentalist” for this study.

To assess whether religious fundamentalists had a distinct set of common beliefs more culturally conservative than other groups in 1974, three variables from the GSS were examined: support for abortion, support for school prayer, and support for interracial marriage (used as an indicator of racial attitudes). This study argues that all of these variables are, on their face, widely recognized valid measures of cultural conservatism, with opposition to abortion, support for school prayer, and opposition to interracial marriage considered “culturally conservative” beliefs. The study also operationalized the “common belief” dimension by compiling GSS respondents’ answers to these items into a scaled index and creating a single dependent variable, *Cultural Orientation*, with a range of values from “very liberal” to “very conservative.”

For the second dimension of the concept of political mobilization of a symbolic politics status group, “common perception of threat,” another three variables from the GSS were examined: happiness, sense of fairness of bringing a child into the world today, and life satisfaction. This study argues that each of these variables – which capture levels of happiness, optimism, and satisfaction – can be used to measure the degree to which an individual feels threatened by the outside world. Viewed through the lens of the symbolic politics theory, all should decrease among fundamentalists as the sense of danger and conflict with competing belief systems increases. Unhappiness, pessimism, and dissatisfaction are signs of the “trigger” that converts latent core beliefs into political action. The “common perception of threat” dimension was operationalized by compiling these three GSS variables into a scaled index and consolidating them into a single dependent variable, *Perceived Threat*. The index ranked each respondent’s responses on this measure within a range from “no threat perceived” to “high threat perceived.”

All of the GSS items used in developing the dependent variables for this

study were at the nominal level of measurement, except support for life satisfaction, which was ordinal. The two dependent variables created for this study, *Cultural Orientation* and *Perceived Threat*, were ordinal. All findings discussed below were derived from cross-tabulations and analysis of variance (ANOVA) results produced by the Student MicroCase 4.7 statistical package.

## **Findings**

*Research Hypothesis 1: Americans identified as “fundamentalist” in the mid-1970s were more likely than other Americans to hold culturally conservative positions on key cultural issues.*

Statistical analysis of 1974 GSS data found that there was indeed a marked correlation between religious fundamentalism and cultural conservatism. Figure 1, which presents the results of an analysis of variance (ANOVA) of the variables, shows a clear relationship: as religious orientation shifted from liberal to moderate to fundamentalist, cultural orientation (as measured through a scaled index of GSS responses on abortion, school prayer, and interracial marriage) became increasingly conservative. The correlation between the two variables was strong (ETA Square=.0112) and statistically significant beyond the .001 level. (Please see the Appendix, Table 1, for detailed cross-tabulation statistics.) This analysis strongly supports the hypothesis that religious fundamentalists in 1974 had distinctly conservative cultural beliefs that set them apart from non-fundamentalists.

To test whether these results could be explained by other factors to which cultural beliefs are often attributed, the relationship between fundamentalism and culturally conservative beliefs was also evaluated against four control variables: sex, income, race, and education. In the cases of sex, income, and education, the relationship between religious fundamentalism and cultural conservatism was replicated in the multivariate analysis, remaining strong and statistically significant despite the controls. Controlling for race, however, produced a specification effect: the relationships on the issues of abortion and school prayer held for “Whites” but were not statistically significant for “Blacks.” (Note that the question on interracial marriage was asked only of “Whites” in the 1974 GSS, making it impossible to control for race on that factor.) These results support the conclusion that the religious fundamentalism of the respondents was related to their beliefs on major social issues of the day, but suggest that

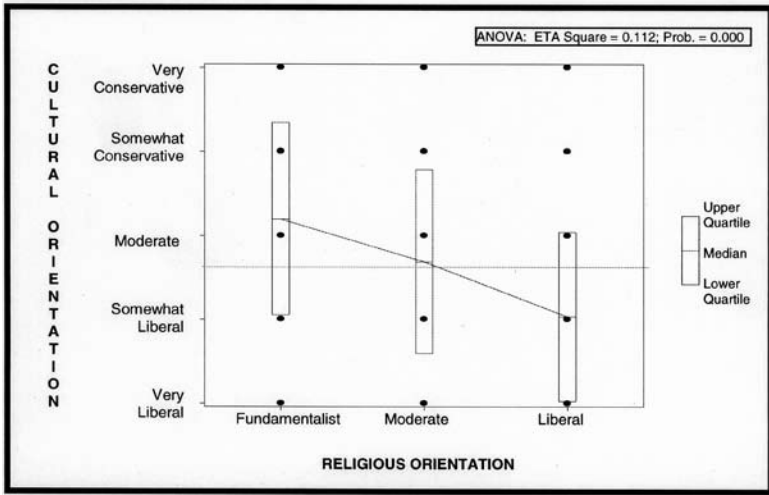


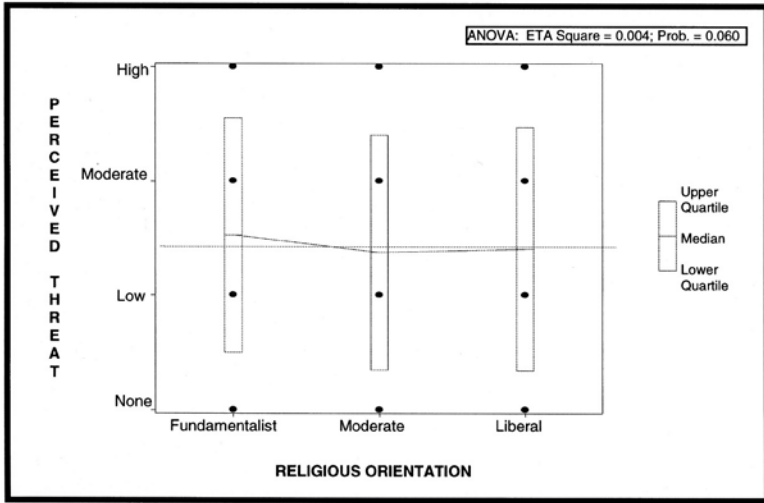
Figure 1: Cultural Orientation by Religious Orientation (1974 GSS Data)

race may also play a role in cultural orientation.

*Research Hypothesis 2: Americans identified as “fundamentalist” in the mid-1970s were more likely than other Americans to perceive a high level of external threat to their lifestyle and beliefs.*

An examination of GSS data from 1974 failed to identify any clear relationship between religious fundamentalism and a heightened sense of conflict and vulnerability. Figure 2 displays the results of an analysis of variance (ANOVA) for the two variables used to assess this relationship: religious orientation and perceived threat (a scaled index of GSS items on feelings of happiness, optimism, and life satisfaction, where the lack of such feelings indicated a higher sense of threat). As the chart shows, there was little or no difference in the level of threat perceived by respondents of different religious orientations. Indeed, the statistical correlation was found to be weak (ETA Square=0.004) and not statistically significant ( $p=0.060$ ). (Please see the Appendix, Table 2, for detailed cross-tabulation statistics.) In other words, fundamentalists were statistically no more likely than non-fundamentalists to express attitudes suggestive of being in conflict with the rest of society. Thus, the analysis was

unable to support the hypothesis that religious fundamentalists in 1974 had a sense of dissatisfaction and vulnerability that might have catalyzed their entry into the political arena.



**Figure 2: Perceived Threat by Religious Orientation (1974 GSS Data)**

## Conclusion

Overall, the results of this study did not support the symbolic politics theory as an explanation for the political mobilization of American fundamentalists in the mid-1970s. The findings strongly supported the hypothesis that fundamentalists – particularly White fundamentalists – were a distinctly identifiable subgroup within society, with a set of cultural beliefs markedly more conservative than their non-fundamentalist brethren. However, based on an examination of their levels of unhappiness, pessimism, and dissatisfaction with life, it was not possible to conclude that fundamentalists felt any more “threatened” in their daily lives than non-fundamentalists. Given the stress that the symbolic politics theory places on conflict, danger, and threat to one’s belief system, such pessimism and unhappiness would have been expected to be the “trigger” that catalyzed fundamentalists’ entry into the political arena in the mid- to late 1970s.

There are several plausible explanations for these findings. The internal

design validity of the study may have been flawed in a number of ways. It is possible, for example, that the year chosen for examination, 1974, was inappropriate for an assessment of a mobilization that did not fully manifest itself until several years later. While it is indisputable that a number of social trends antithetical to fundamentalist beliefs were in full evidence in 1974, it may be that a strong feeling of threat had not yet developed by that time. In addition, the design validity of the study may have been compromised by the choice of dependent variables used to operationalize "perception of threat." Perhaps variables more specifically targeted than general "life satisfaction" and "happiness" would reveal the feelings of conflict and danger predicted by the theory.

It is also plausible, however, that the findings of this study are accurate: symbolic politics theory may not adequately explain the fundamentalists' political mobilization in the mid 1970s. In this interpretation, fundamentalist activism was not the result of a distinctive defensive reaction of one subgroup of the population to the cultural changes around them. Rather, it was merely a subset of a much larger political change that affected a wide swath of the American electorate. Lipset and Raab (1981), in their analysis of the fundamentalists' efforts in support of Ronald Reagan's 1980 electoral victory, concluded that, in fact, the fundamentalists of the late 1970s were not in conflict with the larger society at all. "[T]he seeming success of such work did not create the Republican landslide," they conclude. "Rather, it reflected the country's conservative political swing, which occurred among all groups – and more . . . among non-evangelicals than among born-again" (Lipset and Raab 1981, 30). This explanation would account for the findings in this study that, while fundamentalists in 1974 may have been more culturally conservative than the rest of the country, they were no more angry and dissatisfied than anyone else.

**Appendix: Cross-Tabulation Statistical Detail****Table 1: Cultural Orientation by Religious Orientation (1974 GSS Data)**

<b>Cultural Orientation</b>	<b>Religious Orientation</b>			<b>TOTAL</b>
	<b>Fundamentalist</b>	<b>Moderate</b>	<b>Liberal</b>	
Very Conservative	13.1%	5.6%	1.7%	6.5%
Somewhat Conservative	28.7%	17.8%	7.8%	18.1%
Moderate	32.0%	30.9%	18.3%	28.5%
Somewhat Liberal	17.2%	31.3%	36.5%	29.2%
Very Liberal	9.0%	14.5%	35.7%	17.7%
TOTAL	100.0%	100.0%	100.0%	100.0%
N =	122	304	115	541

(Cramer's V = .252, Prob. = 0.000: strong correlation, statistically significant beyond .001)

**Table 2: Perceived Threat by Religious Orientation (1974 GSS Data)**

<b>Level of Perceived External Threat</b>	<b>Religious Orientation</b>			<b>TOTAL</b>
	<b>Fundamentalist</b>	<b>Moderate</b>	<b>Liberal</b>	
High	22.4%	18.6%	20.1%	20.0%
Moderate	25.6%	22.7%	24.8%	24.0%
Low	34.2%	36.3%	30.6%	34.6%
None	17.7%	22.3%	24.5%	21.4%
TOTAL	100.0%	100.0%	100.0%	100.0%
N =	406	730	278	1414

(Cramer's V = .056, Prob. = 0.182: weak correlation, not statistically significant)



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**An Examination of Trauma  
and Recovery**

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*by Michele Hatty*

Written for  
Course: *Responsibility, Luck and Shame: The Human Condition*  
Professor: Alisa L. Carse, Ph.D.  
Fall 2005

## MICHELE HATTY FRITZ

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Human beings are tremendously affected by traumatic experiences. Whether the experience is an isolated incident, such as a brutal rape, or a prolonged exposure, such as a forced internment over many months or years in a concentration camp, many experts will argue that even after the trauma has passed, the survivors will remain forever impacted. The writings of Susan Brison, Judith Herman, and Robert Stolorow, George Atwood and Donna Orange collectively reveal a picture of trauma's impact on one's ability to fully regain hold of one's personhood in trauma's wake. These writers show how trauma cripples survivors' abilities to connect with other human beings and the world and how trauma stunts survivors' abilities to act on their own behalf. In particular, survivors struggle with issues of isolation, control and loss of identity. Thus, it is vital to explore what work must be done by the traumatized in order that they may eventually come to a place of peace and healing.

It is no secret that human beings are innately social creatures. That's why the isolation associated with the aftermath of a trauma is especially troubling. Many survivors feel like they are completely alone in the world, that no one could possibly understand how hideously they were violated, like no one could possibly believe their stories, like no one could possibly feel as lonely as they feel. In the wake of trauma, then, many voluntarily or involuntarily turn away from communities with which they may have previously been associated. Such isolation does not help survivors regain agency, however. Instead, it prolongs the agony and grief that they are already feeling and keeps them from reconnecting with the world they inhabited before the trauma occurred. Robert Stolorow explains this phenomenon as he recounts the aftermath of losing his wife to a deadly battle with cancer in his chapter "Worlds of Trauma." He shares how he felt at a conference he attended shortly after his wife, Daphne, died. In his retelling, his feelings of isolation are clear: "I seemed like a strange and alien being — not of this world. The others seemed so vitalized, engaged with one another in a lively manner. I, in contrast, felt deadened and broken, a shell of a man I had once been. An unbridgeable gulf seemed to open up, separating me forever from my friends and colleagues. They could never even begin to fathom my experience, I thought to myself, because we now lived in altogether different worlds" (Stolorow, Atwood and Orange 2002, 124). Stolorow goes on to note that while his experience was a profoundly personal one, a similar sense of estrangement and isolation among survivors appears to be common across trauma studies. Furthermore, he speaks of a patient of his who believed the world was divided

into two groups: “the normals” and “the traumatized ones” (Ibid., 124-125). This description was particularly poignant, as it expresses just how extreme many trauma survivors believe is the extent of their isolation from others and the world. If trauma survivors feel so altered that they cannot identify with those untouched by trauma, how can they possibly reintegrate themselves into the world and reconnect with others?

Susan Brison, in her moving essay, “Outliving Oneself: Trauma, Memory and Personal Identity,” further underscores the sense of isolation trauma survivors experience as she recounts the aftermath of her personal ordeal. Brison was brutally raped, beaten, strangled and left for dead while walking alone in the French countryside (Brison 2002, 16). In the months after the attack, she began to question her continued existence, noting, “I felt as though I had outlived myself, as though I had stayed on a train one stop past my destination” (Ibid.). This sense that a part of her had died during her attack is something that many survivors seem to feel. Brison tries to unpack that notion throughout the entirety of her essay. But one key element she notes, with respect to isolation, is this: “When trauma is of human origin and is intentionally inflicted . . . it not only shatters one’s fundamental assumptions about the world and one’s safety in it but also severs the sustaining connection between the self and the rest of humanity” (Ibid., 14).

The antidote to isolation is at once simple and complex. Judith Herman, in her book, *Trauma and Recovery*, explains that recovery from trauma unfolds in three stages: establishment of safety, remembrance and mourning, and reconnection with ordinary life (Herman 1992, 155). Establishment of safety takes two forms: victims must be assured that they are physically safe, that their attackers will not be able to physically harm them again; they also need to be assured that they are emotionally safe, that they will not be verbally harassed or abused or debased by those to whom they entrust their care and welfare (Ibid., 160, 162). The establishment of safety can be a long and complex process (and one further examined in the discussion of control) but once those boundaries and assurances are in place, a careful push away from isolation may begin through the process of remembrance and mourning. Both Brison and Herman stress the importance of being heard as it pertains to survivors: in order for victims of trauma to find a place of healing, they must be able to share the burden of their experience. Once survivors are able to make a connection with one other person, they are often able to slowly translate that into a renewed connection with the world.

In order to connect with others, however, the survivor must be able to somehow express exactly what happened to her. Creating a narrative of trauma, however, is not simple for the survivor because, as Herman notes, “traumatic memory . . . is wordless and static” (Herman 1992, 175). Moreover, reliving the traumatic experience — even if just through words and in a safe environment to a trusted listener — can cause the survivor much emotional agony. Such a retelling is necessary, however, and Herman offers a number of examples of how doing so has helped survivors of incest, domestic abuse, even the Holocaust, relinquish their feelings of isolation by slowly and painstakingly creating a narrative. (Ibid., 191, 193-194). “The second stage of recovery has a timeless quality that is frightening. The reconstruction of the trauma requires immersion in a past experience of frozen time; the descent into mourning feels like a surrender to tears that are endless. . . . The major work of the second stage is accomplished, however, when the patient reclaims her own history and feels renewed hope and energy for engagement with life” (Ibid., 195). In other words, it is not until survivors acknowledge the fact that they were violated and allow themselves to acknowledge their pain that they can truly reconnect with others. And, once they are able to put words to the unspeakable, survivors can hopefully escape isolation find re-entry in their personal post-trauma worlds.

In addition to experiencing isolation, those impacted by trauma also grapple with feeling out of control: out of control of their environments, of their bodies, of their emotions, of their actions, and of the actions of others. Whereas they may have previously believed, for example, “I’m safe in the world” or “I’m safe in my home” or “I’m safe in this relationship” or even, as children, “I’m safe in my parents’ care,” post-trauma, survivors no longer feel confident that those statements are true. As Stolorow explains, “When a person says to a friend, ‘I’ll see you later,’ or a parent says to a child at bedtime, ‘I’ll see you in the morning,’ these are statements, like delusions, whose validity is not open for discussion. Such absolutisms are the basis for the kind of naïve realism and optimism that allow one to function in the world, experienced as stable and predictable. It is in the essence of psychological trauma that it shatters these absolutisms, a catastrophic loss of innocence that permanently alters one’s sense of being in the world” (Stolorow, Atwood and Orange 2002, 127). As a result, survivors often feel far more vulnerable to outside forces than those who have not experienced trauma — and, if nothing else, far more aware of their vulnerabilities. Recalling his own loss of his wife, Stolorow recounts remarking to a patient, “This is the

legacy of your experiences with terrible trauma. You know that at any moment those you love can be struck down by a senseless, random event. Most people don't really know that" (Ibid.,128).

While it is impossible for survivors of trauma — or even those who have never experienced trauma — to be in complete control of outside forces, it is possible (and even essential) for survivors to regain a measure of control over certain things. Explains Herman, "Trauma robs the victim of a sense of power and control; the guiding principle of recovery is to restore power and control to the survivor" (Herman 1992, 159). The first step in regaining control is, as mentioned previously, establishing safety for the survivor. Survivors, Herman explains, feel unsafe in their own bodies: "Their emotions and their thinking feel out of control. They also feel unsafe in relation to other people. The strategies of therapy must address the patient's safety concerns in all of these domains" (Ibid., 160). As a result, she says, the keys to reestablishing safety (and therefore control) may include the prescribing of medication, the introduction of behavioral techniques, the implementation of cognitive and behavioral strategies, the development of concrete safety plans and the establishment of social strategies. Once survivors have reestablished control of the body and mind, Herman notes, they will have to focus on regaining control of their environment by "establishment of a safe living situation, financial security, mobility, and a plan for self protection that encompasses the full range of the person's daily life" (Ibid.). For Brison, regaining control meant reevaluating her limits, speaking up for herself, and relying on outside assistance: "In the year after my assault, when I was terrified to walk alone, I was able to go to talks and other events on campus by having a friend walk with me. I became able to use the locker room in the gym after getting the university to put a lock on a door that led to a dark, isolated passageway, and I was able to park my car at night after lobbying the university to put a light in the parking lot" (Brison 2002, 28).

In other words, survivors must be willing to let others walk alongside them as they press on towards regaining control. And one way of doing so is to work with a therapist to establish a narrative of the trauma. In addition to helping combat isolation, as was discussed previously, the establishment of a narrative is also a means for regaining control. Explains Brison, "By constructing and telling a narrative of the trauma endured, and with the help of understanding listeners, the survivor begins not only to integrate the traumatic episode into a life with a before and after, but also to gain control over the occurrence of intrusive



memories” (Ibid., 23). She notes that after her own attack, she felt increasingly stronger and empowered the more she was able to tell her story and know that those who listened believed her account. Although she could not control the attack or go back and undo the trauma she experienced, she could, through narrative, control its retelling and take an active role in what followed. In her case, that meant taking the perpetrator to trial and going on to write, teach, and lecture about empowerment and recovery. In the cases of others, regaining control could mean confronting an abusive parent or leaving an abusive spouse and going forth to pursue healthy relationships with others. Or, as in the case of the Holocaust survivor, “Mrs. K,” who had her infant stolen from her by the Nazis, regaining control by creating a trauma narrative could lead to freedom from feeling false guilt over crimes perpetrated by others (Herman 1992, 194).

In addition to feelings of isolation and lack of control, most trauma survivors struggle with issues of identity. Not only do “the traumatized” feel they can no longer identify with “the normals” in the aftermath, many also feel they can no longer identify with themselves post-attack. They will say things like, “I died in Vietnam” or “I will always miss myself as I was” or “One can be alive after [being in a concentration camp] without having survived [being in a concentration camp] (Brison 2002, 12). Brison, using a feminist view, describes the self as “both autonomous and socially dependent, vulnerable enough to be undone by violence, yet resilient enough to be reconstructed with the help of empathetic others” (Ibid., 12). This is a view that can help explain how it is possible for survivors of trauma to believe that, although they remain among the living, parts of their inner selves have been lost forever. The self, then, is a physical, mental and emotional manifestation of a person. And if any one of those elements falls victim to trauma, it is likely that, even after careful reconstruction and treatment, the self will always carry with it going forward the scars of the trauma it sustained. The post-trauma self may not be forever crippled physically, mentally or emotionally, but it will be forever changed. The trauma and its aftermath will have to be incorporated into the survivor’s internal landscape, and the survivor will need to readapt to the world with the knowledge that things will never be as they once were.

Resilience in the wake of trauma is significantly harder for some survivors than others. For example, Brison points to how Holocaust survivors were stripped of their memories and marks of their personalities during their time in the death camps. “This . . . illustrates a major obstacle to the trauma survivor’s

reconstruction of a self in the sense of a remembered and ongoing narrative about oneself. Not only are one's memories of an earlier life lost, along with the ability to envision a future, but one's basic cognitive and emotional capacities are gone, or radically altered as well" (Ibid., 20-21). When such a thing happens, one's identity is understandably diminished. The person the survivor might have become had the trauma never occurred will simply never come into being. And the survivor will have to construct a new identity, incorporating the pain the trauma caused into that new sense of self. Sometimes, doing so is just too painful, as evidenced by the suicides of Holocaust survivors such as Primo Levi and Paul Celan decades after their release from the death camps. But Brison charges those who have not endured trauma to withhold judgment on those survivors who find themselves unable to go on:

It is not a moral failure to leave a world that has become morally unacceptable. I wonder how some can ask of battered women, "Why didn't they leave?" while saying, of those driven to suicide by the brutal and inescapable aftermath of trauma, "Why didn't they stay?" ... Those who have survived trauma understand well the pull of that solution to their daily Beckettian dilemma, "I can't go on; I must go on." For on some days the conclusion "I'll go on" cannot be reached by faith or reason. (Ibid., 32).

In other words, while it is possible for many survivors of trauma to successfully incorporate their pain and loss into their new, post-trauma identities, there will inevitably be some survivors who will neither be able to recover from that which they have experienced nor be able to press on in a world which allowed such violation to occur in the first place.

In reading about trauma and recovery, it is striking how profoundly human beings can be impacted by others' actions. Whether the traumatic incident centers around strangers hurting strangers (as in the case of Brison's rape or the way in which the Nazis exterminated Jewish people during the Holocaust) or whether the incident centers around loved ones hurting loved ones (as in the cases of incest and spouse abuse Herman recounts), it is horrifying how easily one person or group of people can put their needs and desires above those of their fellow human beings. And it is equally saddening to note how much painful internal work must be done by survivors and their loved ones in order for those

survivors to not just survive, but to thrive.

As noted earlier, human beings are inherently social creatures. And because of that, the emotional angst that survivors feel in the aftermath of trauma is surely heightened by the fact that the pain they are suffering is directly caused by other human beings (as opposed to chance, bad weather, etc.). As Herman notes, “Survivors of atrocity of every age and every culture come to a point in their testimony where all of the questions are reduced to one, spoken more in bewilderment than in outrage: Why? The answer is beyond human understanding. Beyond this . . . the survivor confronts another: Why me?” (Herman 1992, 178).

And as I have examined trauma, I cannot help but ask those same questions: Why do human beings inflict such pain on each other, and why are some people touched by trauma and not others? If I turn to the worldview represented by my personal faith, Christianity, I might return to these questions with an answer that speaks to the presence of sin in the world and the inherent fallibility of human beings. If I look to a secular worldview, I might return to these questions with an answer that speaks to human beings’ inherent reliance on a Darwinian sensibility: survival of the fittest, everyone for themselves. But I suppose that even if one could pinpoint why such atrocities are committed, that would not preclude those atrocities from continuing to occur. The best thing we can do, then, is to continue to support and care for survivors. By helping those who have lived through “the unspeakable” to put words to their experiences, we will lessen the power the perpetrators continue to have over their victims even long after the trauma has passed. We will instead empower survivors to see their experiences in a new light and to view “the transformed trauma story as simply a ‘new story,’ which is ‘no longer about shame and humiliation’ but rather ‘about dignity and virtue.’ Through their storytelling, [survivors] ‘regain the world they have lost’” (Ibid., 181). This, then, is the hope with which we are left: that even in the wake of trauma, those who have the ability to press on may someday see themselves as stronger for having survived the torments of their oppressors and see the world around them as a place in which they can grow and flourish once again.

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**A History of Sedition:  
The Originations of the  
Sedition Act of 1798 in England  
and Colonial America**

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*by William Hooper*

Written for  
Course: *Scorpions in the Constitutional Bottle:  
Uncivil Speech, Civil Society*  
Professor: Rory Quirk, J.D.  
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A former resident of rural Alaska, Chip Hooper currently resides near Leesburg, Virginia, with his wife, Jessica, and two sons, Benjamin and Jackson. While completing his bachelor's degree this year, he was inducted into the Alpha Sigma Lambda honor society and is completing his thesis (elective) on the transformations in Colonial-era Virginia leading to the American Revolution. A former veteran of the 82nd Airborne and special operations units, he is employed by Booz Allen Hamilton in support of financial regulatory agencies. He and his family are looking forward to taking a brief break from academia before commencing graduate-level studies.



The Sedition Act of 1798 has traditionally been seen as an aberration in the exercise of free speech as guaranteed by the Bill of Rights and the Constitution. Combined with the commonly held view that sedition law is a mechanism used by governments to suppress incitement against the state and society by external forces, one must reason as to the causes of the passage of the Act. In reality, the history of sedition (or seditious libel) is closely intertwined with legitimate political opposition. More precisely, such laws are an attempt to suppress legitimate political opposition. For that reason, the Sedition Act of 1798 was not an exception in the history of free speech and a free press but a logical extension of a longstanding tool in the history of politics with the intent (as with previous sedition laws) to limit the power of legitimate, opposing political parties. With its genesis in English common law and its implementation through her American colonies, those involved in the great fight over the Sedition Act of 1798 were very familiar with its use in confrontations between political parties. This study will seek to highlight key periods in the development of political parties, restrictions on political speech (particularly that of the press), and the intersection of the two concepts that culminated in the Sedition Act of 1798.

### **The Genesis of Sedition and Political Parties**

It was during the Elizabethan era that seditious libel was both conceived and enforced. Though not confirmed as having been said by Queen Elizabeth, she is rumored to have described sedition as “the notion of inciting by words or writings dissatisfaction towards the State or constituted authority,” that “Sedition complements treason and martial law, while treason controls primarily the privileged ecclesiastical opponents, priests, and Jesuits, as well as certain commoners...Martial law frightens commoners, sedition frightens intellectuals.”<sup>1</sup>

In 1606, the Queen’s secret court, the Star Chamber, refined the concept of seditious libel and made it a criminal offense under English common law in *De Libellis Famosis*. As defined, seditious libel was criticism of public persons or the government that undermines respect for public authority.<sup>2</sup> Although the case itself involved two religious figures, the reasoning of the need for seditious libel was more encompassing with particular concern given to the effects on the state.<sup>3</sup> Of course, in a nation with institutionalized religion as an extension of government, any verbal assault on a religious figure carried the same weight as impugning the majesty or stature of secular officials.

The ascension of Queen Elizabeth to the throne was marked by a great deal

of internal discord. Warring factions could be found over the issue of Catholicism versus Protestantism; whether Elizabeth or Mary should rule; and internal fighting among groups of nobles. She recognized the inherent power of words and its effects on popular opinion. Seeking to control those words through such avenues as the Star Chamber, she most likely hoped to bring a certain level of stability to the throne and the country. There was one institution, however, that lay beyond her reach—Parliament. She, along with successive regents, would find Parliament (in particular the House of Commons) to be a hotbed of vitriol and near treasonous words.<sup>4</sup> Unfortunately for her, control over the institution had been limited by previous monarchs and it would probably have been suicidal to try to limit any parliamentary powers, including speech, while still trying to build some sort of coalition behind her throne. In an era predating political parties, the dynamics of free political speech and the desire to control opposing political viewpoints can already be seen.

Her issues with Parliamentary free speech would continue to confound successors—even with Oliver Cromwell, who owed his ascension to the majority of Parliament. In fact, only Cromwell and Charles II would be so confounded by parliamentary free speech so as to try to control Parliament for the first time since the Tudors.<sup>5</sup> Both would also seek to limit the political press for the same reasons as parliamentary speech. The explosion of a “news culture” in England and the press was seen as a chief instigator of the “Paper War” that led up to the outbreak of the English Civil War.<sup>6</sup> For Cromwell, the power of the Parliament and the press were self-evident; without either he would not have achieved the overthrow and execution of Charles I. As such, Cromwell would treat their power with great concern. Likewise, for Charles II the memories and causes of his father’s death and the rise of anti-royalist rule would inspire him to limit both the Parliament and the press as well.<sup>7</sup>

After the Restoration and return to royal rule, the first true parties were formed in the late 1670s. Called the Whig and Tory parties, they continued to represent the Roundhead and Cavalier factions of the pre-English Civil War period and posited themselves as champions of popular (or at least legislative) rule versus royal governance.<sup>8</sup> The period from the death of Charles II to the rise of the House of Hanover in 1714 did not necessitate strict party divisions, however. For example, the Glorious Revolution of 1688 that overthrew the Catholic King James in favor of the Protestant King William drew both factions together.<sup>9</sup> What was noteworthy at this time, from 1688-1714, is the growing reach of free speech



in both the Parliament and the press. Bolstered by the proliferation of political and legal theorists, both avenues for free speech would undergo major alterations. As noted before, Charles II was keen to limit the influence of Parliament and yet he, like Cromwell, would find both political factions less than enthusiastic to support any limitations on their authority and rights. At the same time, the House of Commons began to separate out religion from politics and became more aligned to party politics as a public discourse.<sup>10</sup>

Concurrent with the rise of political parties in England was the rise of the importance and ubiquity of newspapers. One of Charles II first actions was to limit the issuance of printing licenses to himself alone.<sup>11</sup> By the 1680s, the role of the press in politics was evident to all. For both factions, the press served to carry on their debate into the public sphere.<sup>12</sup> For the Crown, either side's press was considered dangerous and they even shut down the pro-Royalist *Observer* in 1683—for Charles II, the power of the press was dangerous in anyone's hands. The expiration of the Licensing Act of 1695 permitted wider discourse in print than had been permitted previously. Indeed, its passing transitioned restrictions on the press from censorship to liability-based for the government could no longer search and seize print shops without cause.<sup>13</sup> At the same time, the government found itself in an increasingly untenable situation as the interest in news and the demand for printed materials surged in the 1670s and 80s as it had in the 1640s.<sup>14</sup>

Seditious libel and political free speech wasn't merely restricted to the Parliament or the press.<sup>15</sup> Of additional note is the use of petitions as free speech. Petitions to King Charles I had become so obnoxious and burdensome that, with the restoration of his son to the Crown, both Charles II and the Cavalier faction in Parliament would seek to suppress petitions. Such laws would prove ineffective and the King himself would have to issue a royal edict against such practices.<sup>16</sup> Still, with his silencing of Parliament by fiat in 1679 the opportunity to express opposition could, for the most part, only be had through petitions which increased substantially in number. The rule of William and Mary would redress this issue and end another avenue for seditious libel to be enforced in England.

It was in the ascension of William and Mary, and their acceptance of the Parliamentary right to openly debate and dissent, that gave new life to political speech.<sup>17</sup> At the same time, both embryonic political parties represented far ends of a political spectrum with the majority of Members of Parliament placing

themselves on neither side.<sup>18</sup> Because of the lack of cohesion in political parties, speech in all of its forms would become a persuasive factor in politics and the formation of political ideology. At the same time, political ideology (or at least political and legal theorists) would begin to add more power to the rights of free speech. Beginning with John Locke's writings on the subject of free speech in the late 1600s, he recognized the inherent need of free speech to create viable political discourse.<sup>19</sup> Even in political theory, political free speech and press and the history of political parties intersected as Locke's "patron" was none other than Lord Shaftesbury, often recognized as the father of the Whig party.

### **Sedition and Politics in Colonial Virginia**

Virginia's colonial experience with seditious libel and political parties would, for the most part, mirror England's experience. Seditious libel would be deployed early on to maintain the order and prestige of governance but would become a political tool used by one side over another in the course of domestic politics.

The first true test of confrontational politics and speech would come during the Commonwealth rule when England had no crown in control. Virginia would walk a very tight line between the Cavaliers in favor of royal rule and the Roundheads in favor of Parliamentary rule by aligning itself to the Commonwealth while retaining a pro-royalist governor. "(T)he Assembly, while choosing a Cavalier governor, enacted a law that anyone who should 'say or act any thing in derogation of the present government' by the Burgesses under the laws of England would be punished as an enemy of the peace of the Colony."<sup>20</sup> In Virginia, the politics of party were temporarily suspended in favor of the politics of survival.

That governor, Sir William Berkeley, would make one of the most famous comments amongst Americans regarding sedition and free speech:

But, I thank God, there are no free schools nor printing, and I hope we shall not have these hundred years; for learning has brought disobedience, and heresy, and sects into the world, and printing has divulged them and libels against the best government. God keep us from both!<sup>21</sup>

Unfortunately, Berkeley's autocratic views would give rise to one of the more noteworthy conflicts in the American colonies prior to the Revolution. In

1675-1676, a number of Virginians, led by Nathaniel Bacon, would overthrow the government and institute a number of measures to consolidate their power after all chances of reconciliation with the governor were exhausted. They, too, would recognize the power of words in political speech and would enact similar measures to restrict speech not in favor of their viewpoints and inhibit opposing political viewpoints.

Thus begins the early onset of politics in Virginia with one side aligned to Royalist interests (generally the Governor and Royal Council) versus those who were slowly beginning a greater representation of the electorate. In 1685, the current governor would issue a proclamation designed to “end harsh criticism of the King and Governor on political and religious grounds...(by)...forbidding all seditious discourses.”<sup>22</sup> His intent was clear, to limit the power of the Burgesses (the popular legislative body) versus that of the Crown (as represented by himself and the Royal Council).

After Bacon’s Rebellion in 1676, Virginia would find itself with a single party ascendant, decidedly pro-loyalist, intolerant of any dissent, and with free speech forcibly restrained. As with the dissolution of Parliament under James, people would turn to petitions directly to the Crown in order to seek redress of grievances, though often at great peril.<sup>23</sup> One of Virginia’s governors under the Stuart throne, Lord Culpeper, was contemptuous of legislative bodies—as were the Stuart rulers—and sought to inhibit their power.<sup>24</sup> These oppressive regimes would, as in England, change with the succession by King William and Queen Mary to the Stuart throne. In addition to their forced acceptance of the Bill of Rights, the regents reopened opportunities for many to speak out on issues of discontent. King William began to accept petitions openly<sup>25</sup> and Virginia’s assembly would openly debate and write of mismanagement by their governor to his successor, Queen Anne.<sup>26</sup> The Act of Toleration, which permitted religious discord to some extent, was officially extended to Virginia, and created further opportunities for freer speech.<sup>27</sup>

Over the years, Virginia’s politics remained decidedly separate from the political parties and turmoil of England. With the appointment of Robert Walpole as Prime Minister of England in the 1730s, the colony would be dragged into domestic political machinations and attempts to limit their dissent once more. Walpole would put Virginia into the mainstream of British politics as he sought to reform England’s tax and public finance systems. Relying upon his protégé, Governor Gooch, Walpole systematically integrated Virginia’s tobacco

economy into the calculations and budgeting of the Crown and British Empire.<sup>28</sup> In doing so, he would subject Virginia to oppositional politics and parties that sought to undermine his efforts.

The involvement of Virginia in Britain's politics would be aggravated by the attempts of London merchants to put their Virginia debts in a special class. Their attempts to deny Virginians the same protections against fraudulent debt claims prompted political maneuvering between Virginia and England and pitted the Virginian Burgesses against London merchants in the arena of the House of Commons.<sup>29</sup> Virginia was not limited, however, to just the arena of Parliament. Acting as Virginia's agent to England, John Randolph printed in 1733, *The Case of the Planters of Tobacco in Virginia, As Presented by Themselves; Signed by the President of the Council and Speaker of the House of Burgesses. To which is added a Vindication of the said Representation*.<sup>30</sup> Obviously, Virginia's operatives were well aware of the power of the press in public political debate and dissent.

Such involvement in England's politics would also provide the genesis of political parties in the colony. In 1736, economic issues would lead to two distinct factions while the public discourse between the two groups would result in speech that could be considered slanderous or libelous, let alone seditious.<sup>31</sup> The two factions would emerge as Responsible and Representative styles. The Responsible-type politicians sought to advance the common good above the wishes of democratic mobs while Representative-style Burgesses sought to directly convey their constituents interests.<sup>32</sup>

The opportunity for printing seditious libel was fairly constrained for almost the first century of Virginia as a colony. The first press was imported to Virginia in 1682 and almost immediately the printer stumbled into trouble by printing colonial laws without license. The next year, King James ordered that no presses should be permitted to operate in Virginia.<sup>33</sup> It wasn't until 1730 that Virginia would set up its own official, public print shop (and the first in the Southern colonies). In turn, it would also spawn the most notable of private newspapers. William Parks would come from Maryland to fill the post and would start the Virginia Gazetteer six years later in Williamsburg. His personal newspaper would not only carry news items, but also created a forum for public political debate. Although the noted historian Edmund Morgan titles nothing of the Gazetteer as seditious, such debates as over the tobacco laws or whether non-conformists should tithe, could be highly seditious indeed considering the times.<sup>34</sup> In this same period, a certain sense of lessening confrontation in Virginia politics was

noted.<sup>35</sup> Governor Gooch, recognized as the most skilled and even beloved royal governors in Virginia's colonial history, took advantage of a public press to advance his views to the public. The publication of *A Dialogue between Thomas Sweet-Scented, William Orinoco, Planters, both men of good Understanding, and Justice Love-Country, who can speak for himself* (1732) explained the intended purpose of the tobacco management system he proposed.<sup>36</sup> Here we begin to see an acceptance in the political arena of the positive effects of press.

From such modest beginnings, the official printer and his private publication would not encounter private competition until 1766. Still, even as an official organ, the state-run newspaper gave much cause for concern to those representing the Crown's interests. The Stamp Act of 1765 would continue the anxiety of royal governors both in terms of political dissent and the opportunities for the press to encourage such dissent.<sup>37</sup> In Virginia, the governor "did what he could to suppress [the Stamp Act Resolutions] by keeping the text of Henry's resolves out of the *Virginia Gazette* and by postponing the next scheduled session of the Assembly." Obviously, a direct correlation is seen in the government's eyes between politics, political bodies, and free speech with regards to sedition. It was effective, "the lack of a press for some months had deprived the colony of the same kind of political comment and reporting of acts of defiance that had helped to keep up the opposition elsewhere."<sup>38</sup> It remained on Royalist minds when requests came in to start a new assembly as quickly as possible, for Governor Fauquier warned petitioners to avoid the seditious activity of the previous assembly. It would come to naught, though, as the newspapers began to openly criticize the reasoning in restarting the legislative body.<sup>39</sup>

By 1766, the role of the press in politics was firmly established. In the highly contested race for Speaker of the House of Burgesses that year, the presence of two newspapers would play a pivotal role in the race and in the formation of factions in Virginia politics.<sup>40</sup> Secure, too, was the role of oppositional parties in Virginia's assembly. Governor Dinwiddie would find himself attacked by the House of Burgesses in the 1760s in "language that differed little from the rhetoric that would dominate the Revolutionary crisis a few years hence."<sup>41</sup> Interestingly enough, no action was undertaken against the assembly nor against individual representatives. As with their role models in the House of Commons, Virginia's Burgesses were, to some extent, insulated from the suppression of political speech. It was a mistake that would cost the British Empire dearly.

### **Sedition and Politics in the New Republic**

Despite fervent hopes from many of the founding fathers, the seeds of political parties began to sprout within Washington's first administration. The first political parties would begin to emerge, along with the first party newspapers and the rudiments of party organization, even while Washington tried to avoid factionalism.<sup>42</sup> Indeed, as both sides in the administration, led by Jefferson and Hamilton, attempted to avoid overt confrontation, the war of politics and the advancement of agendas devolved to the newspapers. Jefferson employed, while Secretary of State, the publisher of the pro-Republican *National Gazette*, while Hamilton utilized the resources of the *Gazette of the United States* to advance the Federalist ideals and attack the Republicans.<sup>43</sup> Given the heated rhetoric of these, and similar papers, it would be a logical step to inhibit such outlets for the most fiery and confrontational attacks.

Such disdain for the papers would even color Washington's Farewell Address in which he referred to the papers as "infamous scribblers" and openly worried about party divisions. For Washington, political parties and the press were of equal concern with regards to the future of the American Republic.<sup>44</sup> Washington distinguished between oppositional leaders, such as Jefferson and Madison, and a press that not only opposed government policy but undermined the confidence of the nation—such as Philip Freneau and Benjamin Bache, editor of the *Aurora*. Opposing viewpoints were acceptable, but the press was considered a serious threat to Constitution order.<sup>45</sup> With Washington's retirement, the assumption of power by the Federalists would permit them the opportunity to limit such sources of dissent. Commonly referred to as the Sedition Act of 1798, the Act for the Punishment of Certain Crimes was passed on July 14, 1798, as part of a broad, comprehensive plan to limit the influence of the Republican party.

It is interesting to note the view held of seditious libel at the time. Obviously, Federalists were firm believers of the doctrine of seditious libel, that "the government could be criminally assaulted with words."<sup>46</sup> Yet the legal tradition, as inherited from England, gave a much broader acceptance of the concept. William Blackstone's legal commentaries defined freedom of the press as freedom from prior restraint. No one, to include Blackstone, Adams, or even Ben Franklin, could deny that a government *could* be libeled or that *liability* could be involved.<sup>47</sup> The true difference would be over whether a citizen or other entity *should* be allowed to press such libel without reprisal. In fact, the Sedition Act did mark

a substantial change from its predecessors:

Federalists marveled at the sheer liberality of the Sedition Act. Under the common law of seditious libel, an accused party could not invoke the truth of his words as a defense; nor was the government required to prove malicious intent to convict. The new law admitted truth as a defense and required the government to demonstrate the defendant's malice in order to win a conviction.<sup>48</sup>

Still, the application of the Sedition Act would also exceed the bounds imposed on English common law's treatment of seditious libel. Unlike the Parliament of England or the houses of Colonial America, the Sedition Act was employed to muzzle even the speech of duly elected representatives. Of particular concern to the Federalists was the use of the law to suppress communications of Republican congressmen to their constituents and muzzle the representatives even while in session. The overall intent, though, was directed at neither the press nor political leaders. By upending the Constitutional guarantees of freedom of speech and press, the Federalists hoped to blunt the power of the Republican party by muzzling the outlets of that party—the press and the politicians.<sup>49</sup>

The idea of using sedition law to combat the opposing party can also be evidenced in the case of Thomas Cooper, who had the dubious distinction of offending the anti-sedition laws of England before emigrating to the US. After being fined and imprisoned for his writings, he would soon discover openly published harsh criticism of the current president, John Adams, by none other than Alexander Hamilton. Cooper tried to have Hamilton arrested for the same offense he himself had been prosecuted for, but to no avail. This case, along with many others, showed the inconsistency in application and the proof that the law was not intended to protect the sanctity of the government or public officials, but to punish those with oppositional views as a course of political necessity.<sup>50</sup>

The Sedition Act of 1798 stands as a substantial intrusion on the freedom of speech and press in this country. Yet, given the long history of seditious libel as inherited from England and refined in the American colonies, those most involved in and affected by the law were well aware of the antecedents of such legislation. Governments and rulers have always been greatly concerned about the impact of speech, whether in societies with limited or widespread suffrage. The evolution of restricted speech in England, while moving towards more lib-

erality over the centuries, was far from permitting unrestrained expressions in politics or elsewhere. For the Founding Fathers, including Jefferson and Adams, the debate over the constitutionality of such restrictions was tempered to some degree by the need to reconcile free speech with the acknowledgement of its tremendous capabilities—either destructive or creative. Certainly, the expiration of the Act, with the assumption of power by Jefferson, signaled another major shift in the history of political free speech; but it must never be forgotten that it was a stage in the very long formation of political free speech. Thankfully, society today is afforded the luxury of viewing such restraints on free speech as aberrations of the first order.



## END NOTES

<sup>1</sup> New Zealand Parliament, “Crimes (Repeal of Seditious Offences) Amendment Bill—Second Reading”; available from [http://www.parliament.nz/en-NZ/PB/Debates/Debates/b/3/d/48HansD\\_20071010\\_00001403-Crimes-Repeal-of-Seditious-Offences-Amendment.htm](http://www.parliament.nz/en-NZ/PB/Debates/Debates/b/3/d/48HansD_20071010_00001403-Crimes-Repeal-of-Seditious-Offences-Amendment.htm); Internet, accessed 10 October 2007.

<sup>2</sup> James H. Landman. “Trying Beliefs: The Law of Cultural Orthodoxy and Dissent.” *Insights on Law & Society* 2.2, Winter 2002; available from <http://www.abanet.org/publiced/youth/sia/culture/courts.html>. Internet, accessed 28 November 2007.

<sup>3</sup> Sir Edward Coke. “The Case de Libellis Famosis.” *Selected Writings of Sir Edward Coke, Vol. I.* (1600); available from [http://oll.libertyfund.org/?option=com\\_staticxt&staticfile=show.php%3Ftitle=911&chapter=106331&layout=html&Itemid=27](http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=911&chapter=106331&layout=html&Itemid=27); Internet, accessed 22 November 2007.

<sup>4</sup> Gerald M. Straka, editor. *The Revolution of 1688 and the Birth of the English Political Nation* (Lexington, MA: DC Heath & Co., 1973), 213.

<sup>5</sup> *Ibid.*, 214.

<sup>6</sup> Jason McElligott. *Fear, Exclusion and Revolution: Roger Morrice and Britain in the 1680s.* (Burlington, VT: Ashgate Publishing, 2006), 129.

<sup>7</sup> *Ibid.*, 75-76.

<sup>8</sup> Straka, 197.

<sup>9</sup> *Ibid.*, 183-185, 198-199.

<sup>10</sup> McElligott, 73.

<sup>11</sup> *Ibid.*, 84.

<sup>12</sup> *Ibid.*, 72-74.

<sup>13</sup> Max Beloff. *Public Order and Popular Disturbances, 1660-1714.* (London: Oxford University Press, 1938), 143.

<sup>14</sup> McElligott, 129.

<sup>15</sup> Ernest Howard Crosby, "Right of Petition," in *The Online Library of Liberty*, 2007; available from [http://oll.libertyfund.org/?option=com\\_staticxt&staticfile=show.php%3Ftitle=971&chapter=63471&layout=html#a\\_1463801](http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=971&chapter=63471&layout=html#a_1463801); Internet, accessed 4 December 2007.

<sup>16</sup> Daniel J. Boorstin. *The Americans: The Colonial Experience*. (New York: Random House, 1958), 326-327.

<sup>17</sup> Straka, 106-107.

<sup>18</sup> Ibid., 203-204.

<sup>19</sup> Richard Ryerson, editor. *John Adams and the Founding of the Republic*. (Boston: Northeastern University Press, 2001), 173.

<sup>20</sup> Warren Billings, John Selby, and Thad Tate. *Colonial Virginia: A History*. White Plains, NY: KTO Press, 1986), 185.

<sup>21</sup> Ibid., 224.

<sup>22</sup> Richard L. Morton. *Colonial Virginia: The Tidewater Period, 1607-1710*. (Chapel Hill: UNC Press, 1960), 1: 316.

<sup>23</sup> Ibid., 288.

<sup>24</sup> Ibid., 298.

<sup>25</sup> Ibid., 332-333.

<sup>26</sup> Ibid., 382-387.

<sup>27</sup> Ibid., 388-389.

<sup>28</sup> Billings, Selby, and Tate, 242.

<sup>29</sup> Ibid., 242-243.

<sup>30</sup> Ibid., 243.

<sup>31</sup> Ibid., 244-245.

<sup>32</sup> Ibid., 271.

<sup>33</sup> Boorstin, 332.

<sup>34</sup> Edmund S. Morgan. *American Slavery, American Freedom: The Ordeal of Colonial Virginia*. (New York: Norton, 1975), 370-371.

<sup>35</sup> Billings, Selby, and Tate, 214-215.

<sup>36</sup> *Ibid.*, 241.

<sup>37</sup> Boorstin, 332-334.

<sup>38</sup> Billings, Selby, and Tate, 303-306.

<sup>39</sup> *Ibid.*, 308.

<sup>40</sup> *Ibid.*, 311-313.

<sup>41</sup> *Ibid.*, 256.

<sup>42</sup> Matthew Spalding and Patrick Garrity. *A Sacred Union of Citizens*. (Lanham, MD: Roman & Littlefield, 1996), 37.

<sup>43</sup> *Ibid.*, 38-39.

<sup>44</sup> *Ibid.*, 43, 48-49.

<sup>45</sup> *Ibid.*, 74-75.

<sup>46</sup> James Grant. *John Adams: Party of One*. (New York: Farrar, Straus & Giroux, 2005), 405-406.

<sup>47</sup> *Ibid.*, 405-406.

<sup>48</sup> *Ibid.*, 406.

<sup>49</sup> Dumas Malone. *Jefferson and His Time: Jefferson and the Ordeal of Liberty*. (Boston: Little, Brown & Co., 1962), 3: 386-389.

<sup>50</sup> *Ibid.*, 407-409.

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**Citizen/Designer:  
The Moral Imperative in the  
Work of Milton Glaser**

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*by Anne Quito*

Written for  
Course: *The Artist in the Community*  
Professor: Arnold J. Bradford, Ph.D.  
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## ANNE QUITO

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The task of defining the role of design has always been thorny. Traditionally, the practice of design has been inseparable from the aims of business, often referred to as a subset of advertising under the category of “commercial arts.” Graphic design was seen as a problem-solving tool for marketing, tasked with creating the most enticing packaging, the most memorable logos or the most compelling product literature.

Until recently, the subject of ethics and social responsibility was typically not on the agenda. Design excellence was largely based solely on technical innovation regardless of content.

Milton Glaser, perhaps best known for designing the iconic “I ♥ NY” logo, (Fig. 1) has spent a career pondering an alternative definition for design. Glaser radically proposes that a designer’s primary task is to relate to his community and be morally responsible for the effects of his work. He challenges designers to spur out of their traditional stations in the manufacturing cycle and reconsider a greater call to serve the society through the thoughtful expression of their art.

“Do no harm,” Glaser implores in a speech delivered to a packed assembly in the 2005 AIGA<sup>1</sup> conference. Recognizing the power of design, he asserts that a designer ought to be no less careful than a doctor or architect when approaching his work.

Glaser’s body of work attests to a true connection with the community. His essays underscore the social role of art and design. As a professor and frequent speaker, he implores his students to be immersed in the events, history and politics of their community and create a response congruent to their ethics.

Some of Glaser’s public and commercial projects are case studies used to discuss his journey towards becoming a social commentator and a catalyst for change.



Fig 1. I ♥ NY logo (1974) designed for the New York State Department of Commerce. It is said to be one of the most borrowed visual construct in modern history.

## Education and Formation

Milton Glaser was born to Hungarian immigrants on June 26, 1929 in a neighborhood in the Bronx called “Little Moscow.” His grew up in the midst of the beginnings of the American Labor Party and the Roosevelt administration social reforms. He attended the prestigious High School of Music and Arts<sup>2</sup> and graduated from the Cooper Union for the Advancement of Science and Art.<sup>3</sup> In 1951, he won a Fulbright scholarship that enabled him to study with Giorgio Morandi at the *Accademia di Belle Arti* in Bologna, Italy. The ascetic Morandi was a mentor to Glaser in both technique and philosophy, Glaser reflects:

What I learned from Morandi was conveyed by the very essence of his being. He appeared to be free from the pull of money or desire of almost any kind. . . . His life seemed to me then as it does today, the ideal life of a true artist. Lucidity and balance are the words that come to mind when I think of Morandi. He lived silently and produced monuments.<sup>4</sup>

Upon his return to the States, the design climate then was dominated by the exacting tenets of the Swiss design. Bold, crisp typography and meticulously aligned elements snapped to a grid, characterized this modernist style. In 1954, Glaser founded Pushpin Studios together with his Cooper Union classmates, Seymour Chwast, Reynold Ruffins, and Edward Sorel. Pushpin made its mark by breaking out of this mold and reviving the inventive use of illustration, merging genres and historical and cultural references. The so-called “Pushpin aesthetic” was project-driven, espousing no one particular style. Their design responded to the unique requirements of each assignment and drew from the entire canon of visual history.

An example of this pluralist approach can be found in the conception of Glaser’s famous psychedelic Dylan poster created for CBS records.

The Dylan poster emerged from two very different conventions. One is memory echo I had of a silhouette self-portrait that Marcel Duchamp cut out of paper. I remember it very clearly, a simple black and white profile. The convention of Dylan’s hair really emerged from certain forms that intrigued me in Islamic painting.<sup>5</sup>

Pushpin produced an impressive portfolio of record covers, books, posters and logos and became one of the most sought-after design firms in New York, working with a client list as diverse as their styles.

Glaser co-founded *New York* magazine in the 70s, a weekly publication immersed in the art, politics, and events of the city. Aside from being the design director, he took on the role of “underground gourmet,” writing about good, inexpensive restaurants. The magazine broke grounds in its design and editorial approach and became the model of numerous publications across the nation.<sup>6</sup>

The ever-prolific Glaser also held executive and editorial positions at the venerable *Village Voice* and established WBMG, a publication design unit. By his 40’s, Glaser would have worked on more than fifty other magazines and newspapers around the globe including *The Washington Post*, *La Vanguardia*, *The Los Angeles Times*, *The Boston Globe*, *The Dallas Times Herald*, *The East Hampton Star*, *the New York Daily News*, *Time*, *U.S. News & World Report*, *Adweek*, *Brill’s Content*, *Crain’s Chicago Business*, *Family Circle*, *Golf Digest*, *The Nation*, *Autoweek*, *Biography*, *USA Weekend*, *PC Magazine* and *Wine Spectator*.

After twenty years, Glaser left the busy studios of Pushpin and formed Milton Glaser, Inc. in search of an environment where he could set the pace. He kept the studio small, deliberately limiting the number of commissions he took on. It is during this time that he would receive his career-defining commission.

New York City was in desperate need of help in the 1970s. Crime rate was high, neighborhoods were in a state of deterioration, businesses were closing down and about ten percent of the city’s population had fled.<sup>7</sup> In the hopes of bringing in tourism dollars, the New York State Department of Commerce approached Glaser with a commission to design a logo for the city that would unify its marketing campaign. Working pro bono, the result was I ♥ NY— a symbol that not only gave local businesses a marketing hook but also gave its residents a sense of renewal. It has remained timeless and is said to be one of the most borrowed visual construct in history. As Stacy Perman observes, “it has become a cultural shorthand—drycleaners’ hangers say ‘We ♥ Our Customers’, coffee mugs proclaim ‘We ♥ Allah’, and bumper stickers declare ‘Yo ♥ Peru,’”<sup>8</sup> Perhaps unknowingly then, Glaser had created his first community project on the grandest of scales.

### **Dangerous Ideas: Defining Ethics in Aesthetics**

In 1989, Glaser found himself co-chairing the AIGA National Design Conference in San Antonio with Tibor Kalman, a revered designer-provocateur best known for his work in *Colors* magazine. For the first time in the profession's recent history, the theme and tone of the conference centered around questioning the role of the designer in relation to his community. With its theme *Dangerous Ideas*, the question of ethics was at the forefront.

Set in the climate of unprecedented commercial growth, the ethics polemic was a tough sell. As Peter Hall recalls, "the 1980's had encouraged designers to see their vocation as a formal exercise free of social responsibility . . . and concern itself with the art of selling its best wares to corporations."<sup>9</sup> The question of reconciling one's convictions with one's craft seemed irrelevant and peculiar. Stemming from such dichotomy, Glaser proposed a questionnaire on the back of the conference poster challenging attendees to reflect on the relationship of the goals of business to their art. He encouraged the dialogue by lamenting the lack of discourse about social responsibility. "It's interesting to observe that in the new AIGA code of ethics there is a significant amount of useful information about appropriate behavior towards clients and other designers, but not a word about a designer's relationship to the public,"<sup>10</sup> Glaser would point out.

The conference would prove to be a landmark event in the design industry. Though initially met with heated encounters, the kind of internal questioning would prove to be indelible in the designers' minds. It spurred dialogue amongst designers. A re-definition of design was in order. Delivering a commencement speech at his alma mater, Glaser ardently proclaimed, "we may have arrived at a new historical movement that is truly unprecedented. The end of the modernist agenda and the discovery that art can no longer be defined by the way it looks."<sup>11</sup>

#### **Ethics as Thoughtful Design**

At its most basic definition, ethics in design can be related to quality workmanship. It connotes the thoughtful consideration of details—a matter of delivering work that satisfies the commission to the best of one's professional judgment. Glaser emphasizes the value of excellence as he compares the task of designing communication materials to the task of architects or engineers designing buildings. Seemingly innocuous at first, a poorly designed piece of literature,

signage, or packaging can lead to pernicious effects. Without considering the audience, design fails and injures, Glaser asserts.

A recent example of his point can be found in the work of Deborah Adler, a School of Visual Arts graduate and an employee of Milton Glaser, Inc., who devised the ClearRX prescription system for Target. Through thoughtful design, Adler responded to problems of the common drugstore prescription bottle where a survey found that 60% of its users have taken medication incorrectly due to ambiguous labeling.<sup>12</sup> By color-coding, devising clearer labeling symbols, and clarifying the information hierarchy, Adler, collaborating with Glaser, literally turned the prescription bottle on its head and ushered in a new way of thinking about the imperative of careful design.

### **Ethics as Truth-telling**

In speaking about the role of design to the public, Glaser often emphasizes the value of truth-telling in both form and content. He explains:

We expect a butcher to sell us eatable meat and that he doesn't misrepresent his wares. . . . We can accept certain kinds of misrepresentation, such as fudging about the amount of fat in his hamburger but once a butcher knowingly sells us spoiled meat we go elsewhere. As a designer, do we have less responsibility to our public than a butcher? Everyone interested in licensing our field might note that the reason licensing has been invented is to protect the public not designers or clients. . . . If we were licensed, telling the truth might become more central to what we do.<sup>13</sup>

Instead of being passive instruments of a corporation or a government's processes, Glaser charges the designer with the often difficult task of illuminating the truth and in so-doing reflect on his personal ethics. He states:

Most of us here today are in the transmission business. While we don't often originate the content of what we transmit, we are an essential part of communicating ideas to a public that is affected by what we say. Should telling the truth be a fundamental requirement of this role? Is there a difference between lying to your wife and friends and lying to people you don't know?<sup>14</sup>

In a strongly worded essay delivered to an AIGA Brand Identity conference,

Glaser comments on the acceptance of such institutionalized lying referred to these days with the more benign term “spin.” He decries, “We seem to be awash in lies from business, the government, and almost every institution we have traditionally looked to as a source to believe... The relative lack of public outrage... is troubling.”<sup>15</sup>

In a follow-up editorial, Glaser created a satire proposing a kind of Nutritional Content Analysis for communication materials in the tradition of the labels in food packaging.<sup>16</sup> (Fig. 2)

<b>Content Facts</b>	
	% of content
<b>Quantifiable facts</b>	<b>20%</b>
<b>Deliberate falsehoods</b>	<b>12%</b>
<b>Inadvertent errors</b>	<b>.05%</b>
<b>Filler (organic)</b>	<b>38%</b>
<b>Sugars</b>	<b>3%</b>
<b>Harmful by-products</b>	<b>3%</b>
<b>Superficial images</b>	<b>28%</b>
<b>Questionable values</b>	<b>33%</b>
<b>Pure bullshit</b>	<b>20%</b>
<b>Good intentions</b>	<b>10%</b>
<b>Trendy graphics</b>	<b>28%</b>
<b>Stolen ideas</b>	<b>22%</b>

**Ethics as Action**

As an ultimate manifestation of one’s beliefs, Glaser challenges designers to spur out of the work-for-hire model. He calls on them to employ their talents for the active promotion of good and renunciation of what was undesirable in their community.

The *First Things First Manifesto 2000*<sup>17</sup> emerged from a growing uneasiness about design’s complete dependence on economics. It was drafted during a time when big business was increasingly perceived to have stolen the heart of design by shifting its aims from communication to bottomline sales. Glaser along with an influential group of designers published and promoted the *Manifesto* as a clear stance against this trend. Speaking to a sold-out crowd in the Parsons School of Design, students heard their mentors speak loud and clear about the issue. As Glaser eloquently stated, “in the struggle between commerce and culture, commerce has triumphed... We face the most significant design problem of our lives... how to create a new narrative for our work that restores its moral center, creates a new sense of community and reestablishes the continuity of generous humanism that is our heritage. The war is over. It is time to begin again.”<sup>18</sup> It was a call to action that many designers would seize.

Fig. 2. Glaser’s editorial on truth in design, published in the AIGA Journal of Design in 2002

### **Ethics as Struggle**

Given the task of balancing pragmatic and idealistic concerns, this charge often obviously proves to be difficult to reconcile. Even Kalman confesses, “I’m not independently wealthy. I cannot afford purity... the freedom I was getting... was worth the trade-off of having slightly filthy money in it. Remember, most ballet in the United States is funded by Philip Morris.”<sup>19</sup>

Adrian Shaunessy in his book, *How to Be A Graphic Designer Without Losing Your Soul*, asserts that the remorseless climate of modern business makes it difficult for the designer. He argues:

For designers, integrity often becomes a bargaining chip. We give it away in return for a job that comes with a lot of cash, or we hang onto it and do the work we want for little or no money. It’s tough to retain integrity and make a living. But it’s not impossible.<sup>20</sup>

Glaser’s inquiry serves as a reminder for all designers to constantly consider the overall effects of the message beyond its aesthetics attributes.

### **Designer/Citizen**

Moved by the events of 9/11, Glaser affirmed his commitment to his community before a packed crowd at the most recent national assembly of designers. Propelled by the succession of troubling events, Glaser redefined his role as an artist and articulated his role as a “designer/citizen”:

I’ve also changed my mind again about my self-designation. Designer/Citizen seems like a more satisfying description. There has been no better time for all of us to assume this role. We are all at risk but... we can choose how to react to our circumstances. We can reject the passivity and narcissism that leads to despair, and choose to participate in the life of our times.<sup>21</sup>

Often self-initiated, Glaser’s projects over the past five years are testament to his brand of activism.

#### **“I ♥ NY More than Ever” Subway Poster**

The attack on the World Trade Center and devastation felt throughout the

city of New York gave Glaser's original logo with a new kind of urgency. "It has become the seal of a determined city and nation,"<sup>22</sup> observes Steven Heller. Upon recognizing this, Glaser decided to augment the symbol with a new dimension by adding the words "More than Ever" and burnishing the lower left hand portion of the heart to symbolize the geographic location of the Twin Towers. (Fig. 3)

Originally conceived as a subway poster, it was published in the front and back of the *New York Daily News* and raised nearly \$200,000<sup>23</sup> for the 9/11 victims. When asked about the role of artists in comforting victims and their participation in the rebuilding of the city, Glaser replies, "The only comfort I can hope for is the possibility that this perception-changing event will make us realize how related we are to the rest of the world."<sup>24</sup>



Fig. 3. Glaser's response to the World Trade Center attacks published as a wraparound for the *New York Daily News*.



Fig. 4. Glaser proposed a new slogan for the city in the midst of a fiscal crisis in 2002

### Together for the City We Love

Facing a fiscal crisis and on the verge of a potentially crippling transit strike in December 2002, Glaser pitched an updated battlecry for the city (Fig. 4). "Together for the City We Love" featured similar elements from the original 1974 logo, morphing the heart to an apple and emphasized the message of solidarity. Though rejected by the mayor's office, Glaser sourced modest funding to fund the posters. The poster was initially met with indifference or with the typical New York skepticism, at best. One reviewer wrote, "I will not be bullied into happiness or togetherness. Certainly, when the State sells unity, I wonder who stands to gain. "Community" is often used to gloss over difference and dissent."<sup>25</sup> The



value of Glaser's efforts might be found in the dialogue it spawned about the concept of community. Posted on subway stations throughout the city, it served as a modest affirmation for the weary New Yorker.

When asked if he thought that such efforts had any usefulness in the community, Glaser responds, "Buttons, flyers, posters, postcards, tee-shirts, and books. How primitive are the means we have to dissent. And yet I believe these modest tools can help change history."<sup>26</sup>

### ***The Nation Initiative Buttons***

In 2004, Glaser embarked on a project with *The Nation*, a weekly publication that describes itself as "the flagship of the left." The assignment was to design a series of political buttons and bumper stickers that commented on the issues of the day. (Fig. 5) Deviating from the formulaic symbols typical of political buttons like the American flag or the ubiquitous red-white-blue color scheme, Glaser employed the tools of typography, selecting a familiar, easy-to-read font to deliver the punch. As he did with I ♥ NY, Glaser decluttered the surface and set the stage for the message. Despite being marketed as the "Glaser buttons," the finished piece is devoid of any telling flourishes that can be referenced back to the designer. In such a medium, Glaser understood that the design drew from the power of words.



Fig. 5. Initiative Buttons (2004) for *The Nation* magazine

### **Light Up the Sky Initiative**

In 2004, the tension was increasingly palpable during the weeks leading to the Republican National Convention to be held for the first time in New York City. Scheduled on the week before the anniversary of 9/11, the largely Democrat New York population saw it as the Republican Party's callous attempt to use the tragedy to bolster their platform. Massive demonstrations were planned, news reports hinted at terrorist plots, an army of 10,000 armed police officers in full-riot gear was on standby. The whole city was angry.

Dreading the repercussions of such confrontation,<sup>27</sup> Glaser proposed an alternative response based on the concept of "light." The details of the movement were communicated through posters distributed around the city and aired through a local radio station. It read in part: "On August 30, from dusk to dawn, all citizens who wish to end the Bush presidency can use light as our metaphor. Imagine, it's 2 or 3 in the morning and our city is ablaze with a silent and overwhelming rebuke... Light transforms darkness."<sup>28</sup> On an interview he says:

What needs to be confirmed by some people is the fact that New York is the place where all the lunatics live, and the sense of chaos and disorder and irresponsibility that would be exemplified would be used to justify a move by some people to support Bush . . . It would be very nice to avoid those images and to diminish the chance for conflict and rage but at the same time, the opposition to Bush has to be manifested in a strong, vital, and imaginative way.<sup>29</sup>

In the end, the acrimony felt toward the GOP proved too overwhelming for the majority to consider Glaser's benign rally.

### **We Are All African**

In 2005, Glaser turned his eye from his immediate community to consider a broader worldview. The United Nations World Summit, the largest ever gathering of world leaders in the history of the assembly<sup>30</sup> was being held in the New York headquarters that year. Taking advantage of such occasion, Glaser crafted a simple yet striking image of an African hand with multi-colored fingers representing different races of man with the words "We Are All African." It was meant to illuminate the pressing issues in Africa as well as a statement of solidarity with the rest of the world. Glaser explains:

It seems to me that most of the world's mischief derives from the sense that others are different from us... This poster attempts to develop a sense of empathy by recognizing a simple scientific truth: We all share a beginning in Africa.<sup>31</sup>

The posters were produced by the School of Visual Arts and wallpapered kiosks and phone booths around midtown Manhattan. It gained significant coverage in the press and was later adapted by the ONE Campaign as a fund-raising tool.

It is important to note that not all of Glaser's civic projects were met with resounding public success. Some efforts were criticized as being too esoteric and lacked the immediacy to appeal to the hurried New Yorker. Nevertheless, Glaser continues to remain active in the dialogue of his community. His response as an artist is not about getting critical affirmation in the media or from his peers. It is about participation.

Glaser's efforts remain valuable because it serves as a model for how the creative mind might participate in creating change in his community. The artful expression is important because it illuminates and commemorates an event in the community's history, inviting discourse among its members. In the words of Glaser's fellow presenter, Samina Quareshi, artists are called to "begin in the home, move to the street, reach out to the neighborhood, restore the community, reimagine the world ...the architecture of change depends on an enlightened design community."<sup>32</sup>

### **Call to Conscience: Teaching Ethics in Design**

Now in his late 70's, Glaser has been teaching continuously for over 40 years at the School of Visual Arts. Known to screen each student before allowing admission, Glaser's classroom is a master class in design and thinking. Self-observation is the first requirement. He holds high expectations, turning away those with a poorly constructed assignment. Despite his status as a legend in the design circle, Glaser remains approachable, engaging and generous with his critiques. His design lectures embrace a holistic view of education — often incorporating aspects of history, philosophy, psychology and current events. As

Glaser would tell his students, “if you don’t have the bedrock of understanding, you will become a victim of style.”<sup>33</sup>

In one memorable exercise inspired by his work on the Purgatory section for Dante’s *Divine Comedy*, Glaser became intrigued by the metaphorical journey designers might take in their careers. In a kind of ultimate pop quiz, Glaser presents to his students the following questionnaire:

### **The Road to Hell<sup>34</sup>**

Would you...

1. Design a package to look larger on the shelf?
2. Do an ad for a slow moving, boring film to make it seem like a light-hearted comedy?
3. Design a crest for a new vineyard to suggest that it’s been in business for a long time?
4. Design a jacket for a book whose sexual content you find personally repellent?
5. Design an advertising campaign for a company with a history of known discrimination in minority hiring?
6. Design a package for a cereal aimed at children, which has low nutritional value and high sugar content?
7. Design a line of T-shirts for a manufacturer who employs child labor?
8. Design a promotion for a diet product that you know doesn’t work?
9. Design an ad for a political candidate whose policies you believe would be harmful to the general public?
10. Design a brochure piece for an SUV that turned over more frequently than average in emergency conditions and caused the death of 150 people?
11. Design an ad for a product whose continued use might cause the user’s death?

By going through the exercise, Glaser forces his students to contemplate the relationship of their conscience and their profession. His classes are highly participatory and never overly ideological, recognizing that the question of ethics is largely a personal one. In a curriculum largely concerned with honing the student’s skills in preparation for a professional career, Glaser’s questioning is unexpected and profound. He explains the purposes of his methods:

What would you be willing to do? The issue is not about telling people what they should be doing, but rather trying to make people conscious of what they're doing. . . . what you hope will happen is that a consciousness develops which relates what you do to the society around you.<sup>35</sup>

## Conclusion

Shaunessy once quipped, “integrity in design is a bit like obesity in ballet dancers—you don’t see it often.”<sup>36</sup> The relationship of ethics and design is a profound conundrum for a number of reasons.

First, most undergraduate programs in design are centered on producing a *professional* designer—adept with the necessary technical tools to allow him to take his place within the business model. Designers typically work in teams and are rarely credited for their work, diminishing the emphasis on personal accountability. Moreover, the typical understanding of the design activity is that it is separate from the task of creating content — somehow letting the designer off the hook for content that is written poorly or perhaps even maliciously. The notion of “designers as authors” is a fairly new construct. Also, because of the ephemeral nature of the designer’s product—flyers, brochures, packaging—it is easy to overlook anything else other than the utilitarian or aesthetic aspects of one’s work.

One can argue that Milton Glaser’s true legacy can be found in reviving the collective consciousness about the ethical dimension of design. In his projects and in his classroom, Glaser reminds us that with beauty and utility must be responsibility. He spoke against the convention of segmentation prevalent in targeted marketing practices where designers saw the audience as “the other.” The designer thrives in the community, and his calling was to better it.

After the seminal *Dangerous Ideas* conference in 1989, a surge of voices have emerged from the design community. Since then, every AIGA conference has dedicated a significant portion of its program to the ethical discourse —notably the 2002 AIGA Voice Conference held in Washington, DC four months after 9/11. Designer-led civic projects and even a dedicated newsstand publication<sup>37</sup> have surfaced. Taking Glaser’s lead, designers these days seem to be rediscovering their connection with the community. It is now conceivable for the designer’s audience to extend beyond the consumer. Could it be that the designer’s unique perspective might indeed be instrumental in creating change? A counterculture

of designer-citizens seems to have formed—passionate about the environment, immersed in politics and actively engaged in a cause. One might even say that it has become fashionable to be involved.

These days, Milton Glaser typically spends four days working in the city, and when not traveling to deliver a lecture or open an exhibit, he drives up to his country house in Woodstock, NY. In both communities, his art and passion have inspired profound changes. Glaser understood that design was not an end in itself but a means to connect with his community. He is an artist/designer/citizen of his community, his city and his country.

## END NOTES

<sup>1</sup> The American Institute of Graphic Arts (AIGA) is the largest professional association for design in the United States. It has a membership base of 16,000 designers with 55 chapters and more than 150 student groups.

<sup>2</sup> Established in 1936 by Mayor Fiorello LaGuardia, the High School of Music and Arts is now known as the LaGuardia High School when it was consolidated with School of Performing Arts High School in 1984.

<sup>3</sup> Cooper Union is the only private, full-scholarship college in the United States dedicated to preparing students for professions in architecture, art and engineering. Founded by industrialist Peter Cooper in 1859, Cooper Union was the site of Abraham Lincoln's famous anti-slavery speech and where the Red Cross and the NAACP were organized. It counts Thomas Edison, designer Herb Lubalin, and architect Daniel Libeskind among its alumni.

<sup>4</sup> Milton Glaser, *Art Is Work* (Woodstock, New York: The Overlook Press, Peter Mayer Publishers, Inc., 2000), 267.

<sup>5</sup> Milton Glaser, *Milton Glaser; Graphic Design* (Woodstock, NY: The Overlook Press Inc., 1973), 16.

<sup>6</sup> Stacy Perman, "The Heart and Mind of Milton Glaser," in *Business Week Online*.

<sup>7</sup> Christopher Farrell, "Voices of Innovation: Why We Heart Milton Glaser," in *Business Week Online* (New York: 2006).

<sup>8</sup> Perman.

<sup>9</sup> Tibor Kalman, *Tibor Kalman: Perverse Optimist*, ed. Peter Hall and Michael Beirut (New York: Princeton Architectural Press, 1998), 139.

<sup>10</sup> Milton Glaser, "Ten Things I Have Learned," in *AIGA in London* (London, UK: American Institute of Graphic Arts, 2001).

<sup>11</sup> Glaser, *Art Is Work*.

<sup>12</sup> Sarah Bernard, "The Perfect Prescription: How the Pill Bottle Was Remade—Sensibly and Beautifully," *New York* April 18, 2005.

<sup>13</sup> Glaser, “Ten Things I Have Learned.”

<sup>14</sup> Milton Glaser, “Ambiguity and Truth,” in *AIGA Brand Identity Conference* (New York: AIGA, 2004).

<sup>15</sup> Ibid.

<sup>16</sup> Milton Glaser, “A Guide to Content,” *AIGA Journal of Graphic Design* 18, no. 2 (2000), 31.

<sup>17</sup> The original manifesto was drafted in the U.K. in 1964 as a response to a similar business-centric trend pervasive in London during that time.

<sup>18</sup> Milton Glaser, “Design and Business: The War Is Over,” *AIGA Journal of Graphic Design* 14, no. 3 (1996).

<sup>19</sup> Heller, *Designer Dialogues*, 195.

<sup>20</sup> Adrian Shaughnessy, *How to Become a Graphic Designer Without Losing Your Soul* (New York: Princeton Architectural Press, 2005), 25.

<sup>21</sup> Milton Glaser, “Since Then: Two Points of View,” in *2005 AIGA Design Conference* (Boston, MA: 2005).

<sup>22</sup> Steven Heller and V ernonique Vienne, *Citizen Designer* (New York: Allworth Press, 2003). 178.

<sup>23</sup> Chip Kidd, “Chip Kidd Talks with Milton Glaser,” in *The Believer* (2003).

<sup>24</sup> Heller, *Citizen Designer*, 181.

<sup>25</sup> John Emerson, “Together for the City We Love,” in *Social Design Notes*, ed. John Emerson (March 26, 2003).

<sup>26</sup> Heller, *Citizen Designer*, 180.

<sup>27</sup> Martin Penderson, “Milton Glaser: Graphic Design and Political Power,” *Metropolis Magazine* August 2004.

<sup>28</sup> Glaser, “Since Then: Two Points of View.”



<sup>29</sup> Janet Kim, "Milton Glaser's Bright Idea," in *The Village Voice* (July 13, 2004).

<sup>30</sup> United Nations Department of Public Information United, "2005 World Summit: An Overview," (New York: July 2005).

<sup>31</sup> Perman, *The Heart and Mind*.

<sup>32</sup> Rick Poyner, "Citizen/Designer," *AIGA Journal of Graphic Design* 1, no. 4 (2003). 13.

<sup>33</sup> Steven Heller and Elinor Pettit, *Designer Dialogues* (New York: Allworth Press, 1998), 153.

<sup>34</sup> Glaser, "Ambiguity and Truth."

<sup>35</sup> Martin Penderson, "An Interview with Milton Glaser," *Metropolis Magazine*, August/September 2003.

<sup>36</sup> Shaughnessy, *How to Be*, 25.

<sup>37</sup> The design-driven GOOD magazine was launched in July 2005. Its goal is to "create entertaining media that attracts broad audiences to content that matters," and approach the founders refer to as "creative engagement."

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**Outing Snitches in Cyberspace:  
True Threat or Free Speech?**

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*by Brooke Salkoff*

Written for  
Course: *Scorpions in the Constitutional Bottle:  
Uncivil Speech, Civil Society*  
Professor: Rory F. Quirk, JD  
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## **BROOKE SALKOFF**

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## **Introduction**

In the fifteen years since the Internet has become a mainstream tool for Americans at work and at home, it has come to challenge established notions of the boundaries of First Amendment protections. It was the printing press and electronic broadcast that revolutionized communication last century; the *J.M. Nears* and *Schenks* of today have in the Internet a faster, louder megaphone to transmit their diatribes, or to mobilize armies for protest or potentially illegal activity. If those cases were bricks in the Supreme Court's foundation of modern First Amendment law, the Internet may have revealed to us that the house the Court is building on free speech is far from finished, and may be much bigger than we'd thought.

Much as *Near* and *Schenk* dogged elected and law enforcement officials during Prohibition and wartime almost a century ago, the website called *whosarat.com* presents a pressing challenge to federal law enforcement officials today. By publicizing the names, addresses and other information about government cooperators in criminal cases, the website offers a powerful potential deterrent to informants' participation. With several major American cities suffering under anti-snitching campaigns, the U.S. Attorney in Philadelphia called *whosarat.com* the "new enemy" of cooperating witnesses and law enforcement.<sup>1</sup> Officials at the U.S. Justice Department contend that at best, the website hampers law enforcement in investigating and prosecuting crimes. At worst, they say, it will result in violence against willing cooperators or their families.

This article discusses the genesis of *whosarat.com*, and the reasons it poses a special challenge to law enforcement. First, is an explanation of the First Amendment basis, rooted in specific cases, regarding the government's huge burden in trying to silence outlets for communication. The next section addresses recent rulings that suggest courts are beginning to recognize a limit to the First Amendment protection offered to cyberspeech. Within the last decade several decisions have held online threatening speech punishable. Federal prosecutors may see these holdings as a potential opening for eventual action against *whosarat.com*. The final section compares the circumstances involved in these cases with those surrounding *whosarat.com*, in order to examine how big an opening, if any, that might be.

### **Whosarat.com: Genesis And Development**

*Whosarat.com* is the brainchild, perhaps predictably, of a man who found

himself on the losing end of an informant's cooperation with the government in 2004. Radio disc jockey Sean Bucci was indicted in federal court in Boston on marijuana charges, based on information from a cooperating witness. Bucci wasted no time in "leveling the playing field," as he called it in a newspaper report at the time.<sup>2</sup> Within months of his indictment, and even before being convicted and serving time in prison, Bucci launched his website, whosarat.com, with the goal of exposing informants' identities and their roles in criminal prosecutions.

The website was initially free to those interesting in perusing information on government cooperators. Now, for a charge of \$7.99 for a week or \$89.99 for life (a "membership" that includes a "Stop Snitching" t-shirt), users can scroll through information on 4,300 informants and 400 undercover agents. Much of the information on the site has been obtained from documents in court filings and available on the Internet. The homepage features three "rats of the week." Some profiles include links or attachments to news stories, press releases, and government documents that detail how witnesses have agreed to help prosecutors in exchange for lenient sentences. Recently, for instance, the site featured a Florida man who agreed to plead guilty to cocaine possession but not gun charges in exchange for his commitment to work "in an undercover role to contact and negotiate with sources of controlled substances."<sup>3</sup>

Whosarat.com claims to receive 15,000 to 50,000 hits weekly from all over the world. Many of the users are thought to be defendants in criminal cases and their lawyers, who are preparing for trial. Through the website they can learn the identities of people engaged in undercover operations and those who are being used to build a case against them, well before any trial gets underway. Defense lawyers who use it claim it is an effective resource in preparing for trial.

Prosecutors, on the other hand, warn that the widespread dissemination of informants' identities may subject them to retribution from friends and associates of the defendant. And they contend that the website could have a chilling effect on potential government cooperators. In a December 2006 letter to the Judicial Conference of the United States, the administrative and policy-making body of the federal court system, the then-Director of the Executive Office for U.S. Attorneys, Michael Battle, wrote, "The posting of sensitive witness information poses a grave risk of harm to cooperating witnesses and defendants."<sup>4</sup>

Federal officials say as a result of twin developments—i.e., an increased number of violent crime prosecutions in which cooperating defendants and



witnesses are needed to assist law enforcement, and increased Internet access to court records, “we are witnessing the rise of a new cottage industry engaged in republishing court filings about cooperators on websites such as whosarat.com for the clear purpose of witness intimidation, retaliation, and harassment.”<sup>5</sup> In one case, a witness in Philadelphia was moved and the F.B.I. was asked to investigate after material from whosarat.com was mailed to his neighbors and posted on utility poles and cars in that area.

Whosarat.com insists on its homepage that it “does not promote or condone violence or illegal activity against informants or law enforcement officers.” They deny that intimidation or retaliation is the goal. Instead, the site’s spokesman and self-described director of operations, Anthony Capone, claims that its goal is to allow defendants to investigate their accusers. Capone alleges that informants often tell outright lies, in order to receive a sentence reduction, or for financial gain.<sup>6</sup> With the site’s help, he said, informants are no longer “un-credible (sic) fingers of accusation reaching out darkness.”

There are examples to support Capone’s allegations. Last year, for instance, a former longtime FBI informant pleaded guilty to charges that he schemed to deceive the FBI during a four-year federal grand jury investigation in Detroit. In a news release in June 2005, the Justice Department said Myron Strong, 34, schemed to defraud law enforcement by inventing a fictitious international drug trafficking organization that he claimed was distributing cocaine, heroin and marijuana across the country through several dealers in the Detroit area. During that alleged scheme, Strong falsely accused named individuals of being drug dealers and submitted drugs and other substances as alleged evidence of their crimes. Until Strong was caught, it was a lucrative arrangement for him: Strong and his associates netted \$240,000 in drug money and other investigative expenses, according to the release.<sup>7</sup>

The government has acknowledged missteps in the handling of confidential informants. The Justice Department’s inspector general found that the FBI violated rules for handling confidential informants in 87 percent of cases across the country. In some cases there was no proper oversight of informants allegedly involved in illegal activity. This evidence seems to support the claims made by operators of whosarat.com, that there is a legitimate place for assessing the reliability of government informants. And they claim that this assessment, in as public a forum as the Internet, is protected by the First Amendment of the U.S. Constitution.

Indeed, the First Amendment was raised in the criminal case involving Mr. Bucci. During his appeal of his conviction on drug charges, Mr. Bucci asserted that the government's true purpose in prosecuting him was to shut down the site because "he dared to assert his First Amendment right" to post the information. In their response, federal prosecutors acknowledged that "various levels of government have long expressed concern that the website endangers the lives of informants and undercover agents, and compromises investigations."<sup>8</sup> But they denied that the government's dismay about the site influenced their decision to prosecute Mr. Bucci.

In fact, the government has not taken any steps to try to shut down whosarat.com, although the concerns about its potential harm are deep and widespread. "It's reprehensible and very dangerous," said one former federal prosecutor. "People are going to die as a result of this."<sup>9</sup> Operators of whosarat.com are unfazed. According to Capone, the plea agreements posted on the website speak for themselves. "Law enforcement and informants can whine and complain all they want, but the bottom line is, Whosarat.com is here to stay."<sup>10</sup>

## Discussion

### Challenging Whosarat.Com: A High Bar

The government tried to close the door on a website similar to whosarat.com in 2004 when it challenged Leon Carmichael Sr., a drug case defendant in Alabama who created a site that included photos and information about informants and agents in his case. The website sought more information about the agents and informants, and the government alleged the site violated a federal law against knowingly intimidating witnesses in order to prevent them from testifying at trial. Carmichael was later convicted of drug trafficking and money laundering, but a federal judge refused to grant the government's petition for an injunction against his website. U.S. District Judge Myron H. Thomas ruled that Carmichael's efforts were protected by his Fifth and Sixth Amendment rights to gather information about his case, and that his website was protected by the First Amendment.<sup>11</sup>

Judge Thomas concluded that Carmichael's website did not constitute a "true threat" or "incitement." "While the website certainly imposes discomfort on some individuals," Judge Thompson wrote, "it is not a serious threat sufficient to warrant a prior restraint on Carmichael's speech or an imposition

on his constitutional right to investigate his case.” The judge’s ruling, however, was not categorical. “A few differences in Carmichael’s site could have changed the court’s calculus,” Judge Thompson wrote. Prosecutors may see this caveat as a potential opening to shut down a website like whosarat.com. Are there differences between Carmichael’s website and whosarat.com that might justify a different outcome? A review of the state of First Amendment law with respect to cyberspeech is required to try to predict the government’s likelihood of success in trying to silence whosarat.com.

A handful of cases in recent years have held online threatening speech punishable.<sup>12</sup> In 1996 the government prosecuted its first case of email threat, involving University of California at Irvine student Richard Machado. In an email sent to sixty-two Asian students, Machado threatened to kill each of them personally. He signed the email “Asian Hater” and was eventually convicted under federal civil rights law and sentenced to a year in prison. Months after Machado’s conviction in 1998, the government prosecuted Kingman Quon, an Asian-American student also in California. Quon had sent anti-Hispanic email death threats to sixty-seven students and employees of California State University in Los Angeles, the Massachusetts Institute of Technology, and other institutions. Like Machado, he was charged under federal criminal civil rights laws, and he was sentenced to two years in federal prison. The following year federal prosecutors in Philadelphia succeeded in shutting down the website of the white supremacist group ALPHA. The site displayed a picture depicting a bomb blowing up the office of a fair housing specialist, and organizer of anti-hate activities.

In these cases the prosecutions for civil rights violations were successful and the outlet for the illegal cyberspeech was shut down. But the charges in each instance that the threatening messages contain racial hatred aimed at people engaged in a “federally protected” activity. These circumstances are different from those surrounding whosarat.com. And while some have suggested that websites like whosarat.com may be prosecuted for obstruction of justice, harassment or aiding and abetting crimes, the following analysis will be limited to whether the contents of whosarat.com constitute incitement, and therefore lack First Amendment protection.

### **Incitement: A Free Speech Exception**

Incitement is one exception to the broad protections afforded communicators in the U.S. under the Constitution. This broad speech protection goes back

more than a century. In the *People v. B.F. Jones* (1886), the court observed as follows:

It is not the policy of the law to punish those unsuccessful threats which it is not presumed would terrify ordinary persons excessively; and there is so much opportunity for magnifying or misunderstanding undefined menaces that probably as much mischief would be caused by letting them be prosecuted by letting them be prosecuted as by refraining from it.<sup>13</sup>

This basic tenet, forming the beginning of a legal wariness of potential government overreaction to alleged threats, evolved and manifested itself again three decades later, in twentieth-century wartime. A central justification for reduced First Amendment protection for speech was that the expressive content presented “a clear and present danger.” This test was first enunciated in *Schenck v. United States* (1919),<sup>14</sup> in which the defendants were accused of attempting to obstruct the draft during World War I through espionage. Justice Oliver Wendell Holmes, writing for a unanimous Supreme Court, stated:

The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.

Only seven years later, Justice Holmes further took his argument for broad speech protection further. Dissenting in *Gitlow v. New York* (1925),<sup>15</sup> he suggested that all speech, broadly interpreted, could be considered a form of incitement:

Every idea is an incitement. It offers itself for belief and if believed it is acted on unless some other belief outweighs it or some failure of energy stifles the movement at its birth. The only difference between the expression of an opinion and an incitement in the narrower sense is the speaker’s enthusiasm for the result. Eloquence may set fire to reason. But whatever may be thought of the redundant discourse [contained in documents discussing Communism that were the subject of judicial scrutiny in the *Gitlow* case,] it had no chance of starting a present conflagration.

Based on these earlier propositions, current incitement law was established in 1969 in the case of *Brandenburg v. Ohio* (1969).<sup>16</sup> As a result of *Brandenburg*, in order for advocacy to constitute incitement, it has to be “directed to inciting or producing imminent lawless action and is likely to incite or produce that action.” This means that while it may be perfectly legal to advocate the political idea that “all police should be killed,” it probably would amount to criminal incitement to tell someone to “kill that police officer over there.”<sup>17</sup> The specific speech is important, and courts have increasingly taken the words and their context into account.

This high bar for punishable speech dovetailed with broad speech protections afforded mass communicators beginning in 1927, in the case of *Minnesota v. J.M. Near*. Near, a newspaper publisher during Prohibition, used his medium to circulate diatribes against corrupt government officials and anti-Semitic rants.<sup>18</sup> When the state of Minnesota shut down his newspaper under a public nuisance law, Near sued and prevailed at the Supreme Court. The Court concluded that the state’s action amounted to an unconstitutional infringement of free speech. As a result, Near paved the way for newspapers to enjoy full protection by the First Amendment. This generally bars the government from any prior censorship, and ensures broad freedoms for newspapers to print anything short of criminal threats or material within the narrow legal definition of “obscenity.”

Since Near, however, the Supreme Court has distinguished between media in determining the extent of the constitutional protection. In the case of broadcast media, for instance, the courts have traditionally found that the public has an interest in regulating the airwaves, largely because of the limited number of broadcast frequencies available and the “invasive” nature of radio and television (a viewer or listener could easily stumble across unexpected material).

The Supreme Court has only recently considered to what extent the First Amendment would be applied to the Internet. In June 1997, the Court voted 7-2 to invalidate portions of the Communications Decency Act (CDA), a law that punished the Internet transmission of “indecent” materials in a manner that would allow minors to see it. The court rejected the government’s arguments that the Internet should be as highly regulated as broadcast media, instead seeing it as a “vast democratic for[um]” that for First Amendment purposes, more closely resembles print media.

Federal prosecutors and webmasters alike have interpreted the Supreme Court’s ruling to mean that general political propaganda on the Internet may

be exchanged with impunity, and will not be curbed by American courts. As a result, the government is left with scant room to apply state and federal anti-terror statutes to cyberspace. One of those statutes, for instance, reads: “Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both.” Courts do have had a limited record, however, in this area. A review of three cases offers some insight into whether the government has any likelihood of success in arguing in court that whosarat.com poses such an imminent danger that it warrants a prior restraint.

### **Incitement Online: Meeting The Test**

Three major cases in the last decade have tested federal courts’ appetite for applying established incitement law to cyberspeech, and with different results. In 1995 prosecutors filed charges against a student at the University of Michigan, who had been using his University of Michigan Internet account to post graphic stories about rape, torture, and murder to an Internet newsgroup called “alt.sex.stories.” One of the stories named a classmate as the object of a particularly brutal attack, during which he and friend rape her; assault her with a hairbrush, curling iron, and knife; and set fire to her apartment as they leave her to die. Baker later turned over to the police email messages in which he and an unidentified Canadian discussed a desire to commit similar acts in the near future upon unnamed victims, including kidnapping a female college student and a teenage girl.

Baker spent time behind bars awaiting trial but was released after a federal judge in Detroit dismissed the charges against him. Judge Avern Cohn noted that the First Amendment prohibits prosecuting violent messages unless they are direct threats. In granting Baker’s motion to quash the indictment, Judge Cohn wrote:

Although it may offend our sensibilities, a communication objectively indicating a serious expression of an intention to inflict bodily harm cannot constitute a threat unless the communication also is conveyed for the purpose of furthering some goal through the use of intimidation.<sup>19</sup>

Instead, Judge Cohn said, the language used by Jake Baker was “only a rather savage and tasteless piece of fiction.” He admonished the U.S. Attorney’s

office for pursuing the charges. On appeal, the American Civil Liberties Union came to Baker's defense, arguing that the prosecution of Baker violated his First Amendment rights. The ACLU claimed in its brief:

This is a case of "pure speech." No immediate harm results from the expression of a desire to commit a crime. The only warrant for proscribing such expression is the possibility that it will produce harm, should the speaker act on his desire, in the future. An assertion of intent or desire unattended by any immediate harm is an utterance failing within the broad range of communications to which the First Amendment applies.<sup>20</sup>

The ACLU argued that Baker's writings, though offensive, did not constitute a "clear and present danger" to any specific person. Ultimately, a federal appeals court agreed with Baker and the ACLU, upholding Judge Cohn's decision to dismiss the charges. It should be noted that though the female character in Baker's writing was named after a fellow female student, the individual learned of the case only after Baker's indictment. There was no attempt to harass or intimidate her directly, and ultimately no illegal activity was ever directed at the girl. This may explain why the charges against Baker were summarily dismissed. The following two cases had much different results.

In the case of *Planned Parenthood of the Columbia/Willamette, Inc. v. American Coalition of Life Activists*, at issue was a website created by a coalition of anti-abortion groups in 1997.<sup>21</sup> "The Nuremberg Files," as it was called, listed the names of 200 doctors who allegedly performed abortions, some of them depicted in wild-West-style "Wanted" posters. The site provided specific information about the doctors, including their photos, home addresses, license plate numbers, and the names of their spouses and children. The names of those doctors who had been wounded were listed in gray. Doctors who had been killed by anti-abortionists had been crossed out. Planned Parenthood, an abortion rights group, and several physicians who provide abortions filed suit, alleging that the online publicity violated a federal law meant to protect the public's access to abortion facilities.

In March 1999, a Federal jury rejected the defendants' free speech claims and concluded that the contents of the website amounted to a "true threat." The jury ordered the anti-abortion groups to pay more than \$100 million in damages. Judge Robert E. Jones, the presiding judge, called the "Wanted" post-

ers and website “blatant and illegal communication of true threats to kill.”<sup>22</sup> Judge Jones said that the plaintiffs were so threatened by the materials that no adequate remedy at law existed. He issued a permanent injunction effectively shutting down the website, barring the defendants from “publishing, republishing, reproducing and/or distributing in print or electronic form the personally identifying information about plaintiffs contained in . . . the Nuremberg files . . . with a specific intent to threaten.”<sup>23</sup>

In issuing the injunction, Judge Jones articulated a legal theory in addressing threatening speech over the Internet. He relied on two Ninth Circuit U.S. Court of Appeals cases, *United States v. Orozco-Santillan*, (1990), and *Lovell v. Poway Unified School District*, (1996), in employing the following test for what may properly be considered a threat: whether “a reasonable person would foresee that the statement would be interpreted by those to whom the maker communicates the statement, as a serious expression of intent to harm or assault.”<sup>24</sup> This appears to be a departure from the test for incitement in *Brandenburg*. Judge Jones did not assess whether the speech was likely to bring about imminent illegal activity, or even whether it posed a clear-and-present danger. Some see it as the beginning of an expansive view of what constitutes a “threat” over the Internet.

On appeal, the full Ninth Circuit agreed that the website amounted to illegal threats: “By replicating the poster pattern that preceded the elimination of [murdered abortion providers,] and by putting [the plaintiff doctors on the Nuremberg Files web site] that scores fatalities, the ACLU was not staking out a position of debate but of threatened demise. This turns the First Amendment on its head.”<sup>25</sup> The U.S. Supreme Court refused to review this case, allowing the verdict to stand.

The outcome of the “Nuremberg Files” case was used to bolster the argument of prosecutors in the most recent major case of threats posted online. The case involved a group of seven animal rights activists known as Stop Huntingdon Animal Cruelty USA, or SHAC. A federal judge was asked to decide whether free speech protections could shield them from prosecution on charges that they used the Internet to promote a “terrorist” campaign against Huntingdon Lab Sciences (HLS), a New Jersey-based research lab. In the mix was a little-known law, the Animal Enterprise Terrorism Act, which Congress adopted to specifically deal with an upsurge in violent animal rights activity directed at businesses that use animals.

SHAC accused the research lab of mistreating lab animals, and it launched



a website dedicated to forcing the shutdown of HLS. The site called for “direct action” to protest Huntingdon’s practices. It encouraged members and followers to aim their intimidation, harassment, and violence against Huntingdon and its targeted employees—as well as companies and employees who did business with Huntingdon—in an often successful attempt to inflict an economic and psychological toll.<sup>26</sup> In the federal indictment of the so-called “SHAC-7,” the U.S. Attorney for New Jersey contended the defendants engaged in stalking and used “a facility in interstate and foreign commerce”—the Internet—to incite sympathizers to take illegal actions against Huntingdon.

Defense lawyers said the website amounted to free speech. One urged the court to dismiss the case before trial on free speech grounds, arguing that “the First Amendment applies to the Internet. Web sites are tantamount to newspapers. . . . It is protected communication. It is not a criminal act.” Prosecutors insisted the website existed outside the First Amendment because it fell into a pattern of intimidation, and the intentional act of targeting people.<sup>27</sup>

But as in the case of the “Nuremberg Files,” where the trial court determined that there was a direct link between the website and violence against abortion providers, employees of HLS and its suppliers and partners also became the targets of criminal activity advocated on the SHAC website. Victims of the SHAC campaign endured vandalism, including rocks being thrown through home windows, cars being overturned, messages in red paint plastered on their homes and property, bullhorn protests in front of their homes, and harassment of neighbors. In one home “visit” to an employee, vandals showed up carrying a banner with the address of the SHAC website. Smoke bombs were detonated in the offices of two Seattle companies in 2002, causing the evacuation of two high-rises. And putting greens were destroyed at a Long Island, New York golf club, where SHAC had announced that a director of a company that provided insurance services for Huntingdon was scheduled to be for a golf tournament in the summer of 2002.<sup>28</sup> SHAC’s Web site linked to a statement saying of employees at Chiron, an HLS partner: “The Chiron team, how are you sleeping? You never know when your house, your car even, might go boom. Who knows, that new car in the parking lot may be packed with explosives. Or maybe it will be a shot in the dark.” On the night of August 28, 2003, two bombs were detonated at Chiron’s headquarters in Emeryville.

At trial, prosecutors relied on the 2002 ruling in the “Nuremberg Files” case, which held that the activists were liable for damages because their messages

constituted illegal threats, not free speech. Defense lawyers disagreed: “It’s vastly different than what the government alleges these individuals (SHAC) did on their website,” said one. “Doctors were killed. You do not have that level of activity here.”<sup>29</sup> The defense of the SHAC-7 rested largely on the 1969 case *Brandenburg v. Ohio*, insisting that they were engaged in legal, political speech that did not direct anyone to commit specific, imminent acts of violence.

Despite the defense arguments, in March, 2006, the trial resulted in seven convictions for “terrorism and Internet stalking.” A federal jury in Trenton, New Jersey, concluded that SHAC used its website to “incite attacks” on those who did business with HLS.<sup>30</sup> The SHAC-7 received jail sentences of 3 to 6 years. They were also ordered to pay joint restitution of more than one million dollars.

The trial judge also granted an injunction to end the online harassment. The judge concluded that “The information disseminated by (SHAC) on its website relates to plaintiffs’ claims as evidence of the existence and modus operandi of a conspiracy (to aid and abet) the alleged unlawful harassment and threats.” The appeals court in the SHAC case upheld the injunction, saying that threats of home visits and publishing home addresses were “true threats,” that they were “likely to incite or produce imminent lawless action,” and that they were therefore not protected by the First Amendment.<sup>31</sup>

### **A Basis For Challenging Whosarat.Com?**

How do these cases apply to whosarat.com? In the final analysis, what differentiates the Jake Baker case from “Nuremberg Files” and SHAC is the evidence of serious harm that had befallen the targets of the online threats. The trial judge in Baker refused even to let the case proceed to trial. As in the Supreme Court’s ruling allowing virtual pornography, where there is no victim, there is no compelling government interest to bar the expression.

In “Nuremberg Files,” the outcome of the online incitement was injury and death to abortion doctors. There was convincing evidence that the website encouraged illegal activity and that it happened, as a result of the website. And the trial judge was so determined to prevent the threats from continuing, that he based his injunction merely on whether the threatening speech could be interpreted as such, not whether it had a likelihood of resulting in imminent illegal activity.

The SHAC case shows that injury and death do not have to result in order for courts to justify granting an injunction against online threats. It was clear

to the court in the SHAC case that the website promoted illegal activity, and this advocacy had a direct connection to the vandalism and harassment that followed. In order for whosarat.com to be subjected to comparable court action, it seems clear that some form of serious illegal conduct has to be shown to have flowed from the website.

In the case of whosarat.com, prosecutors have secured an indictment for illegal conduct stemming from the website. In summer 2007, a federal grand jury in Philadelphia indicted a drug dealer and his girlfriend of conspiring to intimidate a government witness by having his neighborhood plastered with flyers labeling him a “rat” and a “snitch.” The flyers were put on car windshields and utility poles and even sent by mail to residents of the West Philadelphia neighborhood where the informant had lived, according to the government.

As a result, the witness had to be taken to a secret location. According to the government, even after the defendant’s trial, he tried to get the informant witness to change his testimony – even coming up with a script for what he should say, and offering the informant \$11,000 to say recant. The information on the flyers had come from whosarat.com. Though the illegal conduct falls short of serious violence stemming from the website, it may begin lay the ground work for prosecutors to challenge claims that the website exists merely as an informational tool, protected as free speech.

### **Challenging Whosarat.Com: A Strategy**

Federal authorities are confident that anti-snitching campaigns deter government cooperators, and that they have led to serious violence in major U.S. cities. But even as they monitor whosarat.com for evidence of overt threats, and monitor allegations of witness harassment and intimidation for any connection to the website, prosecutors are not waiting for dramatic criminal action as a result of whosarat.com before launching their own defensive efforts to thwart the website’s mission.

In his letter in 2006, the then-Director of the Executive Office for the United States Attorneys at the Justice Department urged courts to put a statement on their Internet sites “warning against the republishing or the other use of official court records for illicit purposes such as witness intimidation.”<sup>32</sup> Still, the strategy of the Justice Department and the federal judiciary appears to be focused on keeping information from the sites rather than trying to stop the sites from publishing what they learn.

In addition, the Justice Department has begun urging the federal courts to make fundamental changes in public access to electronic court files by removing all plea agreements from them—whether involving cooperating witnesses or not. A committee of federal judges is exploring a nationwide policy that is expected to curtail at least some documents now available on federal court websites.

In summer 2007, the chief federal district court judge in Philadelphia said that all plea agreements and sentencing documents there, which in some cases detail a defendant's cooperation, will no longer be posted on the court's website, though they will be available at the federal courthouse. The federal court in Miami, as another example, has provisionally adopted the Justice Department's recommendation to remove plea agreements from electronic files. Other courts are considering it and experimenting with alternative approaches.<sup>33</sup>

There is, however, some significant opposition to government action that would overly restrict access to public court documents. Judge John R. Tunheim, a federal judge in Minneapolis and the chairman of a judicial conference committee studying the issue, said in an interview with the *New York Times*, "It is important to have our files accessible. I really do not want to see a situation in which plea agreements are routinely sealed or kept out of the electronic record." Judge Tunheim said he favored putting the details of a witness' cooperation into a separate document and sealing only that document, or withholding it from the court file entirely.

Some defense lawyers have said that eliminating electronic access to plea agreements and related documents would constitute a real hardship. And at least one authority on federal sentencing law said he would hate to see the routine sealing of plea agreements. "It certainly is terribly important for the public ultimately to know who's flipped," said former federal prosecutor Edward Bowman.<sup>34</sup>

Extensive redaction or sealing of court documents would also face certain legal challenges, including those from the media. The common law right to inspect and copy judicial records pertaining to open proceedings is widely recognized. These presumptively open records include not only transcripts of proceedings but also pleadings and motions, court orders, and any materials admitted into evidence.

The Supreme Court addressed this question in two cases involving a nurse named Robert Diaz in California, who was accused of killing twelve patients by administering massive doses of a cardiac drug. The prosecution was seeking the death penalty. The case attracted national publicity, and the defense requested

that the preliminary hearing be closed. The judge agreed, citing a danger that “only one side may get reported in the media.”<sup>35</sup>

In 1986, the Supreme Court ruled against closure of the preliminary hearing, after finding a long tradition of accessibility to such hearings as conducted in California. It also found that public access served a significant, positive function in these hearings, which resemble trials in many ways. Access serves as a safeguard against corruption and also as a bridge to public confidence in the system. When the Court ruled in those cases that there existed a First Amendment right to attend the proceedings, it implicitly held that the transcripts of such proceedings must be open to public and media inspection. As Chief Justice Burger wrote in *Press Enterprise II*: “Denying the transcripts of a 41-day preliminary hearing would frustrate what has been characterized as the ‘community therapeutic value’ of openness.” Some lower courts have extended the right of access to court records to documents other than the transcripts of open court proceedings.<sup>36</sup>

Trial court judges do have a certain amount of discretion in allowing access to documents and proceedings. For the most part, access is allowed unless a judge specifically finds that public dissemination would threaten rights to a fair trial or would invade personal privacy. The discussion among a committee of federal judges now, as a result of whosarat.com, could conceivably redefine what it means to be a public document, or to have access to those documents. One law professor at the University of California, Los Angeles, Eugene Volokh, put the balancing this way: Government secrecy, he said, “ends up being part of the price you pay for having broad speech protection.”<sup>37</sup>

### **Conclusion**

Critics and defenders of whosarat.com may both be partially right in their assessments of the site’s impact and future. If federal prosecutors are correct in predicting that potential government cooperators will be deterred or even harmed, apologists for the website, who claim that it is “here to stay,” will face almost certain difficulty in maintaining whosarat.com as it is.

It is clear from two federal criminal civil rights cases, *United States v. Machado* and *United States v. Kingman Quon*, that the government intends to prosecute cyberthreats under existing law. In those cases prosecutors were successful even lacking evidence of any effort to carry out those threats. Absent an alleged civil rights violation, however, the bar may be considerably higher for

the government. In the “Nuremberg Files” and SHAC cases, convictions and the shutdown of the websites appear to have hung on the tie between illegal conduct and the threatening cyberspeech. The lessons of these two cases may serve as the logical foundation for the government’s apparent strategy with respect to whosarat.com. If the government can link illegal conduct to whosarat.com, court decisions have shown that it will have a much stronger basis for contending that the website threatens witnesses, incites illegal activity, and should be shut down. The website’s own spokesman suggests that challenge may come. “If people got hurt or killed, it’s kind of on them,” Anthony Capone told the Associated Press. “They knew the dangers of becoming an informant.”

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**The Kingdom of God: An  
Analysis of Meaning for the  
Church and Its Politics**

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*by Leigh Ann Smith*

Written for  
Course: *The Gospels: Society and Ethics*  
Professor: Anthony J. Tambasco, Ph.D.  
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## **Introduction**

The Kingdom of God metaphor in the New Testament is central to Christ's teachings. Yet, it remains difficult to determine just what he meant by it. Christ's message has social and political implications, though one cannot view him only as a political revolutionary. It is even more difficult to place where his politics would fall in our world of liberals and conservatives, Democrats and Republicans. As Jim Wallis so aptly noted "God's politics is never partisan or ideological. But it challenges everything about our politics" (Wallis 2005, xvii). The Bible on a whole, points to three major responses to governmental authority; namely that of cooperation, resistance, and caution (Harrington 2002, 114-116). It does not, however, speak of democracy or capitalism or nation-states. It is known that there is a public or political side to Christ's teachings, but as to how it should specifically relate to public policy remains open to much interpretation. The Kingdom of God metaphor is important for the Christian church to grapple with as it relates to the Church's larger role in the world. This focus on Kingdom politics is situated within a larger conversation over the relationship of Christianity to the political realm in the US.

This study is focused on the gospel teachings on the Kingdom of God and possible interpretations of this Kingdom looking specifically at the ideas of Stanley Hauerwas. Much has been written on Hauerwas. This study does not enter into the fray over communitarianism versus liberalism. It will reflect on his provocative critiques that the Church has lost its prophetic edge. Using both Hauerwas and Ronald Thiemann's works, suggestions will be offered for how the church can live out Kingdom ideals in the here and now.

## **Interpretations of the Kingdom of God**

The Kingdom of God can be viewed in light of several interpretations: the symbolic, the individual-spiritual, the eschatological, and the political. As Marcus Borg notes, the Kingdom of God is a "symbol not an idea" (Borg 1998, 259). As symbol, the phrase is directing our attention to something beyond itself (Ibid.). The function of the symbol is to "evoke myth" (Ibid.). Myth in this context is about "the relationship between the sacred and the profane, the noumenal and the phenomenal, the real and the visibly real, the 'holy' and the quotidian" (Ibid.). Myths serve as a real discourse between these various realms. "Since a symbol functions linguistically to evoke a myth, it cannot be reduced satisfactorily to a single conceptual meaning any more than myth itself can be..." (Ibid.). David Kaylor points out that the kingdom is a "multivalent

symbol” (Kaylor 1994, 90). Kaylor offers the definition of symbol as “a cluster of interrelated meanings that vary from time to time and place to place” (Ibid.). If one is looking for a particular meaning of the Kingdom then one may view it as “a messianic reign, a transcendental rule of God after the apocalyptic end of the world, a social order expressing a particular standard of justice, or ‘heaven’ as a realm in which God’s rule is complete and perfect” (Ibid.). If one looks at Kingdom of God through the second definition of symbol then the kingdom can “represent or evoke a whole range or series of conceptions or ideas” (Ibid.).

John Riches sees the Kingdom in terms of personal relationships. Riches suggests that Jesus links the symbol up with the outcast, the poor, and the downtrodden. Through these relationships individuals are healed, and therefore society benefits from the loving community established. This message, according to Riches, would be particularly salient for those living in oppressive conditions, like those experienced during Jesus’ life.

For Riches, “Jesus use of the symbol, kingdom of god, diffused the symbol and virtually removed from it any political content.” In Riches’ estimation, Jesus was a unique contributor to reform movements that were taking place within Judaism. The kingdom metaphor, then, has societal implications but not rigidly so. It remains flexible enough for interpretation. The central meaning was “that God was establishing God’s rule over humans” (Ibid.).

Eschatology refers to the study of last things. It can reference the end of the world, life after death, or the beginning of a new era. There is evidence in Scripture that the Kingdom could be referencing all of these. In John’s Gospel (18:36), Christ says to Pilate, “My kingdom is not from this world. If my kingdom were from this world, my followers would be fighting to keep me from being handed over to the Jews. But as it is, my kingdom is not from here.” For John, Christ’s kingdom is a “theological category that redefines the world’s understanding of power” (Kaylor 1994, 74). The kingdom, then becomes something other than a social or political movement. Paul builds on this idea in I Cor. 15:50, “flesh and blood cannot inherit the kingdom of God, nor does the perishable inherit the imperishable.” Other New Testament texts refer to the kingdom as something coming in the future (I Cor. 6:9-10; 15:24; Gal. 5:21; Eph. 5:5) (Ibid.).

The Gospels also speak of the Kingdom as a reward or gift that followers will receive or partake of (Matt. 5:30; 7:21; 19:23; 25:34; Mark 9:47; 10:15, 23-25; Luke 18:16-17; 24-25) (Ibid.). The Sermon on the Mount offers future promises to those who endure certain trials, tribulations in the present. As Kaylor notes,

“storing up treasures in heaven rather than on earth (Matt 6:19-20) and receiving the rewards for piety from God rather than from humans (Matt. 6:1) may suggest that meaning” (Ibid., 75).

Christ spoke of the Kingdom of God in personal terms, but that does not rule out political ramifications. The term Kingdom is one that is tinged with the political. Immediately, the word Kingdom calls forth thoughts of rulers, armies, and power. The idea of Kingdom is earthly, concrete and in the here and now. Yet, the Kingdom of God as mentioned in the New Testament is not just about earthly reign, nor does it serve as a manual for analyzing policy in modern politics. God’s kingdom is not aligned with any political system. No political system is flawless, and no political system is intrinsically evil. Christ encourages his followers to pay taxes, and to live as good citizens. He suggests a relationship to politics, but his message is not identical to politics.

Christ’s political stance comes out more in teachings about his death and his parables. In Biblical narratives the political authorities of his day view him in political terms. In John 6:14-15, Christ is portrayed to the crowds as a future prophet who is to become a future king. Kaylor says of this verse, “it confirms the view that Jesus as a charismatic figure can easily become the center of messianic thought such as that of the popularly acclaimed king of the Israelite tradition” (Ibid., 78). Acts 1:6 the disciples asked Christ, “is this the time when you will restore the kingdom to Israel?” (NRSV). In Luke 24:21, the disciples express disappointment that Christ is not going to redeem Israel.

John H. Yoder suggests that the symbol of kingdom is related to the Israelite practice of Jubilee. Jubilee was a time of forgiveness of debts. Christ used terminology associated with Jubilee in his message without explicitly calling for observance to it. Jesus used the narrative of Jubilee to speak of “covenant justice” (Kaylor 1994, 84). This is significant because it shows a connection between religious beliefs and social justice in society. As such, it becomes less tenable to conclude that the kingdom was only to be thought of in terms of the personal-individual.

It is also possible that Jesus believed social and political change was important and necessary, though he did not offer specific steps to bring those changes to bear. “Many maintain that neither in his own practice, nor in the practice he urged on others, did he focus on any particular social or political change” (Ibid., 85). This is a “cautious” interpretation of Jesus life. This is, in part, because the church wants his story to be applicable to as many people as possible. And, it

keeps the church from being too closely aligned with a particular agenda.

John Caputo offers an interesting interpretation of the Political Kingdom. He states, “The Rule of God is a bit unruly, and the kingdom has the look of a holy or sacred anarchy where, truth to tell, it seems like all hell has broken loose. Holy Hell, that is” (Caputo 2001, 480). This quote is a vivid portrayal of the Kingdom of God as status quo wrecker, a reminder that the Kingdom found in Biblical texts defies easy categorization. As John Caputo states, the kingdom of God represents a “poetics of the impossible” operating by Divine logic. This logic, from the standpoint of current culture, would look “mad” if carried out to fruition (Ibid., 470). Kingdom discourse is focused on “a prophetic concern to contradict the world” (Ibid., 471). The Kingdom comes to challenge the cold rationality of our politics, our culture, and our economics. In the Kingdom, the first is made last, the poor in spirit become rich, the oppressed and downtrodden garner a favored status in the eyes of God. In contrast, the politics in the kingdom of earth is the domain of the doable and the possible. Politicians and bureaucrats seek concrete resolutions to problems. In a sense, politics focuses on the practical – getting potholes filled, getting money for schools, and protecting our homeland.

### **Public Theology, Stanley Hauerwas, and the Kingdom**

A Christian public theology can offer ways to communicate the vision of the Kingdom to the world “writ large.” The definition for this type of theology is borrowed from Ronald Thiemann. He states, “Public theology is faith seeking to understand the relation between Christian convictions and the broader social and cultural context within which the Christian community lives” (Theimann 1991, 21). The theologian steps into the public realm confident that Christianity is relevant to the public square. Yet, how Christianity relates to “the complicated patterns of social, political, and institutional life cannot be known in advance” (Ibid., 22). For the Christian, building a public theology is a risky enterprise. “By opening the Christian tradition to conversation with those in the public sphere, public theology opens Christian belief and practice to the critique that inevitably emerges from those conversation partners” (Ibid., 23). Thiemann continues this line of thought by stating, “The particular relevance of Christian convictions for issues like abortion, capital punishment, and medical care for handicapped newborns must be discovered through a process of rigorous inquiry in which faith risks genuine engagement with the forces of public life” (Ibid., 22). Through these conversations and inquiries, it may be discovered that aspects of



Christianity have to be changed or relinquished all together.

The church's interpretation of the kingdom will impact its understanding and relationship to politics. Contributing to the discussion is the work of one of the most well-known voices in Christian ethics, Stanley Hauerwas. He in many ways is a public theologian, though, unlike Thiemann, he does not want Christianity to be changed to accommodate culture. His works challenge the way the church sees itself in relationship to the world. He states, "I'm not mad at liberals who want to perform some procedural form of democracy. What I am upset about are Christians who think that is their primary task in the world in which we find ourselves. And, I want them to remember that our first task is to be the church of Jesus Christ, that's our politics" (*theotherjournal.com*, 1). For Hauerwas, the church is a "living tradition" with real people arguing and hammering out what it means to be Christian today (Rasmussen 1995, 190). "The Christian story about God (the interpretation of which in itself is contested) is the critical norm that constantly questions the actual practice, keeping the discussion going and thereby keeping the tradition alive" (Ibid.). The marks of the church, that also serve as political acts are baptism, eucharist, and preaching. These acts are political because they "initiate" people into the Christian narrative. These marks help individuals "see how the kingdom of God is present in the world" (Ibid., 191). In addition to these sacramental elements within the church, individuals have a responsibility to maintain a "life of charity, hospitality, and justice" (Ibid.). The church can only be known by its people. Moreover, if the church fails to distinguish itself from the world, then those outside the church will conclude false things about God. Ronald Thiemann in his work, *Constructing a Public Theology*, also underscores the public side of liturgy. The word etymology for liturgy is *leitourgia*, meaning "the discharge of a public office" (Thiemann 1991, 113). He notes, "In the context of the Greek *polis*, *leitourgia*, involved engaging in public office at one's own expense, thereby offering service to the state and so contributing to the well-being of the community or *koinonia*. The early Christian church used liturgical discourse as a form of political language to the larger community." Paul Lehmann, quoted by Thiemann, says that "politics are the business of liturgy" (Ibid., 114). Correct worship should have as its goal the nudging of society towards justice. Thiemann continues to underscore this point in saying that "Christian worship is essentially political, and the *leitourgia* of the church extends naturally and directly into political action" (Ibid.).

The church, for Hauerwas, can also be seen as a "new polis" with alter-

native traditions and rites (Rasmussen 1995, 210). Typically, in discussions regarding Christians and their role in politics, the question becomes how can Christians interpret Biblical texts in such a way as to make them more relevant for the social order. Hauerwas argues this is the wrong focus. Instead, “the challenge is political – how to live as community in the light of the story of Jesus Christ in the context that the church finds itself” (Ibid.). Hauerwas fears that Christians mimic the politics around them and allow themselves to be over influenced by the political culture that they inhabit. He states as follows:

And, I think that Americans copy the politics of what they see as part of the economic and political system outside the church and as a result they think that they have a relationship to God which they go to have expressed by the church, rather than the church as the necessary medium through which they find whatever relationship with God, that God makes for us.” (Rodes interview, *theothejournal.com*, 1).

The gospels are political. But, the politics espoused in the gospels is a politics of the kingdom “that reveals the insufficiency of all politics based on coercion and falsehood and finds the true source of power in servanthood rather than dominion” (Rasmussen 1995, 210). Because of this, Hauerwas has developed the idea that the church should not just do social ethics. Rather, the “church is a social ethic” (Ibid.). In this model, the church’s main task is not to “form social strategies” for the government. The church is to live out “the new reality that is the kingdom of God – a reality that makes the beginning of new social and political life a possibility” (Ibid.).

The church and the world are related to each other, but from a Christian perspective. The world exists only in the sense that it is not the church, and the church exists only in the sense that it is not the world. The church comes to know itself as a people separate from the world (Ibid. 211). This does not necessarily imply that the world stands opposed ontologically speaking from the church. It is more a distinction between those who engage with the Christian narrative and are trained in its sacraments and rituals and view the world through the Christian medium and those who do not. However, the church and its adherents can move away from the ideals embodied in the kingdom and be enmeshed within the world. The world and church are under the control and judgement of God. The world is created by God, and moreover, the church is not against the

world. “The world is in principle redeemed, and the church is the first fruits of this redemption” (Ibid.) This provides the Christian with hope that the world is amenable to change. “If sin is not inherent (that is, ontological) in the world, violence, for example, is not an absolute necessity” (Ibid.).

What does this relationship between church and state, mean, then from a Christian social ethics perspective? Hauerwas thinks that the ethics for the Christian community while binding to the Christian should not be made binding for non-Christians in a policy context. It is “not an ethics of the state” (Ibid., 225). There is no one system of government that is Biblically supported at the expense of another. Our modern nation-state is different from other forms in the world and different from other forms historically. For Hauerwas, the church is not required to defend our democracy for example. He does not want the state to act as if it is the church (Ibid.). “Consequently, when the church speaks to the state, it can use criteria determined by the task of the state. One might for example use the language the state uses for legitimating itself as a critical tool against the state” (Ibid.).

### **The Church and Publicness: Things to Keep in Mind**

From the discussion over Kingdom of God and Hauerwas’ understanding of the Kingdom, one sees that the church does have need to develop a public face. Yet, the metaphor and parables of the Kingdom are vague in parts. Perhaps that is with good reason. It keeps the church in constant conversation with tradition and with its adherents as to how to live Kingdom politics today. There are several things the Church universal could do to present its public side to the world.

First, the church has a responsibility to “debunk the myth” that religion is irrelevant to public matters. The First Amendment, while protecting the free exercise of religion, prohibits the government from establishing any one religion. As Stephen L. Carter pointed out in his seminal work, *The Culture of Disbelief*, the metaphor of separation of church and state has been incorrectly interpreted. The implied separation on an institutional level has been applied to the personal level. Individuals are often made to feel that they must separate their political convictions from their personal religion. The church has allowed itself to become privatized. As Peter Berger notes, religion has been relegated to “public rhetoric” and “private virtue” (Thiemann 1991, 173). As Thiemann notes, “The decades-long privatization of religion has brought about an unhealthy separation of the public policy disciplines from the deepest sources of human faith, conviction, and hope” (Ibid., 41).

On this point, theology can help correct the church's privatization by claiming its public nature. To do this, the church, as Linell Cady suggests, must not simply accept the current understanding of private/public distinction. Cady argues that theology should "simultaneously work for the reconfiguration of the public realm" (Cady 1993, 147). Theology must also argue for a reconfiguration of the understanding of reason. For too long, Rawlsian liberal political theory has asserted that religious individuals cannot base their policy decisions on Christian principles, as religious convictions are not accessible to reasonable individuals. This is in part because religion is seen to be particular and not universal. Cady argues, "religion constitutes a form of discourse that continues to command significant meaning and power within our culture. Religious imagery and symbolism continue to be meaningful and intelligible to the vast majority" (Ibid., 93).

Second, the church must be critical of political alignments. It must be careful not to turn the Gospels into another political ideology. Liberal Protestant involvement has tended to favor Democratic politics; whereas, conservative Protestants have aligned with the Republican party. As Wallis notes, the church must maintain its prophetic edge. It has the tricky task of being both within the political culture, and standing outside of it. Wallis compares and contrasts two major movements, the civil rights movement and the moral majority/religious rights movement. For him, the civil rights movement correctly used religion in politics. Whereas, the religious right has become co-opted by the Republican Party. If church leaders and Christian laity decide to engage in electoral politics, then perhaps they can, as Michael Lerner suggests, form a "spiritual caucus" within the party structure (Lerner 2006, 366). And, within the local church a "spiritual progressive caucus" could also be formed. These caucuses could help individual church members to work on behalf of social issues in the public arena (Ibid., 372).

Third, as Thiemann notes, "The most important public service the church can render to the world is to become a community of hope" (Thiemann 1991, 123). He sees the Christian church's primary task to "give an account of the hope that is in us" (1 Peter 3: 15) (Ibid.). Hope is possible because of the Kingdom of God. It is already and not yet. We know that through the world, God is working. The Kingdom is here, it is within us, even as we know all of the ideals of the Kingdom will be achieved at some later date. As Christians, we are to live out our faith in relationship to those who are the most needy, the poor, and those on

the margins and fringes of society. Thiemann notes, “Followers of the Crucified are called to identify with those who suffer. But as we walk the way of the cross, we are also called to proclaim the good news that the Crucified has risen, that suffering and despair are not the final judgment upon God’s creation” (Ibid., 124). Our public life is in need of hope and encouragement. We, as a people, are bombarded daily with news of war, death, and destruction. As Thiemann says, there are those around us who proclaim “death without resurrection” (Ibid.). The Christian Church can play a unique role in offering a gritty sort of hope rooted in the narrative of one who suffered, yet triumphed.

Fourth, the Christian church can provide a model for dealing with cultural and religious pluralism. Thiemann states, “We must restrain those forces that seek to impose some form of Christian politics on American public life. Christians should seek to preserve a genuinely plural and diverse conversation in the public sphere” (Ibid.,39). Caputo raises this point about the Kingdom:

I am very interested in the question of the borders of the kingdom, of its inside and outside, and its politics, a question that also spills over into other important questions about the borders that divide the “religions of the Book,” or the borders between orthodoxy and heterodoxy, between the community and the excommunicated, between theism and atheism, theology and atheology, and in general between religion and what has been called in a devilishly delicious phrase “religion without religion.” (Caputo 2001, 419)

This quote highlights that within the kingdom typical boundaries and understandings of groups in society are turned on their head. Christianity is poised to offer a model to the world that shows a true inclusiveness, an inclusiveness not always readily lived out in mainstream American cultural and political life. Kristen Johnston argues that true diversity can only be recognized when there is an understanding that true diversity is God-given. She goes on further to say, “A Christian ontology, rooted in the Triune God who both creates and redeems the manifold destiny of the earth, provides a way for unity and diversity to be reconciled without either one being lost” (Johnson 2007, 181).

Fifth, Thiemann suggests that the church needs to rediscover the connection between “worship and education” (Thiemann 1991, 121). Catechetical education, in the early church, was offered to those candidates for baptism to teach them

the “language and practices” of the church (Ibid.). When the new converts were brought before the church to publicly express their faith, they were well aware of what community they were joining. Liturgy has been used by the church throughout its history as a form of education. The living tradition of the church is manifest in rituals, texts, images, and liturgy. In today’s church, liturgy still constitutes a major component of the service to serve as the context in which worship takes place. Thiemann states, “We need to become much more self-conscious about the teaching function of liturgy. What are we communicating about the virtues and values of the Christian community in the words, actions, and images of our liturgy?” (Ibid).

### **Conclusion**

This study has examined the relationship between the Kingdom of God metaphor in the Gospels, it’s connection to the church’s politics, and public theology. Seen is the interplay of these relationships in the ideas of Stanley Hauerwas, in particular. The Kingdom, as has been shown, has political meaning, but it also serves as the context of Christ’s teachings, that which we should strive for, and that which we already have with in us. The church is to be the embodiment of Kingdom ideals. What this will look like as Hauerwas noted cannot be known in advance. Kingdom living is messy, and the church must constantly be in conversation with one another over how to mete out Kingdom concepts such as justice and love in a fallen world. In communication with each other and to the world at large, there are specific steps the church can make that will lend credence to the publicity of Christianity. These steps are important to take as the church is in a unique position to make a contribution to public life by providing an example of community comprised of diverse elements living and working together. The Christian church can draw from the resources of the tradition to offer hope to a suffering world. The church can accomplish these two tasks if it is careful in its alignment with political parties. The church needs to maintain its prophetic voice. The church must also engage in a two-pronged educational mission. One aspect of education focuses on liturgical and sacramental education to the church community. This gives new Christians the opportunity to learn the languages, texts, and rituals that make up the Christian tradition. And, the church must provide education to the larger world about its proper role in politics. Theologians can help with both missions, but, in particular, public theologians can help society rethink its concepts such as the public/private dichotomy and church-state separation.

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