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# WISCONSIN ACADEMY REVIEW

Published Quarterly by the Wisconsin  
Academy of Sciences, Arts and Letters.



Volume 26, Number 4  
September 1980

## On Challenges

This is the last of four anniversary issues. The first three were prescribed by our name: sciences (December), arts (March), and letters (June). Since this is a quarterly, that left us one issue in need of a theme that combined the other three. And, as our essayist-in-residence Art Hove suggests, when in doubt—issue a challenge. September brings the Challenge Issue.

I considered the challenge to explain how each article in this issue represents a challenge in a particular field but decided to pass that one on to the gentle reader. Instead, I chose to consider the challenge to an editor taking over a stable, high-quality journal. Past achievements should only be stepping stones to new ones. A firm foundation invites upward growth.

A content analysis of the past five years of the *Review* showed that letters has predominated. Now I'd like to see a shift towards science and art: a regular science column which outlines current ideas or research in a particular discipline and more photographs, prints, pen-and-ink drawings which stand alone rather than illustrate text.

It is a pleasure to come to a publication that requires no remedial action. All energy can be directed toward moving forward. That is the challenge I accept.

—Patricia Powell

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# WISCONSIN ACADEMY REVIEW

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## ON THE COVER . . .

**Cavalliere Ketchum** teaches photography in the art department of UW-Madison and sets up workshops in photodocumentation around the state to get Hispanics and Native Americans engaged in preserving their unique heritages. To this end, he works in summer institutes sponsored by UW-Milwaukee Native American Studies documenting Woodland-Algonquin customs, such as the step-by-step building of birch-bark wigwams and basswood-bark lodges. He also recently coordinated a project in self-publication of the UW-Madison Native American Program and the Madison Indian Parent Committee helping Indian children in the Madison Public Schools write and illustrate with their own photos their reaction to the Madison campus.

In the concern for human values so evident in his art, he falls within the tradition of such American photographers as Edward Curtis, Walker Evans, and Dorothea Lange.

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Thompson Webb



Frances Hamerstrom

A native of Nebraska, **David Fellman** received his B.A. and M.A. from the University of Nebraska and his Ph.D. from Yale in political science. He taught at the University of Nebraska from 1934 until 1947 when he came to UW-Madison. Made Vilas Professor of Political Science in 1966, he became emeritus in July 1979. The greatest satisfaction of his career, he says, came from serving as national president of the American Association of University Professors for two years, from 1964 to 1966.

An acknowledged expert on civil rights and public responsibility, he has been interested in public law—constitutional and administrative law—throughout his career. Just after World War II, he introduced the first course in civil liberties in the country to be taught in the political science department.

Professor Fellman's most recent book, *The Defendant's Rights Today* (University of Wisconsin Press, 1976), like his article in this issue, sets forth clearly the demands of constitutional criminal law.

**Mary Shumway** is a frequent contributor to the *Review*. Her new book of poems *Practicing Vivaldi*, which will include "Certainties," will be published by Juniper Press this fall.

**Frances Hamerstrom** writes about the things one does not say in scientific research: the fun, the adventures, and the fascinating quest to find out more. "A Letter from My Mother-in-Law" is a chapter from her new book, *Strictly for the Chickens*, to be published by Iowa State University this fall. The book will be illustrated by her daughter, Elva Hamerstrom Paulson, who also made a drawing especially for the *Review*.

Aldo Leopold, under whom the Hamerstoms both took degrees, said of one of their earlier technical papers, "Frankly, it's dull. You would have done better to write 'The Lives and Times of the Hamerstoms.'" At this late date, Fran Hamerstrom has fondly heeded his advice.

The Hamerstoms have won many awards including the National Wildlife Federation Award for Distinguished Service to Conservation. Their research on prairie chickens is internationally recognized.

**Marian Paust** lives in Richland Center. She will have a new book of poetry out in October, which will include "Matinee."

**Jim McEvoy** is a microbiologist turned graphic artist, who now works for the Wisconsin Department of Natural Resources. His drawings appear on pages 11 and 19.

**Robert E. Najem**



I couldn't resist asking **Cavalliere Ketchum** about his name. In reply, he gave a fascinating history of his Spanish maternal ancestors who were blacksmiths to the king—thus Cavalliere—and accompanied the followers of Cortez in their explorations of Mexico and this country. His paternal ancestors, captured from the Spanish Armada, were given the name Ketchum because they lived on ketches, the two-masted sailing ships. In the nineteenth century the family homesteaded in Arizona.

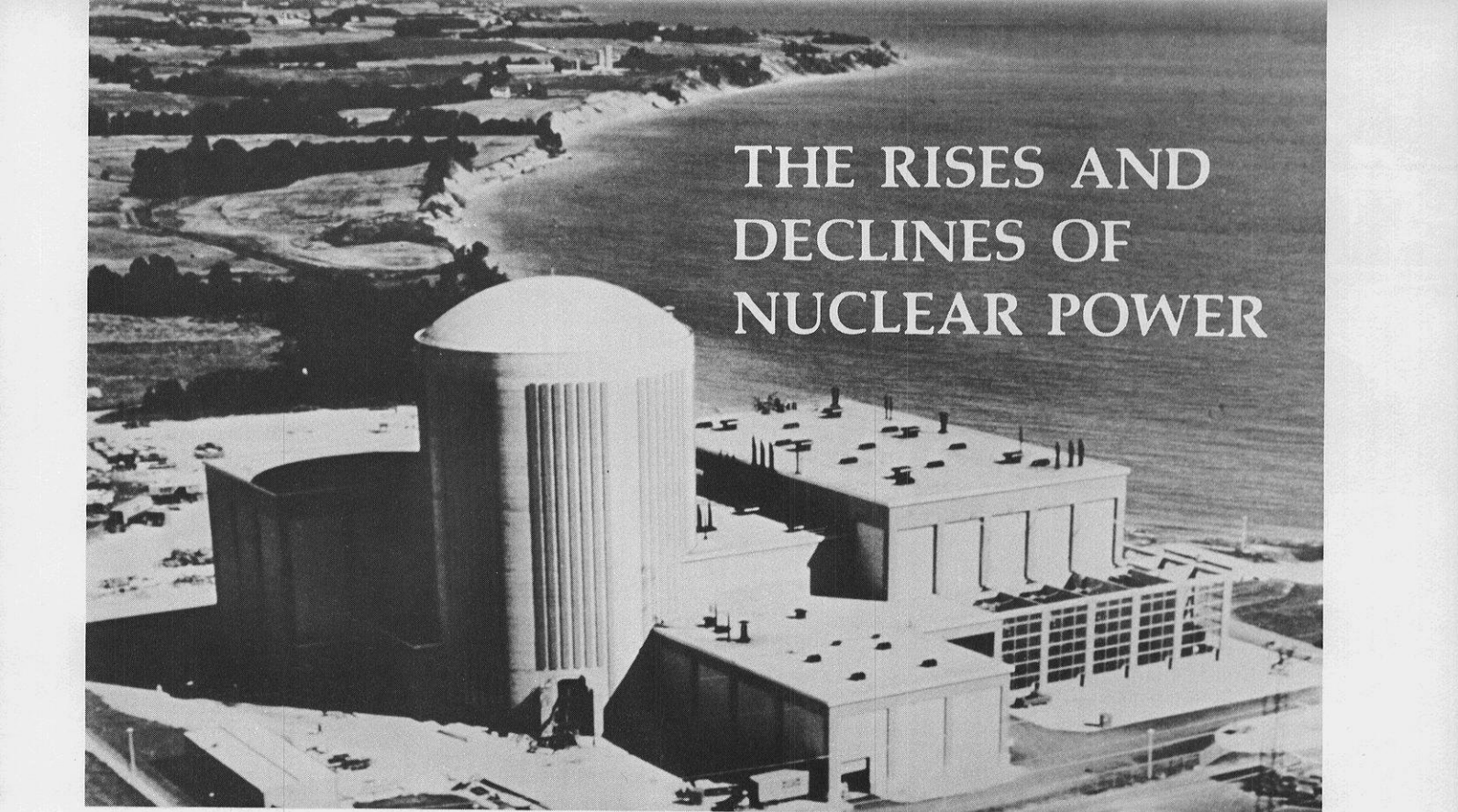
His immediate family carried out the tradition at the forge as ornamental iron workers. In the forties, Frank Lloyd Wright often stopped by the blacksmith shop to talk to his grandfather, who was doing the iron work at Taliesin-West. One day Cavalliere mentioned his bewilderment at the term he had heard at school, "America, the melting pot." Wright explained to the eleven-year-old that America should not be considered a melting pot but a vegetable salad in which each vegetable remains separate and distinct, retaining its own flavor but contributing to the taste of the whole.

This description by Wright serves well as a model for Cavalliere Ketchum's artistic vision—the desire to see that each ethnic element keep its own distinct identity while adding to the nourishment of the country as a whole.

**Robert Najem** is currently the statewide University Extension coordinator for letters and science programs. He has served in a variety of university roles including dean of the Fox Valley campus and director of the National Humanities Series: Midwestern Center. Professor Najem has been actively involved in teaching the humanities to adults throughout Wisconsin.

Father of four children, he and his family reside in Madison.

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# THE RISES AND DECLINES OF NUCLEAR POWER

The Kewaunee Nuclear Reactor, located in southern Kewaunee County on Lake Michigan, has a rated capacity of 650 megawatts. Like Point Beach a pressurized water reactor built by Westinghouse, the plant went on-line in 1974. It is operated by Wisconsin Public Service Corporation.

By Robert H. March

**N**uclear power will never be a wholly impersonal subject for me because we come from the same neighborhood. I was eight years old in December, 1942, when the first nuclear reactor was turned on, four city blocks from my Chicago home. There is a casual link between this event and the fact that just eleven years later, I became a student of physics and took a job as a menial aide in the laboratory of Enrico Fermi.

The research in this laboratory had nothing whatsoever to do with reactors, but I was proud to be working for the man who had been the first to rub this magic lamp. I entertained the highest hopes for nuclear power and was eager to hear what Fermi had to say about its prospects.

I very nearly recall his exact words. "We can build cheap reactors, if we don't have to make them safe. We can build safe ones, but they're not cheap. To make a cheap, safe reactor is a job for engineers, not physicists, and only time will tell if they can do it."

Today, some twenty-seven years later, only a zealot on one side or the other of the nuclear power controversy would regard this question as settled.

Any undertaking involves striking a balance between economy and safety. With our automobiles, we accept a high level of risk to keep mobility within reach for the average citizen. But there is one scientific factor that makes this conflict particularly acute when dealing with nuclear fission. A

significant fraction of the energy released by this process does not appear immediately. Instead, it is delayed, for a time that ranges from seconds to centuries, to appear as radioactivity. This creates three problems for those who would use it as a source of power.

The first problem is that a nuclear reactor is not the sort of machine that can simply be shut down when things go wrong. It is still producing heat, and this heat must be carried away or the fuel rods will melt. In our largest reactors, this means that two or three separate systems must continue to operate, each maintaining a flow of upwards of ten thousand gallons of water per minute. An interruption of even a few minutes could lead to serious consequences.



Courtesy Wisconsin Division of State Energy

**The Point Beach Nuclear Reactor, located in north Manitowoc County on Lake Michigan, has two units, each with a rated capacity of 524 megawatts, for a total capacity of 1,048 megawatts. A pressurized water reactor built by Westinghouse, Unit No. 1 went on-line in 1979 and Unit No. 2 in 1972. Point Beach is operated by Wisconsin Electric Power of Milwaukee.**

The second problem is that once a reactor has been in operation, the radiation level in its core is lethal. No human being may enter to repair any malfunction. If only a small portion of the core material should escape, even if it remains confined to the reactor dome, the resulting cleanup problem is an economic disaster.

Because of these two problems, reactor safety is not really an exercise in high technology. It is largely a matter of very reliable plumbing.

The third problem is that spent reactor fuel is dangerous for centuries and must be disposed of in a safe manner. This is a burden we still must face, whether or not we continue to rely on nuclear power.

The choice of a cooling system is the most important decision a reactor designer can make. It dictates much of the basic engineering. All operating power reactors in the United States are cooled by ordinary water. To distinguish them from other designs cooled by so-called heavy water, they are known as light-water reactors or LWRs. To see how this came to be, we must examine what was happening back in 1953.

As I listened to Fermi, our first nuclear submarine, the *Nautilus*, was being readied for launching. Its construction at this early date was a testimonial to the technical and political acumen of Admiral Hyman Rickover.

Rickover had chosen an LWR to drive his submarines. It was the best choice, permitting a compact, rugged design suitable for a

warship of moderate size. It had certain inherent weaknesses, but they were nothing the Navy couldn't live with.

First of all, LWRs required enriched uranium, from which most of the abundant but unfissionable isotope U-238 had been removed. Since we had already invested billions in plants to accomplish this feat for the nuclear weapons program, the modest requirements of Rickover's submarines were a minor burden. Next, when this fuel was exhausted, the reactor had to be shut down for months, to replace the entire fuel assembly. But this fit naturally into the service cycle of a naval vessel. Finally, LWRs were capable of going out of control in a matter of minutes, requiring a skilled hand at the controls if they were to be operated safely. But the Navy knows how to train people, and in any event Rickover's nuclear submariners were to be an elite corps.

For a civilian power reactor, however, these were not trivial defects. But Rickover's drive had created a confluence of technical, economic, and political forces all pointing toward a common goal: a nuclear power industry based on LWRs.

On the technical and economic side, a substantial industry had been created to provide these power plants. Though most of the cost had been borne by the Federal government, it represented a concentration of talent and machinery that it would be a shame to waste. If

LWRs were to be used only by the Navy, the potential market would amount to a few dozen modest-sized reactors. If they could become a significant factor in the generation of electric power, it could expand to hundreds of really big ones.

Of course, much of this expertise might be carried over to other reactor designs. But that could mean years of delay and additional billions in development costs. LWRs seemed the sensible and profitable way to go.

The political thrust came in large measure from the scientists themselves, toiling at the laboratories of the Atomic Energy Commission or serving as advisors in Washington. Many were veterans of the Manhattan Project, eager to beat the nuclear sword into a plowshare. Some were sure that in the long run, a few thousand tons of radioactive waste each year would prove less of a burden on the environment than billions of tons of stack gases and fly ash.

Their motives were humanitarian, their optimism ran high, and their work experience had accustomed them to getting things done in a hurry. Though they continued to experiment with other designs just in case, LWRs looked like the fast track.

At that time, there were two promising alternatives to the LWR. One was the heavy-water reactor, or HWR, and the other was the high-temperature gas-cooled reactor or HTGR. The HWR could run on natural uranium, extracting twice as much energy per ton mined, and could be refueled while on-line. The HTGR made more efficient use of the heat generated and was inherently safer; it could withstand a loss of cooling for hours or days without danger of meltdown. But both appeared then, and still appear now, to be more expensive to build than LWRs. Whether this would have proved true if they had enjoyed the same opportunity to ride the coattails of a military project is hard to say.

But in the United States the die was cast. The first reactor to put

power into our commercial grid began operation at Shippingport, Pennsylvania, in 1957. It was a close cousin of Rickover's submarine engines. Along with handful of plants commissioned over the next six years, it was a joint venture of government and industry designed to serve as a testbed rather than turn a profit.

By 1963 the AEC was ready to cut the umbilical cord and let the reactors go out and earn their own living. This meant only the end of direct subsidy; fuel enrichment would still go on in plants built at the taxpayer's expense, and at the other end of the fuel cycle, the AEC bought back the plutonium extracted from the spent fuel. (This subsidy could not continue forever; the government soon found itself with more plutonium on hand than it had any use for.) As for waste disposal, it was turned over to private industry with fond hopes that it could be made a profitable venture.

The leading reactor manufacturers, Westinghouse and General Electric, soon filled the void left by the end of direct subsidy. They offered the utilities so-called turnkey contracts. Reactors would be built for a fixed price, and a long-term fuel arrangement would insulate the utilities against any rise in uranium prices.

Whether these contracts were intentional "loss-leaders" to get the ball rolling for nuclear power or merely the fruits of undue optimism, Westinghouse and GE lost a bundle on them. The turnkey era lasted less than four years. When the utility managers learned what reactors were really going to cost, they got cold feet, and new orders dropped to a trickle.

Many of the optimistic cost comparisons between nuclear and fossil-fueled power are based on the experience of the few utilities lucky enough to get in on the turnkey bonanza. Others rely on projections of what engineers like to call the "learning curve," the cost savings that come as experience accumulates with any new technology.

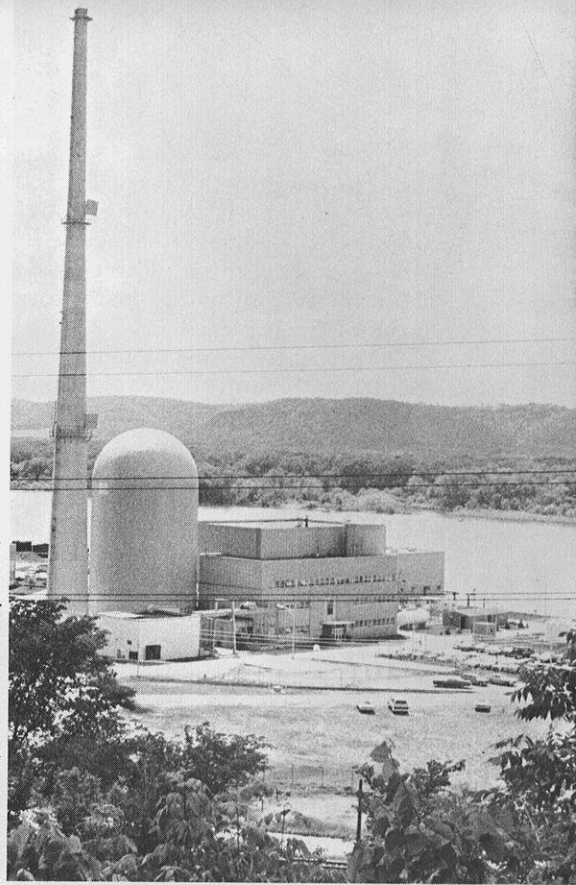
Unfortunately for nuclear power the slope of the learning curve has been upwards. It now costs more than ten times as much per installed kilowatt to build a nuclear power plant as it did in the golden era of the mid-1960s. Meanwhile, interest rates on utility bonds have nearly doubled. Even in the good old days, interest took the lion's share of the nuclear energy dollar. Now this part of the cost is up by a factor of about twenty, a jolt that would make even OPEC blush.

What caused this runaway cost escalation? Part of it, as we have seen, is artificial; the turnkey prices were unrealistically low. The industry likes to blame the remainder on the environmentalists for stretching out the licensing process for new reactors.

There is some justice in this claim. It is clear that pricing nuclear power out of the market is at least one part of the environmentalists' strategy. But it must be emphasized that most of the added cost comes not from the direct administrative and legal expenses of the licensing process itself, but from the escalation in construction costs while the hearings are in progress. Part of this can be blamed on inflation, the rest on more stringent safety standards.

The foes of nuclear power can be blamed for that, too. But we must remember that they can also be thanked. The incident of Three Mile Island proved that the new safety systems were, if anything, still a bit underdesigned, at least with respect to instrumentation.

Each new safety standard has led to another awkward "patch," leaving reactor designs that are clumsy and complex. Some older plants, like the Genoa Station near La Crosse, Wisconsin, have proved cheaper to abandon than upgrade. The manufacturers blame this on regulation itself. They insist that, once freed from its shackles, they could produce elegant, economical designs without compromising safety. But their track record in the era of less stringent regulation does little to promote faith in such promises.



Courtesy Dairyland Power Cooperative

**The La Crosse Boiling Water Reactor, also known as Genoa Unit No. 2, was Wisconsin's first nuclear reactor. An Atomic Energy Commission demonstration plant, it was built by Allis/Chalmers and went on-line in 1967. Operated jointly by the AEC and Dairyland Power Cooperative of La Crosse for the next six years, the plant was acquired by Dairyland Power in 1973. Located on the Mississippi, this smallest reactor in the U.S., with a rated capacity of 47 megawatts, will be phased out in 1990.**

The nuclear industry enjoyed one more boom in the early 1970s. Doubts about the future availability and environmental effects of fossil fuels combined with optimistic balance sheets from the older nuclear plants to get the bandwagon rolling once again. It was halted, ironically, by OPEC. Though oil price increases removed one competitor from the race, they



also cut the growth rate of electric power demand, leaving most utilities with surplus capacity. In the year preceding Three Mile Island, the industry lost more orders than it placed.

At present, the cost of generating electricity from nuclear fission varies widely, depending on the age and operating record of the reactor. Some can beat out coal-fired plants handily, others cannot. When the hidden costs of research and regulation are factored in, nuclear power no longer looks like much of a bargain.

Thus today, the prospects for nuclear power look bleak. But past experience shows that this appraisal could change overnight. It still makes sense to examine the future of nuclear energy.

Over this future there looms an important unanswered question: what will it cost to dispose safely of nuclear wastes?

The handling of spent reactor fuel is a complex, four-stage process. First, it must be stored at the power station for a period of months or years, until it is safe enough to ship (albeit with extreme precautions). At present, all of the wastes from our operating reactors are stuck at this first stage, due to the failure of the private sector to provide for the next step.

This would involve chemically dissolving the fuel rods and extracting any useful residues, such as plutonium. Technical problems have driven the two commercial plants built to do this into bankruptcy. A third will get its chance as soon as the Federal government can figure out a foolproof way to keep the plutonium it produces from being diverted to clandestine weapons production.

This process leaves a radioactive sludge that must be stored in underground tanks. It can not remain there forever because the tanks are too radioactive to repair and will eventually begin to leak. In fact, some tanks at the Federal repository at Hanford, Washington, have already leaked.

In the last two stages, the wastes

are reduced to solid form and entombed in stable geological formations. They must remain there for about a thousand years, after which they will be no more dangerous than the radioactive ores found in nature. One prime candidate for this final resting place is the Laurentian shield that covers much of northern Wisconsin. The wastes must be in a form insoluble in water, such as glass.

Pilot plants to solidify nuclear wastes have operated successfully in France and several other countries, but there are still unanswered technical and economic questions. What will a fullscale plant cost to build and operate? Can the heat and radiation of the wastes damage the glass, releasing dangerous amounts of radioactive material? What geological formations are stable enough? Does the very act of entombing wastes compromise their stability? The answers will not come cheap, and their cost must be added to that of the plants themselves.

Still, we have no choice but to spend this money, if only to be rid of wastes already in hand. Thus, paradoxically, it represents a plus factor for the future of nuclear power. As long as we're stuck with the bill, why not reap the benefits?

The structure of our economy also favors nuclear power, at least in the short run. We depend on centrally generated electric power. Though it is possible to imagine an America in which energy is generated at point of use, from sunshine, wind, or other renewable sources, such a change can not take place overnight. With nuclear fusion and direct solar-electric conversion both still unproved, we are left with a choice between coal and uranium.

Energy conservation can reduce the impact of this choice. Western Europe, which enjoys a standard of living comparable to our own on little more than half the per capita energy use, has already shown the way. Studies have shown that a dollar invested in conservation can save more energy than the same dollar invested in production can

deliver and incidentally produce more jobs in the process. Still the transition from a wasteful to a frugal society is another one that will take some time.

So the inertia of history insures at least a modest, short-term future for nuclear power. We must continue to run our existing reactors and possibly even build a few more as needed. Perhaps we should take a second look at HWRs and HTGRs, which have been further developed in other countries.

Those who propose a larger future for nuclear power have yet another problem to face. Uranium remains a scarce mineral, and if a major share of the world's energy needs are met by burning it in the present fashion, it will be gone well before the end of the next century. Breeder reactors could extend the life of this resource many times over, by converting much of our unfissionable U-238 to fissionable plutonium. But this is another unproved technology and must compete with solar and fusion power. If I were forced to place a bet on this race, my money would be on solar.

Reaching even further back into history, we find our present dilemma is not without precedent. At the end of the last century, there was a great debate over the best way to distribute electricity. Thomas Edison championed direct current, while George Westinghouse and Nikola Tesla advocated alternating current. In retrospect, the arguments for AC were already compelling. But the power and prestige of Edison, and the investment in equipment in place, kept DC alive until well after World War II. Perhaps nuclear power will prove the "direct current" of the twenty-first century, a legacy that will be cursed but which cannot be casually discarded.

I still preserve enough of that shining optimism of twenty-seven years ago to hope that the clumsy caterpillar of today's nuclear technology will yet be transformed into a radiant butterfly. But I must admit that I do not find this prospect very likely. □

# Ethnicity, Equality, and Excellence

By Michael Sherman

**H**ere are some parables about ethnicity and contemporary American life.

- A friend of mine, born and raised in Maine, can trace her family history in the community back to before the founding of the Republic. Her ancestors were among the early settlers of New England. Recently she was challenged by a friend of hers to identify her ethnic origins. Baffled by the challenge, she could respond only that she was an American—an apparently unsatisfactory response. Further probing uncovered some English, some Welsh, and some Norwegian blood in a dim past, dimly perceived and never before considered significant by my friend. Her friend, however, was finally satisfied with the discovery of an ethnic identity while my newly ethnicized friend was left confused and troubled by the excavation.

- An acquaintance of mine, born and raised in the hills of the southern Midwest, recently complained about the influx of “foreigners” (his term) to this country. For this man, generations upon generations of hill people had made him “American,” undoubtedly, unmixed, unpolluted, without a trace of ethnic identity. And despite much travel throughout the United States and abroad and many years living and working in a cosmopolitan setting, this man retains a strong racial, ethnic, and social xenophobia.

- When I entered graduate school in the mid-1960s the history of the world as reflected in the curriculum of the university I attended was divided into three geographical areas: Europe, United States, and Exotic. More than three hundred years after this country was settled by immigrants of various origins, almost two hundred years after a nation was created comprising blacks, Indians, and whites of various linguistic and national origins (“the three races of America” as Alexis de Tocqueville called them in the 1830s), graduate

**Our understanding of the humanities contains a tension between a way of thought—some set of critical or analytical tools and approaches—and a canon of texts which embody, demonstrate, or are thought to exemplify that way of thought.**

students of history were still being taught that anything east of the Elbe River, west of California, north of the 49th parallel and south of the Mediterranean or Rio Grande was "exotic." Implicitly, the people who came to this country from those exotic places were still and would remain "exotic" and "outlanders."

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**The rise of ethnicity—based on race, national origin, and to some extent on sex—was a reminder that education and politics have many points of intersection . . . .**

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These three stories of modern life suggest why it is no wonder that in the midst of the turmoil of the late 1960s higher education began to see the emergence of ethnic studies, minority studies, and women's studies. All three were academic and political responses to a raised political consciousness about how many Americans viewed themselves and groups around them, how those responsible for shaping and preserving the curriculum of our educational institutions had met or not met the realities of a heterogeneous society, and how American policy makers have dealt or failed to deal with the realities of world political geography. The rise of ethnicity—based on race, national origin, and to some extent on sex—was a reminder, too, that education and politics have many points of intersection; for it was clear from the beginning that minority studies courses were both information-giving and consciousness-raising programs. The debate over admitting ethnic studies into the secondary and post-secondary curriculum focused mainly on the political implications of the courses; the decision to include ethnic studies was frequently made, unfortunately, with an eye to the political consequences of not doing so rather than consideration of the educational benefits that might come from supporting them.

Much of the turmoil of the sixties and seventies has subsided now as we enter the 1980s. One of the permanent effects of the era just past, however, is the end of naivete about the importance, durability, and sensitivity of ethnic identity in America. America as the melting pot of diverse cultures; America as a society whose history is dominated by white Anglo-Saxon males—the "founding fathers" who spoke and wrote impeccable English; America as the home of The Lone Ranger and Tonto, Amos 'n Andy, The Cisco Kid and Pancho, Charlie Chan and his numerous numbered sons, Dick and Jane and Sally and their parents: all these are commonplaces of our culture that are steadily retreating into oblivion, held alive only as part of a current fad for nostalgia. They are part of a fading American mythology and their departure from our minds, our books, and our popular culture is important. Their departure is cause for both celebration and reflection.

The reasons for celebration are obvious. They require no more explanation than to say that those

typological fictions and caricatures of the past did a disservice to the ethnic, racial, and social groups they so unidimensionally portrayed. Those stereotypes of ethnic groups within our culture also prevented a white majority from gaining adequate knowledge or appreciation of the realities and variety of lives in this country.

The reasons for reflection on the rise of ethnicity, however, are the crucial dilemmas posed for our society by the newly raised consciousness of the white, male Anglo-American and his ethnic or female challengers. I can do no better in a brief essay than to point to two significant problem areas that have arisen directly as a result of the vigorous culture of ethnicity that was fostered in the 1960s. My particular concern is the impact of this challenge to our mythology on the practice and study of the humanities in America.

First, it is worth noting the diversity of names under which the challenge has been made to the old mythology. In the college curriculum the claims of diverse groups of Americans have been met by the creation of instructional units called variously "Minority Studies," "Ethnic Studies" or—most exclusively "Black Studies," "Hispanic Studies," "Women's Studies," and so on. The diversity of names itself points to an important problem, for it is not always clear where or what are the distinctions between ethnicity, race, sex, and class. American blacks are sometimes treated as a racial group and sometimes treated as an ethnic group. Women sometimes talk of themselves as a class and are sometimes discussed in the context of minorities even though they are numerically a majority in America. The groupings and the language that identifies them are not precise, and this causes some confusion in how we approach some of the issues of ethnicity.

Second, ethnic identity has become a self-numerating phenomenon. In the 1980 census Americans were simply asked to identify themselves as members of ethnic groups with no special criteria established for deciding on membership. As the grandson on one side and the great-grandson on the other side of Russian immigrants, am I to count myself as a Russian-American ethnic? If not, why not? In some respects the point is trivial, but, recalling my first two parables, there are some questions about how we identify ourselves in terms of our cultural heritage and inheritances and how much we wish to be known by those inheritances.

One of the large nagging problems behind all these small details of definition is the changing meaning of equality. Ethnic identity has created ethnic studies, and ethnic studies have become separate entities in our educational structure. Almost thirty years after *Brown v. Board of Education*, which established the principle that "separate but equal is not equal," we are witnesses to the establishment of the curricular principle that separation is the only sure sign of equality. Doubtless this strange reversal of a liberal doctrine of the 1950s reflects the failure of schools and those who run or

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teach in them to acknowledge, much less accommodate, cultural diversity or to abandon the framework of a curriculum based on the view of America as a homogeneous society—the fabled and fabulous "melting pot." Curricular reform and the tendency of current scholarship in the humanities is to acknowledge the claims of various racial, sexual, or cultural groups to equality by establishing new, separate, and sometimes independent scholarly entities. This is not confined to school rooms: look on the book racks of any good bookshop or library; look, indeed at some very specialized bookshops, magazines, or scholarly journals.

We must concede the failure of our educational institutions and our scholarship—both in the past and continuing into the present—to give fair representation to women and ethnic or racial minority groups. We must also acknowledge the necessity of filling in those yawning gaps in our knowledge that women's studies and ethnic studies have discovered. There is no doubt that from an ethical point of view the case for separate attention to heretofore unrepresented groups in our history, religion, literature, art, music, and dance is justifiable. There is also some justification, again from an ethical point of view, for what might be called compensatory justice in the allocation of time, resources, and intellectual and institutional energy to the establishment of a secure and usable body of knowledge about the contributions of ethnic, racial, and social minorities to our society. This much can be admitted without condescension and without suggesting that standards of scholarship or scholarly significance have been or must be sacrificed in order to gain new, expanded knowledge.

But there is still a problem, and it is a problem that has been created by the new principle that separation implies equality. Simply put, the dis-integration of our studies of literature, history, art, music, social organizations, and political institutions into sexual or ethnic units yields a disintegrated intellectual and social life.

The new separatism in scholarship surely threatens to create a more severe and strict compartmentalization of arts and letters than any of its proponents desired. In higher education the proliferation of separate area studies for women, ethnics, and racial groups coincided historically with the elimination of required courses at most institutions. Thus, the hope that minority studies held out for educating students more broadly in the diverse cultures and histories that have

played into and shaped our national history and culture was undercut at the very inception of the experiment in multicultural education. The opportunity presented to use education as a social force, to create a more humane, tolerant, and informed body of citizens was lost in part because of the disintegration of the curriculum of higher education and in part because of the failure to insure a valued and secure place for the study of ethnicity in the education of all students.

The new separatism has some broader implications for the humanities, understood as a kind of knowledge that is ultimately synthetic in its goals. Over the centuries of their practice and use, the humanities have represented a set of intellectual tools with which to recognize, analyze, and prize individual expressions of the human condition but also to find the connections between those diverse expressions. For most humanists, behind the acknowledgement of a multitude of texts, histories, religions, philosophical systems, and languages lies the assumption of a common ground of humanness—the basis for our ability to communicate with each other across space and time. The most outstanding scholars in the humanities have been the synthetic thinkers, those who sought to destroy the idea of the "exotic" without disturbing the qualities of thought and expression that make people, societies, and cultures different from each other. What we must face now is the question of the degree to which the pull of ethnic and minority studies is centripetal and destructive of that idea of the humanities and the degree to which the knowledge contributed by the ethnic approach to history and culture is or can be synthetic and constructive. After two decades of studying various heritages apart from each other and often outside a larger context, are we now ready for a new effort at integrating what we have learned with what we knew?

My point, quite simply, is that the principle laid down in *Brown v. Board of Education* has its counterpart in our intellectual and cultural lives: that what we most require now is a new mythology, a new integration of the parts of what we know. I am not, please note, presenting a case for ignoring ethnic diversity or, conversely, for a simple-minded and much too neat syncretism in the study of American culture and ethnicity. I am, however, suggesting that we must soon begin an effort to integrate the knowledge we have of diverse groups into our intellectual lives. The alternative is a hopeless fractionalization of our history along with the risk of a perpetual fractionalization of our society.

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**A second challenge to the humanities raised by the new emphasis on ethnicity has to do with "excellence," which like the question of equality is partly political and partly circumscribed by tradition.**

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A second challenge to the humanities raised by the new emphasis on ethnicity has to do with "excellence." Like the questions of equality, questions of excellence or significance are partly political and partly circumscribed by tradition. Perhaps more so than questions of equality, those of excellence contain a large area of subjectivity. Talking about "excellence" leads us perilously close to dogmatism and polemics—two great obstacles to serious thought and work in the humanities.

Our understanding of the humanities contains a tension between a way of thought—some set of critical or analytical tools and approaches—and a canon of texts which embody, demonstrate, or are thought to exemplify that way of thought. All too often, perhaps, emphasis has been laid on those traditional texts, hallowed (perhaps cursed) with the denomination "Great Books." For centuries—and not only in the West—"great books" have been used to teach the arts of interpretation, analysis, history, and aesthetic criticism: the four fundamental disciplines of the humanities. The texts, individually and as an evolving collection, have served as models of excellence in language, rhetoric, composition, imagination, and religious, historical, and analytical reasoning. The texts have been venerated as crystallizations of the human experience and the supreme examples of human powers of self-expression; works, in short, that transcend the normal products of normal men and women, speak eloquently to all of us over time and space. They have become part of the cultural baggage of succeeding generations, to be copied, memorized, studied, and imitated. We, as heirs to these great writers and thinkers, use them as springboards for our own thoughts, as mirrors for our own experiences in life, as yardsticks against which to measure our own ideas, imaginative powers, and analytical scribbles. They are demanding, tireless, ageless mentors.

But do they belong to all of us? Do they, as we have assumed, speak to a universal human experience? Can they instruct people of all sexual, racial, and cultural backgrounds? Do they provide a single model of excellence? Do they, finally, from their exalted places of time-honored respect, allow us to explore new standards of excellence? These are among the most serious and challenging questions posed by the rise of ethnicity in our day. Scholarship in ethnic and minority studies asks us to look at those paradigms we have inherited and revered for ages, and to search for the criteria of excellence that are transferable to new times, new societies, new groups within society wrestling with the problems of creating their own histories, their own literature, music, art, language, and themes.

Responses to this challenge of excellence have not, of course, been uniform; nor should we expect uniform responses. But at least one important result of the challenge in the humanities is new and increasing interest in the arts and histories of groups that have long remained outside the "mainstream" of Western culture and who have been unrepresented in the great

books tradition of scholarship and teaching in the humanities. As a result of a new-found place in the humanities curriculum as well as in the bookshops, the cultural products of blacks, Hispanics, Native Americans, and women have expanded the repertory of themes that we must investigate in our private, public, intellectual, and social lives.

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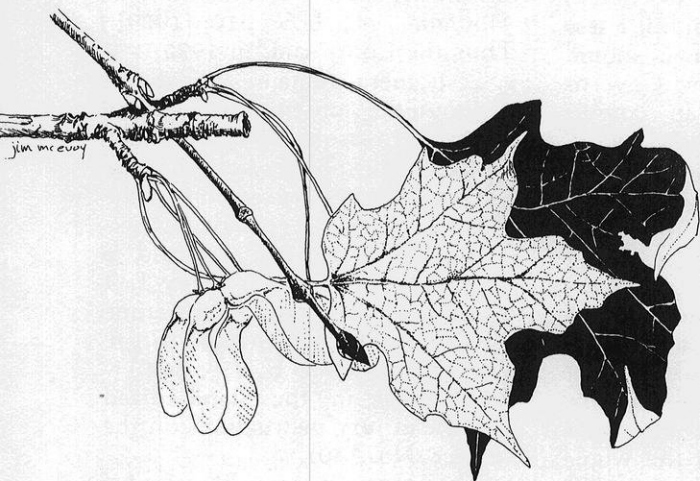
### **The humanities have traditionally reached for the uniqueness of human events and expression along with the universality of human experiences.**

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Perhaps one of the most crucial and controversial questions our society has had to confront as a result of the growing strength of ethnic and minority culture is that of a standard language. The issue has been fought over bitterly because language has political and social implications. The diction, grammar, and syntax we as a society adopt as official, standard, and excellent implicitly includes and excludes groups within our society. For example, something as simple as a pronoun can be a matter of great controversy in official prose these days because our language has no adequate or generally acceptable neuter pronouns that refer to persons as opposed to things. Another example is the ongoing battle over bilingual education in the primary grades. Should non-English speakers be educated in their spoken language while they learn English in the elementary schools or should we insist that all those attending American public schools receive their instruction in the official language of the country? Yet another example is the controversy of several years ago over the rights of pupils to use their "own" English. Adopted then rejected as a principle of language and composition teaching, the doctrine raised serious and complex questions about cultural dominance, the language of subcultures, and the rights of minorities to resist institutionally and socially imposed standards of excellence. Although the principle of a standard English has been reaffirmed, we are, perhaps, more sensitive as a society to the power of dialects to expand and alter a language as well as the significance of preserving the languages of the many subcultures that live in and contribute to our society.

The 1960s and 1970s were years of explosive self-assertion for various groups in American society. Women, blacks, Hispanics, Native Americans, and many others not only insisted on their rights to be seen, heard, and understood in the political arena, they persisted also in the development of those institutional structures which foster an understanding and exploration of the history and cultural aspects of their presence in white, male America. There can be no denying the contribution of the sixties and seventies to an expanded sensitivity to the minority and ethnic presence in our society, politics, and culture.

In the 1980s we face some new tasks. Specifically, we must—with sensitivity and care—begin to integrate the fragments of our cultural history that minority studies have both created and illuminated for us. The coming years hold out the challenge to weave together the strands of literature, art, music, history, and politics that the several self-conscious subgroups within our society have carefully and conscientiously spun out for themselves and for us all. In the face of all the different perspectives that have been presented to us on the past and on the arts, scholars and non-scholars in the humanities can, perhaps, only feel a mixture of humility and bewilderment. But the humanities have traditionally represented an open-ended inquiry into the life of the mind and the life of creative imagination. The humanities have traditionally reached for the uniqueness of human events and expression along with the universality of human experiences. That delicate balance of sameness and difference in humanities scholarship holds great promise for strengthening the ties that bind all of us—minority or majority—together. We can hope that as a result of increased ethnic, racial, sexual, and social consciousness—not imposed arbitrarily on all but genuinely expressed and studied—we are moving toward a society alert to cultural and historical diversity and accommodating of it, that we are creating, in short, a more tolerant and humane society. □



## Certainties

(for Chief Little Eagle, 1922-1979)

November and the gully washers gone.  
Arrowheads disappear under chisel plow  
and there are ashes in the light  
that bends across the hill. Long shadows  
smolder in a thaw that surprised us all  
after the geese and the beets frozen in the field  
and snow falling with the silence of owls.  
Under a wilted leaf down by the creek  
only one Waubesa with a broken base before  
dark takes our shadows and clouds close  
the sky. Wind is an uneasy song  
that tries the night, then that closes too  
and we go again, our backs to finds  
of other places, other times, if  
it will be spring again.

—Mary Shumway

*A choice must be made between our desire to catch and punish law-breakers and our concern for maintaining the legal amenities of a civilized community. The search for a tolerable balance is what our constitutional law is all about.*

## Defendants' rights And The search for justice

By David Fellman

One of the most important features of American criminal justice at all levels of government is that it is deliberately weighted in favor of the accused. Indeed, so pronounced is this aspect of our law that it may be characterized as a defendant's law, as distinguished from those systems of accusatorial justice which, in many countries, are tilted in favor of the prosecution. Thus, both the federal Constitution and all state constitutions contain many provisions designed to assure maximum protection for the rights of those who are charged with having committed crimes.

Of course, no one can deny that the country has a serious crime problem and that it is an essential duty of government to apprehend, try, and punish criminals. But it is also the duty of those public officials who are engaged in the operation of the criminal justice system to avoid breaking the law themselves in their zeal to combat crime. As Justice Holmes remarked, in our first wiretapping case, speaking in dissent:

... we must consider two objects of desire, both of which we cannot have, and make up our minds which to choose. It is

desirable that criminals should be detected and to that end that all available evidence should be used. It also is desirable that the government should not itself foster and pay for other crimes, when they are the means by which the evidence is to be obtained. . . . We have to choose, and for my part I think it a less evil that some criminals should escape than that the Government should play an ignoble part. (*Olmstead v. United States*, 277 U.S. 438, 470 [1928].)

Similarly, speaking also in dissent in this case, Justice Brandeis observed:

In a government of laws, existence of the government will be imperilled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means—to declare that the Government may com-

mit crimes in order to secure the conviction of a private criminal—would bring terrible retribution. (277 U.S. 485.)

The solicitude for protecting the rights of the accused has deep roots in age-old common law procedures. It is an ancient rule of law, for example, which ascribes to the accused the presumption of innocence. This means that he does not have to prove his innocence, but rather that the burden of proving guilt must be assumed by the prosecution. Furthermore, the jury must be told by the judge that it may convict only if it finds that guilt was established beyond a reasonable doubt, which is the greatest quantum of proof known to the law. Accordingly, the Wisconsin Criminal Code provides that "no provision of the criminal code shall be construed as changing the existing law with respect to presumption of innocence or burden of proof." (Wis. Stat. 939.70 [1977].) In fact, the U.S. Supreme Court has constitutionalized this rule by holding that due process of law requires the prosecution to prove every element of a criminal offense beyond a reasonable doubt. (*Sandstrom v. Montana*, 442 U.S. 510 [1979].) Thus the Court said, in 1970:

Lest there remain any doubt about the constitutional stature of the reasonable-doubt standard, we explicitly hold that the Due Process Clause protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged. (*In re Winship*, 397 U.S. 358, 364.)

As defined in the standardized Wisconsin jury instructions on the subject (No. 140),

The term 'reasonable doubt' means a doubt based upon reason and common sense. It is a doubt for which a reason can be given, arising from a fair and rational consideration of the evidence or want of evidence. It means such a doubt as would cause a man of ordinary prudence to pause or hesitate

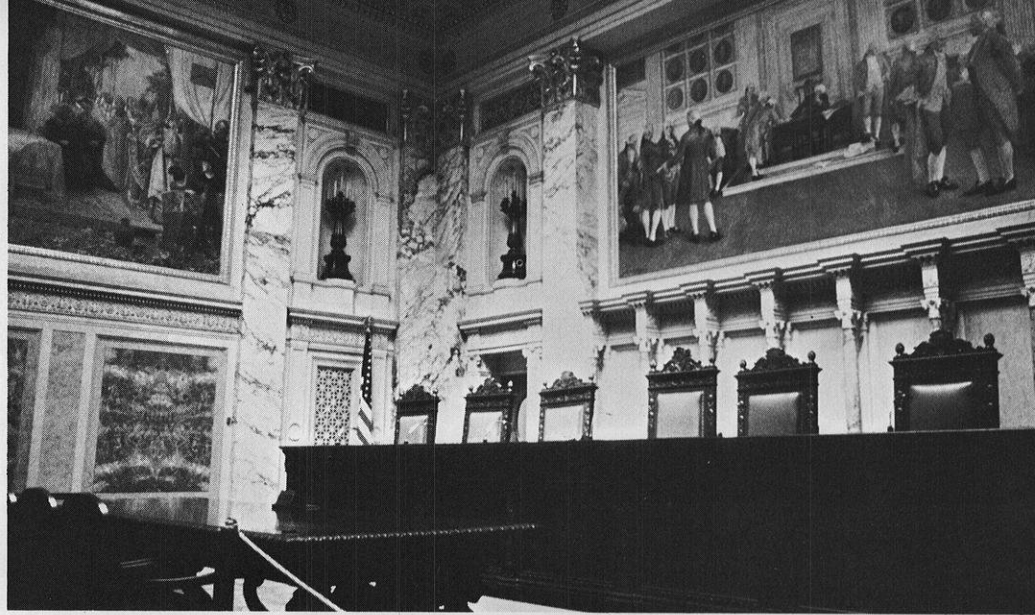
when called upon to act in the most important affairs of life.

Only the defendant can move for a directed verdict of acquittal; the trial judge cannot grant the prosecution a directed verdict of guilty. Only the defendant can appeal from a judgment or move for a new trial; under double jeopardy law the prosecution has only one crack at him. But in a larger sense state and federal constitutions secure to the defendant many specific guarantees, such as the right of representation by counsel and trial by jury, as well as the more general concept of a fair trial secured by due process of law.

All this is not to be construed to mean that a defendant is entitled to a perfect trial free from the corrosion of any legal error at all. A California appeals judge, Macklin Fleming, recently warned of the disastrous consequences of what he called "legal perfectionism," (*The Price of Perfect Justice*, 1974), but the fact is that appellate courts are not required to reverse convictions where the errors relied upon were essentially harmless. As Judge Learned Hand once noted, "due process of law does not mean infallible process of law." (*Schechtman v. Foster*, 172 F.2d 339, 341 [2nd Cir. 1949].) Furthermore, due process is a relative, not an absolute concept. In a famous opinion on the subject, Justice Frankfurter wrote that unlike some legal rules, due process

is not a technical conception with a fixed content unrelated to time, place, and circumstances. Expressing as it does in its ultimate analysis respect enforced by law for that feeling of just treatment which has been evolved through centuries of Anglo-American constitutional history and civilization, 'due process' cannot be imprisoned within the treacherous limits of any formula. Representing a profound attitude of fairness between man and man, and more particularly between the individual and government, 'due process' is compounded of history, reason, the past course of decisions, and

Photo by Barry Powell



Wisconsin Supreme Court. The mural behind the bench portrays the signing of the Constitution in Philadelphia in 1787. Opposite the bench is a scene from Roman law with Caesar Augustus acting as judge and defense of a legionnaire. To the left of the bench King John signs the Magna Carta in 1215 and delimits the power of the monarchy; to the right Judge James Doty hears the appeal of Chief Oshkosh in 1830 in the first jury trial in what is now Wisconsin.

stout confidence in the strength of the democratic faith which we profess.

Barring only "occasional and temporary lapses," he asserted that the Court has avoided "giving the great concept of due process doctrinaire scope." The Court has responded to "the infinite variety and perplexity of the tasks of government," he wrote,

by recognizing that what is unfair in one situation may be fair in another. . . . The precise nature of the interest that has been adversely affected, the manner in which this was done, the reasons for doing it, the available alternatives to the procedure that was followed, the protection implicit in the office of the functionary whose conduct is challenged, the balance of hurt complained of and good accomplished—these are some of the considerations that must enter into the judicial judgment. (Concurring opinion in *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U.S. 123, 162-3 [1951].)

Actually, as the late Professor Herbert L. Packer argued, there are two models of the criminal process between which a choice must be

made. (*University of Pennsylvania Law Review*, Vol. 118, pp. 1-68 [1964].) One is the crime control model, where the main interest is in the quick, efficient, and reliable handling of persons accused of crime. This approach, which is largely administrative and managerial, operates on assembly line principles and is favored by those involved in operating the criminal justice system, such as the police, prosecutors, and trial judges. There is, on the other hand, a due process model, which stresses the dignity and autonomy of the individual; its basic approach is adversarial and judicial, and the pattern is that of an obstacle course rather than an assembly line. This approach is favored by the U.S. Supreme Court and many other appellate courts as well as legal scholars. As Judge Craven of the federal court in North Carolina asserted, in holding a vagrancy statute unconstitutional for vagueness,

Crime prevention is not an absolute value. Methods of prevention are constitutionally weighed against the personal liberties enshrined in the Constitution. Here the outrageous police action under the



color of the vagrancy statute is far too high a price to pay for crime prevention. (*Wheeler v. Goodman*, 306 F. Supp. 58, 65 W.D., S.C., [1969].)

The plain truth is that catching, convicting, and punishing every person who commits a crime is not and cannot be the measure of the adequacy of a criminal justice system. The paradoxical fact is that arrest, conviction, and punishment of every criminal would be a catastrophe—hardly any one of us would escape. And there would not be enough people at large to build and man the prisons that would be required. Of course, deterring law violators is an objective of the criminal justice system, but “the preservation of an atmosphere of freedom and respect for individuality” is another. (Louis B. Schwartz, “On Current

**The plain truth is that catching, convicting, and punishing every person who commits a crime is not and cannot be the measure of the adequacy of a criminal justice system.**

Proposals to Legalize Wire Tapping,” *University of Pennsylvania Law Review*, Vol. 103, pp. 157-8 [1954].) This is what Justice Frankfurter had in mind when he said:

[T]he Bill of Rights was added to the original Constitution in the conviction that too high a price may be paid even for the unhampered enforcement of the criminal law and that, in its attainment, other social objects of a free society should not be sacrificed. (*Feldman v. United States*, 322 U.S. 487, 489 [1944].)

Undoubtedly if unrestrained by law, the police could apprehend and prosecutors could convict far more lawbreakers than they do now. If, for example, the police were completely free to break into any dwelling or other building and rummage around for stolen goods and other contraband, un-

questionably more crimes would be solved, and more thieves, burglars, and dope peddlers put in jail. But the price we would have to pay, the utter destruction of all human privacy, would be prohibitively high. Similarly, if the police were completely free to torture suspects, more confessions would be forthcoming, and the conviction rate would rise significantly, but again other values must be weighed in the balance, such as the risk of convicting innocent people who cannot endure the pain, and the danger of brutalizing the police by allowing them to employ uncivilized methods which shock the conscience. Clearly, a choice must be made between our desire to catch and punish lawbreakers and our concern for maintaining the legal amenities of a civilized community. The search for a tolerable balance is what our constitutional law is all about.

The substantial body of procedural law which protects the basic rights of defendants to fair treatment is not, as some assert, a product of mere sentimentality, and the prevailing rules are not to be brushed aside as being mere technicalities. The overriding purpose of our system of public law is to facilitate the discovery of the truth and to see that justice is done. This really means that our rules of constitutional law are not primarily designed to protect individuals who are in trouble, but rather to assure us that those engaged in the exciting business of law enforcement will observe those time-tested rules which in large measure constitute the essence of fair procedure. “Let it not be overlooked,” Justice Jackson once wrote,

that due process of law is not for the sole benefit of the accused. It is the best insurance for the Government itself against those blunders which leave lasting stains on a system of justice. . . (Dissenting opinion in *Shaughnessy v. United States, ex rel. Mezei*, 345 U.S. 206, 224-5 [1953].)

There are other persuasive reasons which explain the commit-

ment of our legal system to a maximum concern for protecting the rights of the accused. For one thing, a criminal case is essentially a contest between an individual and a government, that is to say, a confrontation between parties of vastly unequal strength. We know from bitter experience that inequality begets injustice to such an extent that a serious effort must be made to redress the imbalance of power as much as possible. Furthermore, for most people being accused of crime by a government is a very serious matter, including consequences ranging from the disruption of family life, the loss of employment, injury to reputation, and ultimately loss of personal liberty. This is not a matter to be taken lightly, and the accused, therefore, must have every opportunity to establish his innocence as quickly and as decisively as possible. In addition, at this point in history, all of us should be aware of the dangers which inhere in the abuse of the police power. Police brutality is a characteristic feature of all dictatorial or totalitarian systems. Recent events throughout the world have schooled us to understand the fearful meaning of the midnight knock on the door, the horrors implicit in the use of torture to break the will, the deep injury to privacy resulting from the ransacking of private dwellings by the police without legal warrant, and the ultimate indignity of incarceration in brutal concentration camps. Thus our constitutional law is deliberately formulated to prevent the exercise of unlimited police power. In addition, it should be noted that one of the most significant purposes of due process of law is to give even guilty persons a feeling that they have been treated fairly, if only to reduce the antisocial feelings they would otherwise have. As Justice Douglas once observed,

Society wins not only when the guilty are convicted but when criminal trials are fair; our system of the administration of justice suffers when any accused is treated unfairly. (*Brady v.*

*Maryland*, 373 U.S. 83, 87 [1963].)

Actually if one examines the general concept of the constitutional right to a fair trial by breaking it down into its specific elements, it becomes very clear that for every rule there is a compelling reason. In other words, the basic rights of defendants are not a product of abstract cogitation or mere sentimentalism, but are, rather, the hard-won results of concrete experience in the course of history. Why, for example, do American constitutions assure the defendant representation by counsel? Without a lawyer the defendant is practically powerless to challenge the prosecution, which is in the hands of lawyers. In 1963, in the famous case of *Gideon v. Wainwright* (372 U.S. 335), Justice Black observed that not only precedents,

but also reason and reflection require us to recognize that in our adversary system of criminal justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him. This seems to us to be an obvious truth. Governments, both state and federal, quite properly spend vast sums of money to establish machinery to try defendants accused of crime. Lawyers to prosecute are everywhere deemed essential to protect the public's interest in an orderly society. Similarly, there are few defendants charged with crime, few indeed, who fail to hire the best lawyers they can get to prepare and present their defenses. That government hires lawyers to prosecute and defendants who have the money hire lawyers to defend are the strongest indications of the widespread belief that lawyers in criminal courts are necessities, not luxuries. (372 U.S. 344.)

Or, as Justice Sutherland wrote in an earlier case (*Powell v. Alabama*, 287 U.S. 45, 68-9 [1932]):

The right to be heard would be, in many cases, of little avail if it did not comprehend the right to

be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him.

To cite another example, double jeopardy—which means essentially putting a person on trial twice for the same offense—is forbidden in all American jurisdictions. Thus, once a defendant has been tried and acquitted, he may not be tried a second time even though the prosecution has discovered new evidence or unearthed legal flaws in the trial. “The underlying idea,” Justice Black once explained,

one that is deeply ingrained in at least the Anglo-American system of jurisprudence, is that the State with all its resources and power should not be allowed to make repeated attempts to convict an individual for an alleged offense, thereby subjecting him to embarrassment, expense, and ordeal and compelling him to live in a continuing state of anxiety and insecurity, as well as enhancing the possibility that even though innocent he may be found guilty. (*Green v. United States*, 355 U.S. 184, 187-8 [1957].)

To cite another example, consider the right of trial by jury. As the Supreme Court pointed out in a landmark case in 1968, trial by jury is so fundamental in criminal cases because jury trial serves to prevent oppression by the government; Justice White noted that this right is “an inestimable safeguard

against the corrupt or overzealous prosecutor and against the compliant, biased, or eccentric judge.” (*Duncan v. Louisiana*, 391 U.S. 145, 156.) Again, the right to be protected against unreasonable searches and seizures is firmly rooted in the right to privacy, described by Justice Brandeis as “the right to be let alone—the most comprehensive of rights and the right most valued by civilized men.” (Dissenting opinion in *Olmstead v. United States*, 277 U.S. 438, 478 [1928].) Similarly, the freedom from compulsory self-incrimination is highly prized in our jurisprudence, for, as Justice Douglas once observed,

It is one of the great landmarks in man's struggle to be free of tyranny, to be decent and civilized. It is our way of escape from the use of torture. It protects man against any form of the Inquisition. It is part of our respect for the dignity of man. (William O. Douglas, *An Almanac of Liberty* [1954], p. 238.)

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**A criminal case is essentially a contest between an individual and a government, that is to say, a confrontation between parties of vastly unequal strength.**

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The various rights of the accused are not static in character; to the contrary, they tend to change as we seek to keep our jurisprudence in tune with changing moral concepts. For example, in a recent decision involving the claim of a prisoner to the protection of the Eighth Amendment, which forbids the infliction of “cruel and unusual punishments,” the Supreme Court took note of the fact that the teaching of its more recent cases is that the Amendment

proscribes more than physically barbarous punishments. . . . The Amendment embodies broad and idealistic concepts of dignity, civilized standards, humanity, and decency. . . . Thus we have held repugnant to

the Eighth Amendment punishments which are incompatible with 'the evolving standards of decency that mark the progress of a maturing society,' . . . or which 'involve the unnecessary and wanton infliction of pain' . . . . (*Estelle v. Gamble*, 429 U.S. 97, 102-3 [1976].)

Accordingly, speaking for the Court, Justice Marshall ruled that deliberate indifference to serious medical needs of prisoners constitutes the 'unnecessary and wanton infliction of pain' . . . proscribed by the Eighth Amendment. (429 U.S. 104.)

It remains to be noted that in our federal system crime, as pointed out by President Johnson in his message to Congress of February 9, 1968,

is essentially a local matter. Police operations—if they are to be effective and responsible—must likewise remain basically local. This is the fundamental premise of our constitutional structure and of our heritage of liberty.

It follows, said President Johnson, that "the Federal Government must never assume the role of the Nation's policeman." Similarly, in enacting the Omnibus Crime Control and Safe Streets Act of 1968, Congress formally declared "that crime is essentially a local problem that must be dealt with by State and local governments if it is to be controlled effectively." (42 U.S.C. 3701 [1977].) The same point was made by Chief Justice Warren E. Burger in his address to the American Law Institute on May 16, 1972:

Our basic system of justice, of course, lies within state power and it should remain that way, with Federal courts functioning, as the Constitution intended they should, as courts of special and limited jurisdiction. Day-to-day justice, in short, is inherently a state function. (55 F.R.D. 119, 123.)

Thus, to cite a recent example, in Texas, under its habitual-criminal statute, the trial jury in the pending

charge is fully informed of previous criminal convictions, and the Supreme Court ruled that the state is not obliged, as a matter of constitutional law, to have a two-stage trial, the first stage being devoted to the pending charge, and the second to consider the previous convictions. The U.S. Supreme Court declined to interfere, holding that it is not "a rule-making organ for the promulgation of state rules of criminal procedure." (*Spencer v. Texas*, 385 U.S. 554, 564 [1967].)

This does not mean, however, that there are no federally enforced standards which are binding upon the states. The Constitution is the supreme law of the land, and in many ways the states are obliged to observe specific legal principles spelled out in that venerable document, as construed by the Supreme Court. Of course, the federal Bill of Rights, which was adopted in 1791, and which contains many provisions relating to the rights of the accused, does not apply to the states. (*Barron v. Baltimore*, 7 Pet. [U.S.] 243 [1833].) But in 1868 the nation adopted the Fourteenth Amendment, with its provisions that no state shall "deprive any person of life, liberty, or property, without due process of law," and this eventually opened the door to an expanded federal review of state criminal cases. The seminal case, *Powell v. Alabama*, 287 U.S. 45 (1932)—the so-called Scottsboro case—ruled that the Sixth Amendment guaranty of the right to representation by counsel is binding on state courts, at least in capital cases, because the aid of counsel is essential if the accused is to have a fair trial. Eventually the Court ruled that federal constitutional law guaranteed counsel in any state case involving possible imprisonment for any length of time. In other notable decisions, the Court read most of the guarantees of the federal Bill of Rights into the liberty concept of Fourteenth Amendment due process, such as freedom from unreasonable searches and seizures, double jeopardy, compulsory self-incrimination, and cruel and unusual

punishments, and the right to trial by jury, to a public and speedy trial, and to confront opposing witnesses. Indeed, the only provisions of the federal Bill of Rights relating to a defendant's rights which have not yet been incorporated into the Fourteenth Amendment relate to the right to grand jury indictment (in the Fifth Amendment), and to bail (in the Eighth Amendment.) This nationalization of so much of the Bill of Rights since 1932 has, of course, greatly expanded the powers of the U.S. Supreme Court to review state criminal cases, and the power of federal district courts to grant writs of *habeas corpus* to state prisoners, thus imposing fresh restrictions which states are obliged to observe.

So many changes in the law, occurring in such a short period of time, inevitably generated complaints, especially on the part of state courts and local police officers. The seriousness of the crime problem serves as the basic predicate for this criticism. There is no reason to believe, however, that the Supreme Court justices are unaware of or indifferent to the crime problem, but they are also concerned, as indeed they must be, with the imperatives of justice. Thus, they have been trying to locate a balance between the needs of society as regards law and order and the rights of the accused, and surely this is not a static operation. Obviously, the guarantees for defendants help them, but in a larger sense they help our society to do what is right and to avoid injustice. This is by no means a counsel of weakness. As Justice Frankfurter once observed, during the hubbub over loyalty in the post-World War II period:

In a country with our moral and material strength the maintenance of fair procedures cannot handicap our security. Every adherence to our moral professions reinforces our strength and therefore our security. (Dissenting opinion in *United States v. Nugent*, 346 U.S. 1, 13 [1953].) □

## *A letter from my mother-in-law*



**By Frances Hamerstrom**

When Aldo Leopold assigned us both to work on prairie chickens, we could hardly believe our good fortune. I knew that Frederick would be accepted, but I never graduated from high school and flunked out of Smith College in my sophomore year. To be sure, my scholastic record shot up after my marriage. I straightened out, graduated from Iowa State College, and even received a prize for the woman most likely to succeed in research. To work with Frederick as a team, rather than as a tag-along wife, I needed a chance to work for my Master's degree. Leopold never held my sex nor my early scholastic record against me.

And now we were about to head for our first field assignment on prairie chickens. Leopold arranged for us to move into a farmhouse in Waushara County. Clyde Terrill, the kindly owner, said, "Tell your students they don't have to pay rent. There are some broken windows upstairs; I hope they'll fix them. And I left some food up there once. Tell them they can eat it." He added, "I wish they'd paper the kitchen too." It was plain that—someday—he hoped to come back to a ramshackle old building that he had named "Paradise Found."

Frederick had a toothache.

He was cutting a wisdom tooth. I drove the last part of the way so he could hold his scarf against his jaw. We bumped through snowdrifts and at last the headlights picked up our new home. It was New Year's Eve, but for a fleeting moment I wondered whatever had possessed us to come straight from a party to move into a strange house after dark—and in city clothes. I could see the rusted screen of the front porch flapping in the wind. Frederick was crouched low holding his cheek. "You just stay in the car. I'll go in and get the house warm."

The key, we had been informed, was under a rock by the front door; in high heels I fumbled around in the snow, which was getting deeper by the minute, to find rocks. There were several—all frozen down. I let quite a blast of cold air into the car looking for the jack handle.

"Want me to help you?"

"No, I can do it. You just sit there."

Using a chunk of stovewood from the shed back of the house as a fulcrum, I tried to pry the rocks up. It was hopeless; they might as well have been set in cement.

Returning the jack handle to the car, I shouted, "I'll have to break in."

Frederick nodded without answering, but in a few minutes he joined me and together, without splintering too much wood, we jimmed the door open. I'm sure that if he hadn't had a great deal of self-control he would have been uttering little moans of pain. It didn't take much persuasion to get him back in the car to wait for the promised warm house.

I built a fire in the kitchen stove. All it did was belch smoke, so I had to open the doors and windows to let the smoke out. Next I tried the living room stove, an ornate heater with isinglass windows. The result was the same. Coughing and with stinging eyes, I aired the house thoroughly. There was a kerosene cook stove. We would have to make do with that. There were numerous cans that might have held kerosene; they were all empty, even the one with a frozen potato stuck over its snout.

Dejected and thoroughly chilled, I went out to the car. "Darling, do you think we can make it back to that last town? We have to buy some kerosene."

"We can try."

The drifts were piling up, but we made it back with a big can of kerosene. We lit the stove for a few minutes to warm up our hands. Then we felt our way up the narrow stairway and found a pile of quilts. Acorns tumbled out when we lifted them, and they smelled like mice. But we put the pungent quilts on a creaky bed and crawled between them. Slowly, slowly, the aching cold left our bones and we were warm. The next morning frost tipped Frederick's eyelashes. They were long and black and curved and frost tipped every lash. He smiled in his sleep and I knew the toothache was gone. At last he stirred and woke up.

We dressed quickly. I had to get back into my finery because my field clothes were still in the car, but Frederick soon produced the duffle bags so I could change in the icy kitchen.

Again smoke belched from the stove. Frederick adjusted the doors and the damper and tried all the tricks he knew to get a fire started. I tapped the stovepipe with a high-heeled shoe. We fought that stove with all the skill we had. Suddenly the smoke went up the chimney instead of out into the kitchen; the fire caught and crackled.

The house was full of food to augment our supplies: flour, prunes, raisins, sugar, syrup, pancake mixes, tea, coffee, dried milk, and unidentified pastes and mixtures. Only the coffee was labeled correctly. The flour was in a huge cookie can; cookies, raisins, prunes, and some mouldy bacon emerged from a fishing tackle box; I didn't find the jams and jellies for a long time. They were stored in milk bottles inside two big potato-chip cans marked "Machine Oil." The remains of a package of cornflakes contained more mouse and squirrel droppings than cereal. We, too, soon learned to protect all food from mauling rodents.

Daily we explored the vicinity of our house on snowshoes looking for prairie chickens, and we finally found a few tracks in a rye field where the wind had exposed pigeon grass and ragweed. Then we asked our neighbor John where we could find chickens.

"They's went. . . all went. . . used ta be some 'round here. . . they's went."

Then he gave us the local news. It was said that Charlie Pratt was going to put in electricity! "And you know what Pete did?" Pete was our neighbor on the other side and we hadn't met him yet. "Pete found an electric bulb onna dump an' he clumb the phone pole to hook it in, but he never got no yard light. He got nothing!" John laughed hugely and offered us a drink.

We drank some stinging whiskey out of big white cups and took our leave. We headed for Pete's. There was an electric light bulb, fastened in some mysterious manner to the phone pole nearest Pete's house, and we didn't expect to learn much.

Pete may not have known much about electricity, but he knew where the chickens were. "There's corn on the marsh," he waved his arm expansively toward the west. "Too dry here, but the corn on the marsh grew good an' that's where the chickens are."

He was right. We never saw any chicken tracks near our house again, so we hauled our traps to the Leola Marsh miles away and made some pretty good catches.

Our house was in the hills. They weren't big hills. Chunks of ice had become embedded in the moraine left by the last glacier and, when the climate became warmer the ice melted, leaving innumerable small ponds surrounded by hills. It was as though the landscape had been designed by some devil to catch snow and plug up the roads in the year of our Lord, 1939. The winter landscape took on an unreal quality. The tops of telephone poles looked like fenceposts in the drifts. We never met anyone who had a telephone and I wondered where the poles led, tall on the hilltops and short in the valleys. Finally, we were snowed in with no way to get to the marsh where the prairie chickens were, some seven miles away.

The mailman came by our house. He had invented a *snowmobile*! And this was almost surely the first snowmobile in the state of Wisconsin. This contraption had proved untrustworthy and was soon replaced by a factory-model with six back wheels—three on each side and runners in front. He romped across the top of the drifts followed by an enormous whirl of flying snow. The first time he came by, we thought the road must be open again; a machine that rode on top of the snow was beyond our imagination.

The snowmobile let us know that the road was still unplowed, and if the whirling cascade subsided at the end of our drive, we knew that the mailman had stopped and that there was something in the box for us. We rarely received mail; we had no bills to pay by mail, and no one consulted us professionally.

Our mothers kept writing us. Frederick's mother

wrote me, I remember: when entertaining at luncheon use doilies instead of a tablecloth. It happened that I read the letter when sitting at our dining table. The decor consisted of a battered kerosene can and funnel; a lamp with a smokey chimney; an axe, saw, and hammer; two recent copies of the *Journal of Wildlife Management*; and a partly consumed can of sardines. The table was covered with patterned oilcloth; the pattern consisted of flowers in pots, and the cloth was cracked.

... "Use doilies. ..."

"And remember, dear," (she advised me on various matters as long as she lived) "to have your mink coat lined. It's just wrong to wear it the way you do."

I paused for a moment to recall an evening in New York and the face of the head waiter in the Stork Club. Even when I was a debutante I had made my own mink coat from an old one of my mother's, plus furs rescued from trunks in my parents' attic and road-killed mink that I had skinned and tanned myself. It was floor length, and its voluminous folds moved with grace when I walked because I had refused to line it. The inside of the coat consisted of the undersides of mink skins neatly sewn together. Some of the furrier's skins had little punch marks for coding the color and grade, a few of mine showed bite marks at the back of the necks of some females—wounds inflicted by the rough and tumble matings of big males with small females—and some of my hides were discolored.

Anyone who has been a fashion model and worked the East Coast circuit from Boston to Palm Beach well knows what sort of an impression her clothes are making. My escort and I had swept into the Stork Club slowly. No one needed to tell me that heads were turning. The head waiter, with a little nod to my escort—so to speak, asking permission—seated me and lifted my coat with slow dexterity from my bare shoulders. As he exposed the inside, putting it over the back of my chair, I heard something between a gasp and a wheeze. For a moment his aplomb had been shaken.

Now I had forgotten my mink coat, and the mousy quilts had not been warm enough last night. I dug around in our boxes and found it. I spread it skin side down on our bed. It looked just beautiful.

Then I hurried down to the warmth of the kitchen, pried a couple of sardines out of the can with my fingers, and nibbled on them while continuing to read Mrs. Hamerstrom's letter.

"Frederick writes that you are living in a little wooden farmhouse. Window boxes are very attractive, dear Fran—window boxes abloom with geraniums and petunias—and often set a small house apart and give it a pleasant cottage look.

"And remember, dear, don't spoil Frederick. There are times to be firm."

Communicating with my mother-in-law was always something of a challenge.

"Dear Mrs. Hamerstrom,

"Thank you for your nice letter and for reminding me of my mink coat. Our house would seem small to you, but it is just right for us. It has three bedrooms, a living room, a kitchen, a well-stocked pantry, and a woodshed. It is pleasant to have the woodshed attached to the house; we never have to bother with wet wood and sit by a snug, cozy fire every evening after the day's work is done.

"Our house is nestled amongst exquisite wild pine trees. It has beautiful simple lines and the well-weathered wood fits beautifully into the landscape, which is somewhat hilly.

"So far we have not entertained here."

I pried the last sardine out of the can and drank the oil (those who have worked outdoors in cold climates know that the craving for fat and oil in the diet is intense, but I didn't think I'd tell her that).

Then I came to the part about not spoiling Frederick and I wrote exactly what I believe. "I have every intention of spoiling Frederick." To soften it a little, I added, "Men are to be spoiled."

We both loved Frederick, but we saw him with different eyes.

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## THE HUMANITIES IN WISCONSIN IN THE EIGHTIES

**The humanities can help us, as we re-examine our values, to decide what to keep and what to reject in a changing society.**

**By Robert E. Najem**

We are well into 1980 and perhaps apt at times to conclude that 1984 is already here. This is hardly the best of all possible worlds. From whatever magic mountain or Olympian height we look, a bleak horizon stretches in every direction. On a global scale the confrontation between the haves and the have-nots grows more severe with increasing explosions of terrorism. Some nations adjust their foreign policy according to their oil in-take. Technology may not be serving humankind, but enslaving and dehumanizing our lives. Industrial societies, emphasizing constant growth and the acquisition and consumption of material things, have reached an impasse. We face a crisis of conscience, of values, of energy. We in the United States are haunted by the memory of Three Mile Island. The clash between growing federal controls and the need for revitalized local involvement looms large. Strikes, nuclear wastes, automobile plant closings, farms abandoned because of high interest rates—the bleakness reaches right into Wisconsin.

What do the humanities have to do with this cheerless view? In the next decade Americans in general and we Wisconsin residents in particular will have to re-examine our values and decide what is important to us, what we shall cherish and keep, and what we shall reject. All of our attitudes toward government, education, health, energy, environment, social mores, religion will be examined. Some will be found wanting. We are not just approaching the end of a century but, really, the end of centuries.

And it is at this point that the humanities come into the picture. We readily define history, language and literature, and philosophy as constituting the humanities. Other fields such as art, law, and sociology may be added if the emphasis is upon the study of human values. We are apt with such traditional categories to overlook the humanities as a method or way of looking at reality in addition to being a body of knowledge. As such the humanities perform a vital role in society, for they exercise human emotions and challenge our minds. They inspire us with new dreams that embody human curiosity, test our imagination, and convert the fantastic to the everyday. They have to do with reaching the moon, building a cathedral, or writing a poem on immortality. The humanities present a sweeping perspective of the human condition which makes us aware of the other cultures and more conscious of our own. The humanities reveal that most cultures, for example, have valued their senior adults for the wisdom that comes with age. One of the most important functions of the humanities is to nourish the critical mind. Among the value choices possible in today's society, the critical mind must study, explore, explode, define, eliminate, and finally decide. The humanities sharpen our sense of criticism in energy questions, political decisions, or the concerns of a society in transition. To use contemporary vocabulary, they help clarify moral issues and the values inherent in our choices and consequently give meaning to our lives. (For a more thorough investigation of how study

of the humanities can help solve a particular social problem, see my "The Faustian Bargain," *Wisconsin Academy Review*, March 1976, pp. 12-15.)

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Before addressing the question of the humanities specifically in Wisconsin in the eighties, we could profitably look at some developments on the national scene. The funding of a National Humanities Center at the Research Triangle in North Carolina is a noteworthy event. William J. Bennett, former professor of philosophy at Wisconsin, heads this haven for scholars. In addition to providing an environment conducive to dialogue and writing, the purpose of the Center is to reaffirm the importance of the humanities in American education and culture and to make the humanities more visible and useful in public life, for instance, by choosing as its topic for the year, "Energy and the Values of a Modern Society." The newly formed American Association for the Advancement of the Humanities is a lobby group in Washington, D.C. The Community College Humanities Association is seeking ways of making the humanities a significant part of the community college curriculum. In the near future the findings of the Rockefeller Foundation's Commission on the Humanities will be published. All these organizations are questioning on a national level the function of the humanities in a democratic society, so that they can provide direction, support, and strength for the humanities in the future.

On the college campus, a new variation of the old battle between the Ancients and Moderns rages. The humanists claim the good life is the examined one, which must include the study of values as presented by literature, philosophy, and history. The technocrats advocate the acquisition of skills, viewing college as a job-training ground. How to reconcile these extremes is one of the great challenges of post-secondary education today, but to pursue this fundamental and fascinating issue would take us too far from the humanities and Wisconsin.

While our national and international overview may cause us deep concern and even despair, another perspective on continuing education in the humanities in the United States can be a source of excitement, even of pride. The Elderhostel Program brings senior adults to university and college campuses all over the country for learning opportunities at a modest fee. People gather in public libraries to discuss Shakespeare's plays and American short stories after viewing the television programs. I.F. Stone, a prominent journalist,

exemplifies this continuing education by becoming a student of classical Greek and historian of Ancient Greece. Significant numbers of Norwegians and people of Polish ancestry, to name a few, spend a day on a campus studying the literature, history, and politics of their ethnic roots. Growing numbers of corporate executives enroll in summer programs for serious reading of the classics. Humanities programs in continuing education are proliferating—courses on brass rubbings or making stained-glass windows are integrated with the study of medieval times. Wherever we look, adult education in the humanities is very much alive in the United States and particularly in Wisconsin. With this broader perspective, we can concentrate on the humanities in Wisconsin in the eighties. What are our problems, directions, needs? Although there are many institutions committed to making the humanities meaningful to adults, I would like to concentrate on discussing the four I know best: the Wisconsin Humanities Committee, University Extension, the Educational Communications Board, and the Wisconsin Academy of Sciences, Arts, and Letters.

The Wisconsin Humanities Committee plays a crucial role in bringing people together with that body of knowledge we call the humanities. Eminently successful in a few years of operation, its small but capable and articulate staff has built a statewide program and identified energetic and committed humanists on most campuses. The public and humanists discuss topics as varied as ground water, attitudes toward child rearing, creativity and senior adults, the physically handicapped in the real world, with the perspective of history, literature, philosophy, religion, and sociology. All formats and media have been used.

With federal funding by the National Endowment for the Humanities assured for the foreseeable future, the state committee is fiscally secure. However there is growing pressure to seek out private contributions and perhaps anticipate the day when the committee must also compete for state dollars. In an inflationary period with growing economic restraints, this could be a serious hindrance for the humanities at a grass-root level. Be that as it may, the staff of the state humanities committee will continue to bring together new audiences: laborers, farmers, Hispanics, blacks, Native Americans as well as senior adults and other non-university groups. The staff and the committee are committed to the idea that the vitality and well-being of a democracy depend upon an enlightened and involved citizenry of every age: of all professional groups, occupations, colors, creeds, and of both sexes *discussing issues.*

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**This humanistic dialogue then will be at the very heart of the democratic process helping us to weave old values into a new social fabric.**

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This humanistic dialogue then will be at the very heart of the democratic process helping us to weave old values into a new social fabric. The humanists in these future programs face the perennial problem of the academic in the market place, the relating of local issues to universal perspectives. But that, of course, is the function of the humanist, to help us relate contemporary concerns to the best "that has been said or written," to search out the good life and to strive for excellence. The humanists in future state programs will continue to participate in a dialogue with the community, fostering tolerance for the different. How else can so many different ethnic groups coexist? The humanists will continue to suggest the necessity for choice after careful deliberation: Does it have to be nuclear or renewable energy or both? The humanists will stress the need for the critical mind in decision making. How do we serve the needs of all, but not at the expense of some? This discussion of needs and values, of dilemmas and choices is crucial for our survival as a society.

And what about the humanities outreach through University Extension? Throughout the decade of the eighties University Extension can play a vital role in bringing the humanities to new and old audiences. This is the primary function of the departments of art and liberal studies. Look at any semester's catalogue and note numerous offerings in foreign languages, literature, historic tours, ethnic days and dinners, mathematics for the lay learner, art surveys, history of the dance, music appreciation. Continuing education courses are being offered by practically every campus of the system but especially by Madison, Green Bay, Eau Claire, La Crosse, Milwaukee, Parkside, and River Falls. This does not take into consideration course possibilities from private colleges or technical institutions.

Extension departments, particularly liberal studies, continue to reach students throughout Wisconsin and the United States and sometimes abroad through the time-tested correspondence instruction method. This is a credit program in mathematics, languages and literature, and social sciences as well as other areas. Faculty members administer, monitor, and develop courses. Of the 9,500 Extension students enrolled last year in correspondence courses, approximately 4,000 were in liberal studies.

How then can faculty maintain quality and substance in these courses in spite of rising postal rates, increased tuition, and other inflationary obstacles? One answer is the one-credit module. Relatively inexpensive to develop, highly condensed with greater emphasis on student responsibility and involvement, the one-credit course could serve well the non-traditional student in the future. Initial efforts in this direction have proven highly successful. There are now twenty-five, one-credit courses on modern American, French, German, Spanish, English, and Scandinavian authors such as Cather, Camus, Grass, Moberg, and Unamuno. Students read three short

novels in the original language or in translation and write three short, critical papers. Motivation is high, completion rate is good, cost is reasonable, students are enthusiastic. It all seems quite promising.

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**The humanities perform a vital role in society, for they exercise human emotions and challenge our minds. They inspire us with new dreams that embody human curiosity, test our imagination, and convert the fantastic to the everyday.**

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Historically the humanities faculty, together with others, was responsible for a Madison-evening and Center System credit program as well as noncredit offerings. The first two functions now reside with resident campuses. Humanities faculty of University Extension now faces the challenge of building an outreach program working with colleagues in all the universities of the system. We must try to make the non-credit programs accessible *in fact* to every resident of the state. The problems are enormous. How do you influence a faculty to look outward into the community? How does the benevolent despot of the classroom become the gentle persuader of adults? Can the humanities compete for scarcer dollars in the market place? How do you develop uniformity of fees, procedures, policies, and a communication system? Is there not a danger that a business mentality will sabotage an educational responsibility? Will the obvious values of a statewide organization yield to perhaps more powerful parochial interests? But the problems are not insurmountable.

Extension humanists, like everyone else, will have to articulate eloquently their *raison d'être* in an evolving university system in order to find a way to make the humanities more meaningful to larger numbers. It can be done by working with all the campuses of the system from metropolitan Milwaukee to rural River Falls. This scattered audience suggests too that media, especially radio, will and should play an increasing role in humanities outreach.

We are all aware of the increasing number of television programs focusing on plays, short stories, documentaries, and performing arts. "Don Carlos," Masterpiece Theater, a short story by Willa Cather, Shakespeare's "Henry IV," or the watery world of Jacques Cousteau—this is exciting television and very much humanistic. What happens in television is, however, largely determined outside the state, but with radio it is an entirely different matter. Educational radio, under the direction of the Educational Communications Board, can easily and inexpensively reach varied audiences throughout the state. It already is and has always been, for that matter, a vital force for the humanities in Wisconsin. So what is the role of educational radio stations, such as WHA, in the

eighties? The answer is simply more of the same.

The radio should continue to provide a forum for the discussion of ideas, issues, societal concerns involving people and philosophers, historians, poets. The humanities can use this forum, radio, to focus more specifically on questions of energy, sexual assault, pornography, terrorism, foreign policy, other cultures and peoples. With such programming the humanities will no longer be a sacred and separate something from the past to be worshiped by an isolated elite. Radio can nourish an active dialogue among a busy citizenry which needs information to reach decisions vital in a democratic society. And why not teach foreign languages by radio again?

With a charter granted in 1870 by the state, the Wisconsin Academy of Sciences, Arts, and Letters is one of our most prestigious institutions. The great cultural and educational leaders of the state have often been members. The challenges to this body of scholars, professionals, humanists, scientists, and citizens is constant in a democratic society—of quantity and quality, of numbers and excellence. Of all the state groups, the Academy is one of the few that mixes citizens of all backgrounds. It is an intellectual melting pot. The annual meeting brings people from all over the state to share ideas, confront problems, and publish conclusions. The Academy can become one of the great forums of the state for a discussion of environmental issues, the quality of life, the future of the state by a group with a more detached Olympian view. Its membership should reach into every social segment throughout the state. Its publications should open and discuss the current and enduring issues in the sciences, arts, and letters. Its leadership, while conserving the best of the past, should dynamically confront the present and face the future. Its membership, scattered throughout the state or clustered in urban areas, could serve as a vibrant sounding board among government, education, industry, and its citizenry for the betterment of everyone.

We can conclude that the humanities are alive and well in Wisconsin although the future suggests fiscal difficulties and problems. The state humanities committee will try to reach and involve new audiences. University Extension will seek to build a statewide outreach system for the benefit of everyone in the state. Our educational radio stations will create a statewide forum to discuss issues with a humanistic perspective, and finally the Academy will concentrate on being the creative catalyst for future directions. The blueprint has been drawn—let the building begin! □

## Matinee

She lies on one side,  
a fifty percent dog . . .  
with half a head,  
only one ear and one eye.  
She is mesmerized by the sun-warmth  
that sets our south window aflame.  
My pen walks across paper  
and whispers softly.  
Words take on letter-reality  
and form shadows in front of me.  
I father them, collect  
and polish them affectionately  
until they look almost new.  
For a long time only pen-music  
lullabies the dog, the poem and me  
snuggling together in sunglow.  
When it is finished,  
the dog becomes whole again;  
and we go for a walk  
leaving the poem behind us  
to listen to its own breath.

—Marian Paust

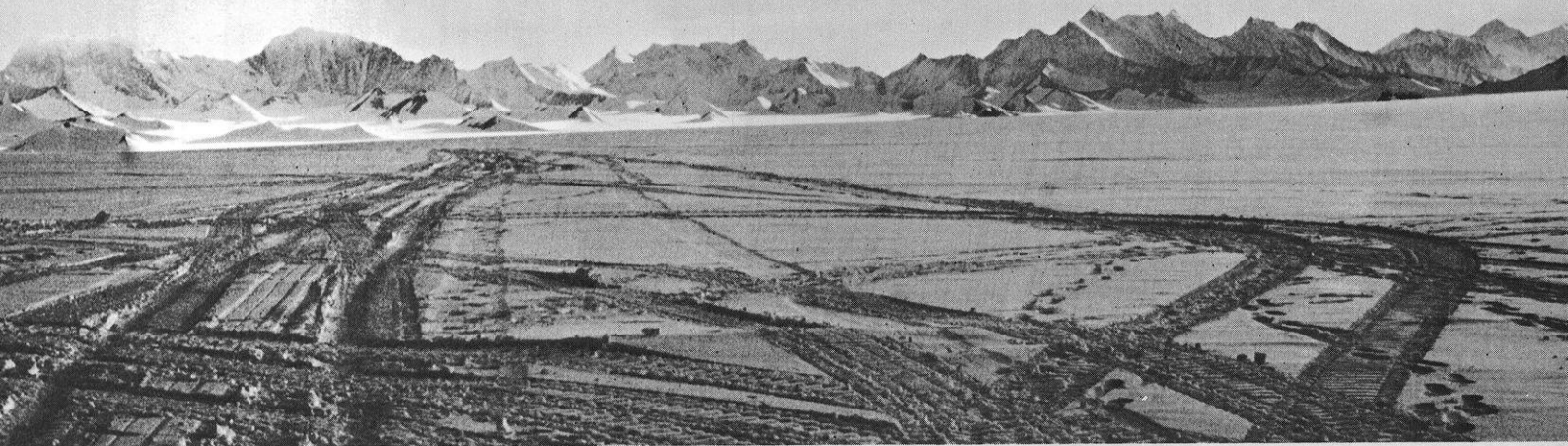
## Entrances

Poems don't knock at my door,  
they ooze in/ under the woodwork;  
I don't notice them  
for weeks  
as they scurry around at night  
as they case the joint by day  
learning the lines of my mental furniture.  
Eventually they ease into the sunlight  
leap up on the window sills  
get themselves caught at peek-a-boo.  
They always grin  
when I run for my pen.

—Jeri McCormick

# And if the Antarctic Ice Sheet Melts. . .

Glaciologists believe it is possible—  
and that the consequences would be dire.



The Sentinel Mountain Range, which includes Mount Bentley (4247 m), provides a stark background to the tracks made by oversnow track vehicles.

By Charles Bentley

**I**n recent years, there has been a dramatically increasing interest in the possibility that part of the vast Antarctic ice sheet may shrink rapidly in size in the near future. If this were to happen, the melt water from the disappearing ice sheet would be added to the ocean and would cause sea level to rise around the world. The seriousness of the sea level rise that would occur in the event of a major melt-down of the West Antarctic ice sheet, 3-6 m, is great since it would flood all existing port facilities and other low-lying coastal structures, most of the world's beaches, extensive sections of the heavily farmed and densely populated river deltas of the world, and large areas of many of the major cities of the world, which are concentrated along coast lines.

Concern about the possibility of a rapid melt of Antarctic ice has

been emphasized by recent estimates of possible climatic warming due to carbon dioxide build-up in the atmosphere. A recent report by the Climate Research Board of the National Research Council reviews several predictions made on the basis of global circulation models and finds that they all imply that a polar heating of 4 degrees to 8 degrees C would result from a doubling of the carbon dioxide in the atmosphere, a level that may very well be reached before the middle of the twenty-first century. In view of the limited realism of the models, polar scientists view these predictions with some reserve. Nevertheless, the general urgency of the carbon dioxide problem has highlighted the need to consider not only what is happening naturally to the Antarctic ice sheet but how the ice sheet may respond to a man-made warming of the polar atmosphere.

## Ice cover described

Before considering this question further, it may be useful to give a brief description of Antarctica and its ice cover. The south polar continent is slightly larger than the continental United States (excluding Alaska) and Mexico combined. About 95% of the continent is covered by an ice sheet that averages about 2 km in thickness. Most of that ice sheet, the *inland ice*, rests directly on rock. About 10% of the ice sheet, however, comprises the *ice shelves*, permanent bodies of fresh-water ice averaging some 400 m in thickness, attached to the inland ice but floating in the surface waters of the ocean.

Geologically and geographically, Antarctica is divided into two parts (Figure 1). The dividing line is the vast Transantarctic Mountain system that extends across the entire continent between the Pacific and the Atlantic Oceans. The larger part, called East Antarctica because it lies primarily in the Eastern Hemisphere, is, geologically speaking, a true continent, comparable in size and shape to Australia. If the ice were removed and the land allowed to rise "isostatically," which it would do as the rocks deep within the earth flowed in response to the removal of the surface weight of the ice sheet, most of the land surface would lie above sea level.

In contrast, West Antarctica, about half as large and lying principally in the Western Hemisphere, is not fully continental at all. There, it was discovered by University of Wisconsin teams 20-25 years ago, if the ice were removed and isostatic adjustment allowed to take place, large sections of the region would still lie below sea level, with water depths in places as much as 1000 m. Rather than a continuous land mass, there would instead be several large islands surrounded by the sea.

An inland ice sheet, whose rock bed would naturally in the absence of the ice lie below sea level, is known, together with its attached ice shelves, as a *marine ice sheet* (as

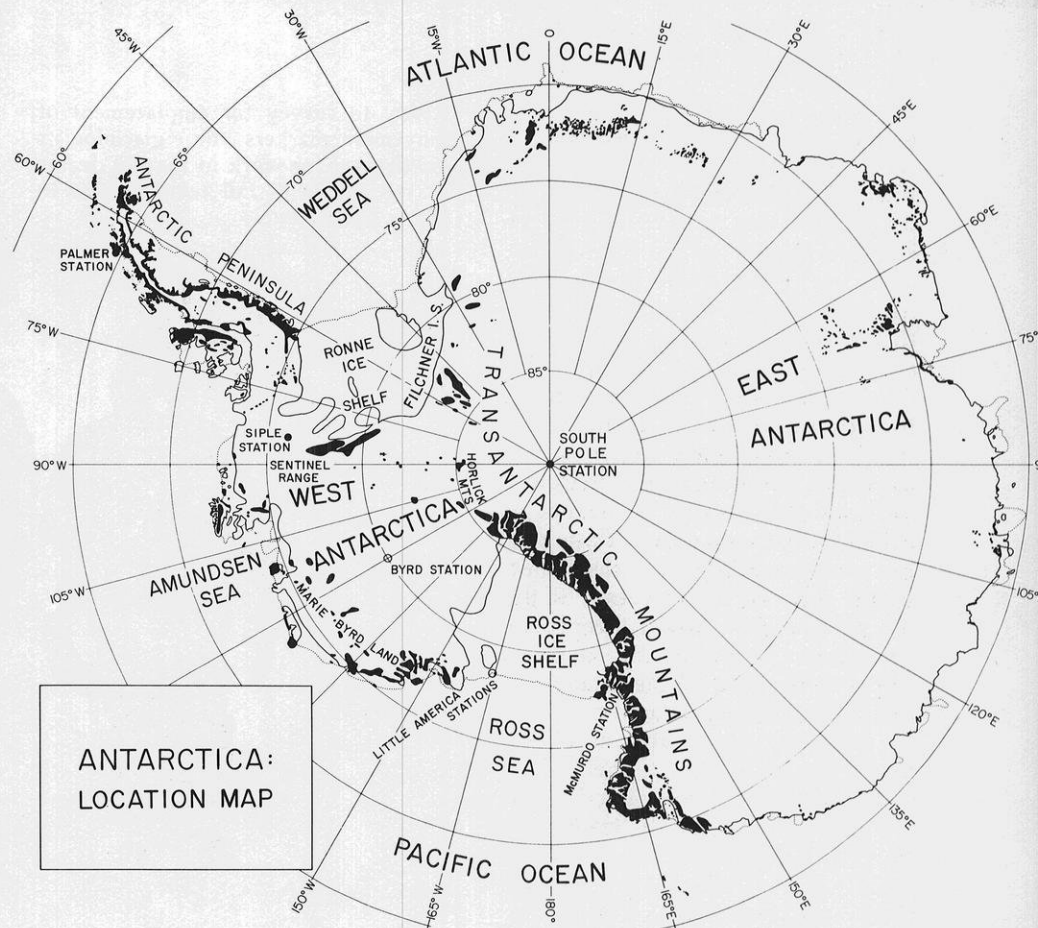
distinct from a *terrestrial ice sheet*, which lies on rock that would be above the sea). The marine characteristic of the West Antarctic ice sheet, which includes Antarctica's two largest ice shelves, the Ross Ice Shelf and the Filchner-Ronne Ice Shelf, is of crucial importance to the possible vulnerability of the ice to rapid disappearance.

Like any other glacier, the ice sheet is constantly in motion. Snow falls on the ice sheet surface and is gradually compressed to solid ice as additional layers of snow pile up on top; the ice then moves slowly but steadily downward and outward through the ice sheet to its margins where it finally is lost to the surrounding ocean, either by melting or by calving of icebergs.

## Natural glacial motion

Any glacier moves under the force of gravity acting on its sloping upper surface, just as a river does. The steeper the surface slope (and also the greater the ice thickness) the greater the driving force and, other things being equal, the faster the ice movement. Resistance to flow occurs along the glacier bed; the greater the resistance, the steeper the surface must be to keep the ice moving. Thus (for a particular ice thickness) where the ice is frozen to the bed, the slope is relatively steep, where it is lubricated by basal meltwater it is less steep, and where it is floating it is almost perfectly flat. Consequently, at a *grounding line*, where land-based inland ice flows into a

Figure 1. . . . Marks seaward boundary of ice shelves; ——— Marks boundary of land or land-based ice; ● Marks U.S. stations which are presently occupied; ○ Marks U.S. stations which are no longer occupied.





The Air Force C-141s bring in personnel and supplies from Christ Church, New Zealand to McMurdo Station, which has been the main permanent U.S. "city" in the Antarctic for 25 years. Mount Erebus (3794 m) is seen behind the ice runway.

floating ice shelf, there is typically an abrupt change in surface slope.

The West Antarctic marine ice sheet is, in principal, more vulnerable to rapid change than the East Antarctic terrestrial ice sheet simply because its rock bed does lie far below sea level. A simplified theoretical analysis by J. Weertman of Northwestern University suggests that if the sea floor is flat, a marine ice sheet will either extend its grounding lines to deep water (i.e. the edge of the continental shelf) or disappear completely, depending on the depth of water at the grounding line. If the water there is deep enough, as it mostly is in West Antarctica, the marginal portions of the inland ice tend to go afloat with a consequent flattening out and spreading over the water. In the process, the elevation of the ice surface diminishes, steepening the surface slope on the adjacent, "upstream," part of the inland ice, and thereby accelerating the flow of ice from the marginal zone of the inland ice into the ice shelf. This causes additional thinning in that marginal zone, since the ice is now flowing out of the region more rapidly than it is being replenished from upstream. As a result, the

grounding line retreats farther upstream and the thinning process continues. Conversely, for a shallow sea floor, the tendency is for the floating portion of the ice next to the grounding line to run aground, which slows down its movement, causes it to thicken, and results in a grounding line advance.

The idealized marine ice sheet can be made stable if the bed slopes downward away from the center of the ice sheet, but if the bed slopes the other way, the instability is accentuated. The latter is, in fact, the case under most of the West Antarctic ice sheet, emphasized where the land surface is isostatically depressed by the thick overlying ice sheet. Thus the West Antarctic inland ice should not exist at all! However, the simplified analyses do not take into account the restraints on the movement of the great ice shelves stemming from both drag along their lateral boundaries and partial blockage at *pinning points*, spots within the bound-

aries of the ice shelf where the ice locally is aground. These restraints may be strong enough to allow the West Antarctic ice sheet to be stable in its present configuration. According to these arguments, then, the existence of the West Antarctic inland ice depends upon the existence of the ice shelves.

The dependence of grounding line migration on the depth of the bed below sea level may be crucial for Antarctic glacial history, since if the model described above is even qualitatively correct, it provides a mode of direct response of a marine ice sheet to externally imposed sea level changes. There is widespread, if not universal, agreement that during the height of the last glacial epoch, when the great Laurentide ice sheet covered much of North America (including most of Wisconsin) and sea level was consequently more than 100 m lower than it is today, the inland ice in West Antarctica did indeed reach to the margin of the continental shelf

Ready to survey for emplacement of movement markers, these glaciologists are dressed for work in the -60 degree to -65 degree F fall temperatures in Marie Byrd Land.



in the Ross Sea. Then about 10,000 years ago, as the ice melted rapidly in the north, the rising sea caused a retreat of the grounding line to its present position. At present it appears from limited evidence to be in at least a quasi-stable position.

It has recently been suggested by T.J. Hughes and G.H. Denton of the University of Maine, however, partly from theory and partly by analogy with the Laurentide ice sheet, that much of the West Antarctic inland ice could disappear in a matter of one or two hundred years, not through the major ice shelves but through another escape route: northward into the Amundsen Sea (see Figure 1). According to their model, the absence of any extended ice shelf bordering the grounded ice along the Amundsen Sea coast, along with the evidence from preliminary measurements that the sea floor at the grounding line lies below the critical depth for rapid retreat, leads to the prediction of a catastrophic loss of ice into the Amundsen Sea, causing the ice in central West Antarctica to be carved rapidly away.

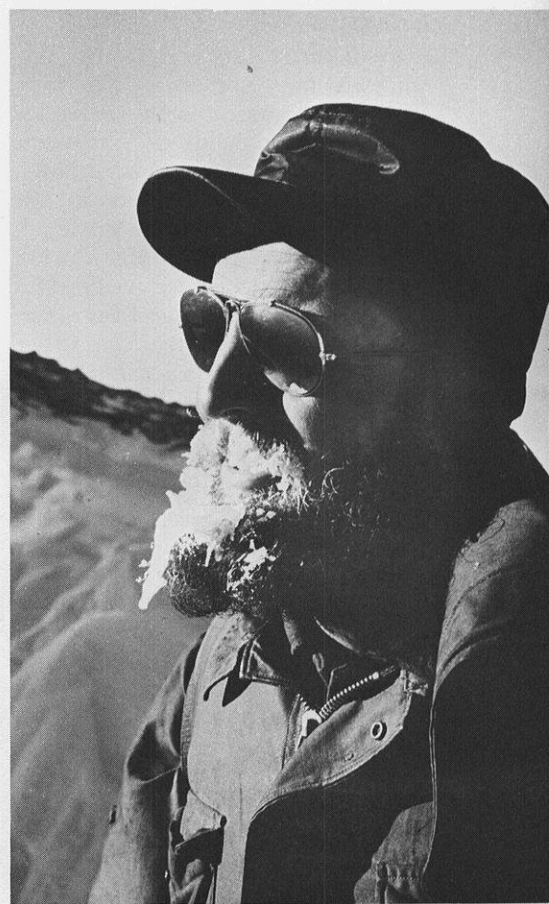
In recent times, during which oceanic tide gauges have been in operation, the ice sheet has not been melting at a rate corresponding to its complete disappearance in 200 years, since the implied rate of sea level rise is an order of magnitude greater than that observed. It is conceivable, however, that an ice sheet can change its size relatively slowly throughout most of a major retreat, with the final stages occurring at a very rapid rate. This may have occurred with the Laurentide ice sheet: the evidence from former shore lines is interpreted by some glacial geologists to indicate a disappearance of the last center of ice around Hudson Bay within one or two hundred years. (This conclusion, like most others pertaining to the subject, is hotly contested.) The possible vulnerability of the West Antarctic ice sheet is also suggested by evidence that during the last interglacial epoch, about 125,000 years ago, sea level was probably some 6 m higher than at present. A

likely explanation is the disappearance of the West Antarctic inland ice, and if it happened then, it could happen now!

### Greenhouse effect from CO<sub>2</sub>

Thus far we have been concerned with events that may (or may not) be happening in Antarctica in response to natural changes in the environment. Let us return now to consider what might transpire if the temperature were to rise because of the accentuated "greenhouse effect" that results from the increasing CO<sub>2</sub> in the atmosphere. We may suppose that the margins of the West Antarctic ice sheet currently protected by ice shelves would be little effected by a temperature increase until or unless the ice shelves, exposed to higher ocean temperatures and less protected from ocean storm waves by a diminishing sea ice cover surrounding the continent, thinned or disappeared. Then the inland ice sheet might rapidly disappear also.

A rough estimate of the temperature rise that could correspond to ice shelf destruction can be made by an analog argument put forward by J.H. Mercer of Ohio State University. Along the west coast of the Antarctic Peninsula, ice shelves abruptly cease north of a line that corresponds roughly to a midsummer air temperature of 0 degrees C. Midsummer air temperatures along the Ross and Filchner-Ronne ice barriers are now about -5 degrees C; by analogy, then, the critical temperature increase is about 5 degrees C. If temperatures rose further and were sustained, the ice shelf, by this argument, would eventually be destroyed. How long that destruction would take is completely unknown at present. However, it may be that rapid shrinkage of the grounded ice would start long before the ice shelves actually disappear, because the effect of a thinning ice shelf would be equivalent to a deepening of the water, thus causing both grounding line retreat and lifting of the ice off the pinning points.



Charles Bentley is photographed near the top of a mountain in the Horlick Range in the Transantarctic Mountains. On this climb, geologists collected samples which provided the first evidence that Antarctica was once connected to other Southern Hemisphere continents as part of Gondwanaland.

## Surging

As if the situation were not complicated enough, there is an entirely different form of unstable behavior that must be considered. For twenty years or so it has been known that many valley glaciers in the mountainous areas of the world are subject to periodic *surging*. During a surge, the glacier ice moves at a speed that is many times faster than its speed during normal times, but the surge lasts only a small fraction of the time between the surges. Thus, in a short time a large amount of ice is moved rapidly down the glacier, after which there is a long period of recovery during which the ice in the upper regions of the glacier again builds up.

In 1964, A.T. Wilson of Victoria University in Wellington, New Zealand, suggested that the entire Antarctic ice sheet might be capable of surging. In the event of such a surge, his thesis ran, a great quantity of ice would spread out over the ocean surrounding Antarctica, forming a huge extended ice shelf. Because ice and snow reflect solar energy far more efficiently than ocean water (a snow surface reflects about 95% of the energy falling on it whereas the ocean absorbs about 95%) the newly formed ice shelf would greatly diminish the amount of solar heat absorbed by the earth throughout the vast area that it covered. According to Wilson's original theory, this could cool the earth enough to cause a glaciation in the Northern Hemisphere.

Hemisphere.

It is now believed very unlikely that such a surge would occur in all of Antarctica at once, since the various sectors within the ice sheet probably have dynamic behaviors that are largely independent of each other. Nevertheless, it is possible that the sectors could surge independently; according to one model, when two surges occur simultaneously, the climatic cooling would be large enough to cause the development of a continental ice sheet in the Northern Hemisphere.

Whether or not Antarctic surges cause climatic change, strong sup-



The oversnow traverse group that went out from Byrd Station relaxes on the flank of a young, large volcano, Mount Takahe (3398 m) in Marie Byrd Land in West Antarctica.

port for their reality has come in recent years from computer modeling carried out at the University of Melbourne, Australia, by a group of glaciologists under the direction of W.F. Budd. They have found that a numerical model showing surges can be produced by a particular choice in the calculation of certain controlling parameters relating to the physical properties of the ice sheet.

The time between surges calculated from the computer models ranges from 10,000 to 25,000 years, depending on the size of the sector involved. The true values of the controlling para-

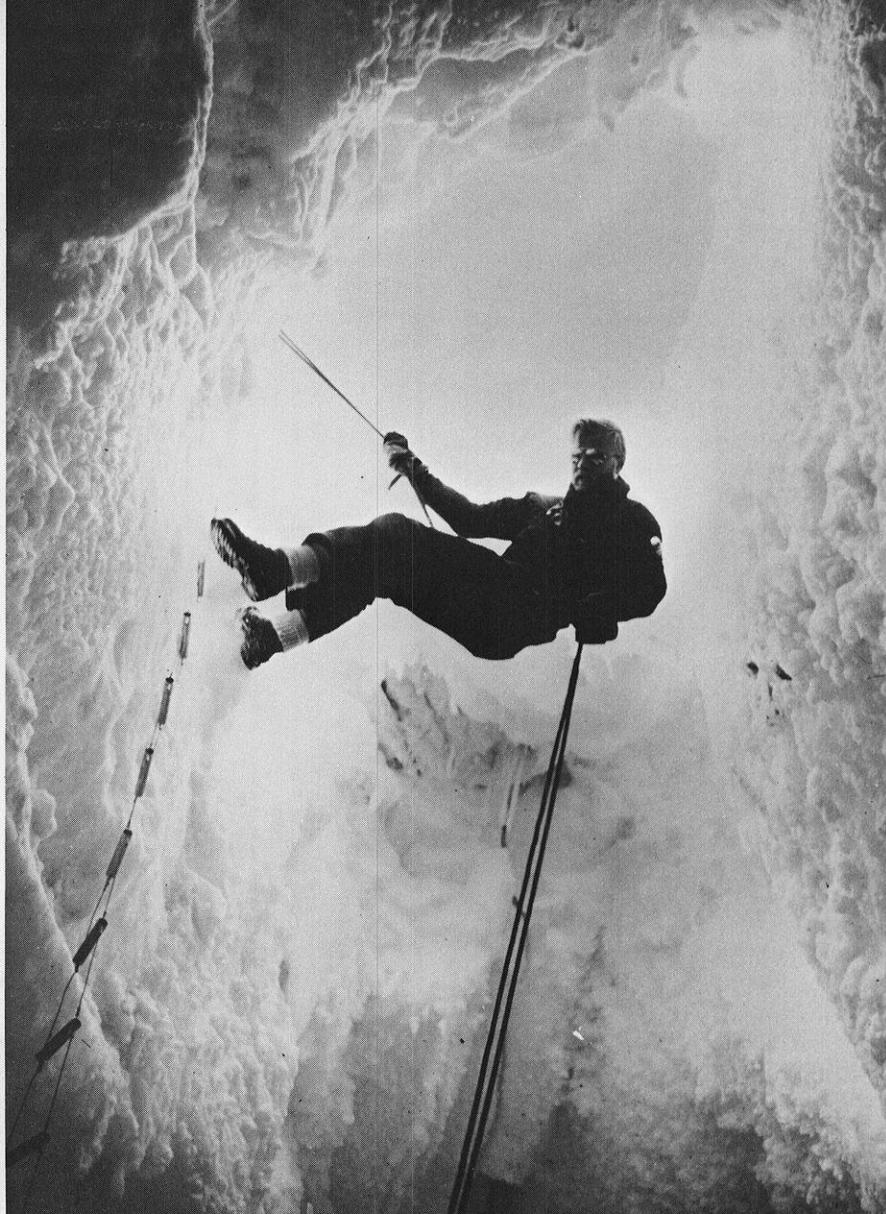
meters are not well enough known for us to be able to cite the modeling results as proof of surging; nevertheless, the results are significant in showing that the concept is at least reasonable. Furthermore, the calculated surface elevation profiles for areas in both East and West Antarctica appear to match reality quite nicely if the ice sheets have surged in the relatively recent past and are now in a recovery stage.

In the Ross Sea sector of the West Antarctic ice sheet, there is additional supporting evidence. An extensive program during the 1970s, carried out by University of Wisconsin-Madison glaciologists



The Trackmaster, part of the specialized equipment developed for use in polar regions, carries personnel and light cargo on sleds.

A glaciologist descends into a crevasse near Admiral Richard Byrd's Little America Stations.



and others, has shown it to be highly likely that the rate of ice accumulation on the surface is substantially larger than (perhaps twice as much as) the rate of ice loss through discharge from the Ross Ice Shelf into the ocean. That would be appropriate to recovery in the relatively quiescent period following a surge.

The surge model differs importantly from the unstable-marine-ice-sheet model in its implications for response to climatic warming. Inherent instabilities are carried within the surge model: advances and retreats occur without any change in the external environ-

ment. Surges will occur whether or not the temperature of the air, or of the ocean, or the height of the sea, change; they are thus not directly related to climatic change at all. However, the West Antarctic ice sheet may well be capable of both kinds of behavior at once—for example, the ice sheet must have responded in some degree to the drastic lowering of sea level that occurred during the maximum build-up of ice in the Northern Hemisphere, regardless of whether it is, in addition, capable of surging.

Because of these complexities, the problem of predicting the future of the West Antarctic ice

sheet will not be an easy one to solve. Nevertheless, the social and economic consequences of a rapid shrinkage are great enough that the research leading to a reliable prediction must be continued. Certainly the ice is not going to disappear in a few tens of years; possibly the process would begin to be observable that soon. Once the process has been set in motion, however, there will be no way to halt it. If prediction is to play the role that it should in the formulation of a national and international policy on the production of anthropogenic carbon dioxide, the capability for predicting is needed soon. □



## In my view . . .

*As tenure and the process for granting it once again become subjects of hot debate, more of those denied tenure are fighting the decision. A veteran advocate of many grievances against university administrative policies here tells what he has learned about job security within the modern university.*

# FEAR AND LOATHING ON TENURE TRAIL

By Richard Jacobson

This essay was intended to be a detached examination of the practice and prospects of grievance advocacy. Instead, because of a particularly inflamed grievance at the time of this writing—mid-June 1980—I must respond in a rather different tone. This will be part analysis, part personal journalism, part the memoir of an advocate for grievants.

Personal journalism is particularly attractive at present. Because nearly all my energies are invested in trying to protect several dozen faculty and staff at UW-Madison from an ill-advised administration policy, I spend much of the day drafting letters in a rather dry form: the most intense word of reproach is “unwarranted,” the strongest feeling, “determination.” It is a relief to turn to what I, and those I represent, *feel*, and what, with a probably dangerous candor, I think about it all. I once audited class in jurisprudence at Yale Law School, of which the one thing that remains is the admonition that the first task of an advocate is to examine his own relationship to the problem his client presents: How does he feel about it? What experiences of his own color his view?

If I can distill any learning at all from three years of listening to the aggrieved and trying to help them help themselves, it can be stated in two maxims. *Maxim Number One*: All disputes where the parties care more for vindication than for the money are based on the fear of annihilation. *Maxim Number Two*: The other side is not much worse than one’s own.

All the rest is commentary.

### 1

The philosopher Arthur Schopenhauer wrote that “the problem of death stands at the beginning of every philosophy.” Schopenhauer had some odd ideas on the problem, but they need not detain us. The fear of personal annihilation is at the root of things because every

human action of any symbolic weight is a response to negation. The secret counterpoint of all our music is silence.

But if the fear of death (and of diminution, which is a degree of extinction, and the fear of shame, which is a kind of diminution) is so universal a counterpoint, it can be the vehicle of almost any meaning. In the *Iliad* of Homer, the Achaians win, but the Trojans get most of the good lines. Sarpedon, a Trojan ally, tells Glaukos:

Man, if we both could escape this battle  
and live on forever, ageless and immortal  
then I should never fight in the forefront  
nor send you into battle where men win glory.  
But now, when myriads of death spirits stand  
about us  
which no mortal can escape or avoid  
let us go forth and give glory to another,  
or win it for ourselves.

(xii, 322-28)

Sarpedon says that death is the essential condition of all value. Life is short, and choices must be made. Live forever, and nothing is worth striving for.

Yet Glaukos, earlier in the epic, uses the same information to express a very different view. Asked by Diomedes whether he is man or god, Glaukos replies

High-hearted son of Tydeus, why ask of my lineage?  
As is the generation of leaves, so is that of men:  
The wind scatters them over the earth, but the trees  
burgeon with new ones when Spring returns.  
And so of men, one generation grows, and  
another passes away.

(vi, 145-49)

To Glaukos, the universality of death creates no distinctions; it makes for an ecumenical equality: *ou'sont les feuilles d'antan?*

I have assisted people in about forty cases of termination (note the metaphor) or other serious grievance. The reasons advanced for taking the particular decisions—favorable or unfavorable to the candidate—are usually quite remote from the real ones. *And everybody knows it.* One's colleagues decide that they want one to continue, and they *therefore* find that one's scholarship is brilliant, one's teaching rigorous and effective, one's service meritorious.

Work of equivalent quality done by a candidate who has made himself personally or politically obnoxious is typically found wanting. An old joke is that the reply to the question of how many articles in print justify tenure is "N + 2," N being the number the candidate has published.

Thus no one is entitled to stay on, and the granting of the great benefit, tenure in an academic position, is always an act of grace. The result of this occult ideology is a great many uneasy professors. That some of those who earn tenure are also fine scholars is almost irrelevant. Like King Croesus in Herodotus, they don't know their own worth, even if they are saved. Like Croesus, they don't know it is their own empire they destroy.

So the real struggle for tenure, which nowadays means the struggle to retain one's life work, occurs on a level wholly remote from the spoken discourse. It takes on all the intensity of repression of the Great Truth: that the decision is a ritual; its function is to carry on a sacrifice, and win the benefits of the sacrifice: potency, fertility, life. Despite the typical air of strained impartiality which governs tenure and renewal proceedings, a seething stew of affect underlies the discussion, a stew made all the hotter by the powerful pressure *not to be aware.*

I think the most universal goals of human enterprise are feelings of competency and communication. But senior faculty are participants in a world where no one, no matter how widely published or honored, can ever be entitled to such feelings. Thus the need is greater, though unstated. When senior faculty make the tenure recommendation—which in mature universities, we are told, is typically a decisive one—the question is ultimately whether the candidate makes the decision-maker feel masterful or loved. Or rather ashamed, diminished?

On the part of those whose fate is determined by such proceedings, there is need to have one's achievement and promise validated. Since being a professor is in most cases neither highly remunerated nor particularly prestigious, it is the standing of one's work which usually becomes the major source of feelings of security, wholeness, vitality.

But the terrible joker in the pack is that the system rejects *all* its adherents, winners and losers alike. No one can ever be good enough, all the time, and the

winners of all distinctions reap from their effort a continuing harvest of doubt.

Where do I come into this shambles? Either because of my association with United Faculty, the local affiliate of the American Federation of Teachers, or because I have assisted candidates or their counsel at other campuses, some of those selected to be victims come to me. While most professors think they're pretty good lawyers, most of them lack the foggiest notion of the rules under which—or in violation of which—the game is played.

Even though the Constitution of the United States does not require it (as the Supreme Court ruled in a famous nonrenewal case which arose in Wisconsin, *Roth v. Board of Regents*), the University of Wisconsin offers to nonrenewed or "terminated" faculty the opportunity of seeking the reasons for adverse decisions, and a mandatory reconsideration if requested, followed in certain cases by appeal to a faculty committee.

In the typical case, the aggrieved professor comes to see me after the first, departmental, decision. Ordinarily, my first task, even before asking for the facts, is to have the person tell me how he *feels* about what has happened. No one will be surprised to read that anger and resentment predominate. More surprising is the frequency of comments suggesting that the rejected professor doesn't really think so highly of himself, but that Professor X, who got tenure on a poorer record the year before, is no better.

The next step is determining what the professor wants. This is harder than it may seem: the benefit denied is typically desired not least because it has been denied. But sometimes the professor does not really want tenure. Being a professor is not that much fun. Or he may have found new interests, or be undergoing a midlife crisis, or may loathe the people a kinder fate would force him to work with.

So it takes a good deal of discussion to clarify goals. Often enough, of course, the real goal is indeed the opportunity to go on with one's career. But not always. Then the question is how far to pursue a claim to tenure in the interests of obtaining something else.

In one case, a woman came to see me with her husband. She feared she would be nonrenewed at an upcoming meeting of her Executive Committee. She sounded genuinely sad, in odd contrast to her husband, who sat seething and angry. After several hours of discussion it emerged that the husband, who had his own frustrations, wanted her to fight a rejection which had not yet occurred. She herself confessed that she was miserable at work, suffered insomnia, and would not stay on even if she were allowed to. In fact, another institution was about to offer her a job.

This case was easy enough for me, though probably not for her marriage. I suggested that she wait to be certain the other job offer was forthcoming. If it seemed satisfactory, she should take it. Since her real goal was a positive evaluation to accompany her on her

way, I suggested that we "sell" her resignation. She would tell the Dean she intended to resign and ask for a letter acknowledging her genuine accomplishments.

I do not know if she took my advice. Although I offered to act for her, she left my office in the company of her husband, who was still angrily demanding that any letter contain the declaration that she had really earned tenure. She never returned my calls.

2

The effect of an adverse decision is shattering. I have noticed that rejected professors typically become rather careless following the decision: they cross streets without looking, they speak indiscreetly. One client, following each of three adverse decisions, would accidentally drop a pot of hot coffee on his hand or foot. This symbolically suicidal behavior must be a comment on the awful event: either it is an internalization of the rejection—if you reject me, I reject myself—or else it is a kind of dramatic reproach, as if to say, if this is what you think of me, look at how great a result you caused.

My advice to those I assist is nearly always that the most important thing they can do is *exactly what they did before*. They should go on with their work of teaching and writing, if possible more energetically than ever. This serves several purposes: it not only diverts the mind from the powerful sense of grievance, but it also confirms the identity of the client as teacher and scholar. They have been put through a symbolic execution, and it is up to them to carry out a symbolic resurrection of their professional and personal vitality.

While I have always given this advice—and taken it in my own case—I have only recently been able to articulate the reasons for it. While I was writing the first draft of this essay, I read a book written by a college friend with whom I had lost touch, and which was published posthumously (*Fading Rainbow*, Methuen 1980). Robert Liss was a very good writer who had never quite achieved what he hoped. At the time he learned he had a rare form of leukemia, he was a reporter for the *Miami Herald*. He found a way of transcending his pain and fear when he remembered *what he was*, first and foremost: a writer and a journalist. So he spent the time remaining to him investigating his disease and writing about it in an inspiring and utterly truthful book.

If the basis of dispute is ultimately the fear of annihilation, of a loss of the self, Liss teaches us that the way to transcend the fear is through regaining your Self. The effort may not change the external reality, but it can alter the more important one. Courage is also a denial of death.

Why do I bother with this business of helping grievants? In most cases they do not pay me, and it carries certain disutilities in my personal and professional relations. The Authorities do not thank me for it—although arguably my activity helps legitimize their own. Being at odds with one's world is

an extremely uncomfortable feeling: one grows suspicious of other people, and one feels oddly guilty about challenging Authority.

In one sense I think this kind of work is my own effort to achieve transcendence. I take pride in doing it well, and most of those I have assisted have won substantial concessions, despite the conventional wisdom that you can't win these cases.

3

When the client soberly determines to undertake the struggle to reverse the adverse decision, knowing the immense stamina required, we both must face the intensity of self-justifying response.

Most human beings of any experience know that people speak and listen in several registers at once. "I hate you" often enough means what it says, but sometimes it can also mean "I love you," or "I wish you loved me." The judge wishes to hold a gift valid, for which the hornbook rule is that there must be intention, delivery or deed, and acceptance. The slightest evidence is airily held to be unquestioned delivery. All parties know how much, and how little, is being said.

The trouble with universities, and probably with any Authority, is that when they speak, they know only one register, the moral. The code is a restricted one, and betrays an incredible anxiety. The self-righteous tone which is the typical expression of the moral register is not only dishonest, but it makes useful dialogue difficult.

So it is necessary to choose the proper mode of address, upon reconsideration to the same group which initially rejected the candidate, and later, if necessary, to the Appeals Committee.

The most important contribution of reconsideration is to make a record for a later appeal, inside or outside the institution. There are few exceptions to the rule that reconsideration makes no difference. I know of one: a woman I assisted was rejected on a vote of eleven against, ten in favor of retention. On reconsideration, the vote was eleven in favor, ten against.

But even at reconsideration, when the goal is making a record for review, the register of mode of address is crucial. *It is courting disaster to challenge the values or processes by which the decision is made.* That is, it is a dreadful mistake to miss the point: neither the original hearing nor the reconsideration has the function of reviewing the facts and reasonable interpretations of those facts. The purpose of these hearings in the minds of those who participate is to confirm their sense of competence—mastery—and communication—their sense of being loved. In a nutshell, any assertion which questions their vitality, or the virtue of the enterprise to which they have committed their self-respect, is the signal to these decision-makers of Chaos come again. It is an attack—in symbolic terms—on their very existence. Thus any challenge to an adverse decision must be couched in terms which sustain rather than disconfirm existing views. You must leave the impres-

sion you agree that the institution is as near perfect as any agency starved by a niggardly legislature can be—only that here and there errors happen as a result of the mysterious proclivity of human beings to err for no reason at all.

In drastic cases, one can point out on appeal from reconsideration, that the department fell short, for reasons stated, from the high professional level the university expects. Since most departments behave in more or less scandalous fashion at least some of the time, this assertion is not all that hard to support. A measure of misplaced candor on the part of senior colleagues helps: sometimes they are careless enough to express—not the real reasons, which *ex hypothesi* cannot be stated—reasons reflecting their vanity rather than those which can be defended as valid exercises in necessary “subjectivity.”

An example will help. I sat through a lengthy public reconsideration where none of the seven senior faculty could state what they found lacking in the candidate's work. Finally one stood up and announced that it was all *political*, that he had always voted in personnel matters according to his view of how “progressive” the candidate was, and that he would do the same that day. Fortunately the whole episode was recorded on a microcassette machine which lay in plain view, and to which attention had been called early in the hearing.

After a lengthy appeal, which referred not only to the political question (forbidden by the Wisconsin Constitution and statutes, not to speak of common decency) but also to the suspicious disappearance of a highly favorable outside evaluation of the candidate's scholarship, and the unexplained delay in delivery of another (it was found, envelope unsealed, weeks after the first hearing, although it was postmarked ten days earlier), the termination was rescinded, and a special two-year extension granted.

What the Appeals Committee most relied on, we later concluded, was (1) the moderate tone of the candidate's appeal letter, and (2) the possibility of scandal should it come out that someone might be denied a vote for tenure because a Marxist professor found him not progressive enough. The Committee failed to comment about the likelihood that the person or persons who purloined the letters (which were accessible only to the decision-makers) also participated in the adverse vote. Somehow the notion of a fair and impartial hearing being denied was simply beyond their comprehension or their capacity to articulate. Finally they dismissed the count in the appeal protesting the vagueness of the criteria applied, drily observing that the hope of finding a better qualified person was reason enough to deny tenure.

4

*Second Maxim:* The other side is not much worse than one's own.

The doctrine known to social psychologists as

cognitive dissonance goes far to explain the phenomena discussed in this essay. Summarily, if crudely put, the doctrine states that the mind cannot tolerate much contradiction and seeks to reduce contradictory items of knowledge by *choosing to believe*. Thus if I have reason to believe that Professor X is about as competent or otherwise as anyone else, but I know that I have chosen to help terminate his career, I will pretty soon discover that X is a lot dumber than most folks think. This structure is analogous to the pervasive one in which university faculty, beneficiaries of unmerited grace, conclude that the institution which employs them is nearly perfect: either it is unusually percipient in discovering their undisplayed talents, or else it is a rare source of kindness in a grim world. The alternative is to conclude that the process of choice produces random results. Between a welcome and an unwelcome conclusion, what is there to choose? So any claim that the institution or its processes are somehow lacking becomes an assault on the self-esteem of established faculty—a threat of diminution, a dark force loosed upon the bright world.

Advocates are notoriously subject to cognitive dissonance. Since they are usually *paid* in some form to make the best case for whoever comes along and often must choose cases which are less than commanding, they must choose between seeing themselves as intellectual whores, or their clients as pretty sterling people. Again, what is there to choose?

But a corollary to the development of warm partisanship for your clients is the development of feelings of repugnance for the adversary party. Since it is a highly symbolic struggle—the victory is less any material reward than the assertion of validity against chaos—the feelings of all parties are typically grossly disproportionate to any real gain or loss. The other side must be bastards. Symbolically, they are murderers. The main trouble with this proposition is its obvious double edge: the *other* guy, the bastard, can easily enough be *your* guy, the hero. It also diverts attention from the real goal in these disputes, which should be the creation of a long-term, harmonious relationship.

*First Example.* Dr. A had been a student activist at Madison during his graduate study, in the late sixties. He had been active in the 1970 Teaching Assistant Association strike, an event which arguably left more psychic scars on the campus than the Sterling Hall bombing left physical ones. After earning his Ph.D. he stayed on as a member of the academic staff, wrote a good many research papers, and in general started a promising career.

But A had an itch to be a professor. When an appropriate vacancy was announced, he applied. He asked for letters of recommendation from senior faculty with whom he had worked years before.

A few months later, A learned that a strange letter had been received, seemingly branding him as some kind of dangerous radical, and that as a result he would not be interviewed. We obtained a copy of the letter. Awkwardly composed, it appeared to us a guarded

attempt to paint A with a red brush. Its message seemed to be "A is smart enough, and if you want a dangerous radical in your department, go hire him." The author of the letter was a senior professor known to me only as a name.

We discreetly brought the letter to the attention of the University Committee. Whether because we had raised the issue, or for other reasons, the search for someone to fill the vacancy was abandoned for that year.

Two years later I am in frequent touch with the author of the unfortunate letter. Far from being the hidebound defamer our first reading of the letter led us to think him, he now looks generous, liberal in values, altogether reasonable. Now the letter he wrote, though poorly written, seems to read "A is so brilliant that you should not let anything you have heard about his political activity in the remote past keep you from considering him."

*Last Example.* Dr. B was a postdoctoral employee who came to see me two weeks after he was dismissed by Professor Z. Z was a scientist of national reputation, regarded as both a first-rate researcher and a very difficult human being. He was also dying of cancer.

From Dr. B's point of view, Professor Z was being unjustifiably harsh: he had hired B for the princely sum of \$9500 per annum, was demanding more than six long days of work per week, and tensions had grown so great between them that Z had assigned B to work in a laboratory on a different floor from Z's, and told him in a roundabout way that his appointment was not to be renewed by sending him a memo saying that his appointment would terminate this coming June 30. Despite this memo, Z fired B on two weeks notice a few days afterward.

I can readily sympathize with those who feel ill-treated, and in this case, there was reason enough. By his own account, B was willing to work six days a week, but the required seventh rankled.

At the same time, Z could be a hero. I could love the plot: a great scientist knows he has a short time to live and devotes all his energies to completing his experiments. But science nowadays is not the task of a lone researcher; he has a staff who must be impressed into his grand project: cheating Death.

It seemed merely decent to avoid troubling Z. We appealed to the Chancellor who found another place for B.

This should end the story. But just when I was congratulating myself for helping create a victory with no losers, I got a 6:30 a.m. telephone call from Professor Z. What the hell was I doing, he demanded, helping a thief keep a job at UW? Apparently Z believed B had stolen some valuable laboratory equipment, which may have been the equipment sent to B's laboratory-in-exile on another floor. All I could tell the indignant and thwarted Z was that we had not challenged his right to exclude B from his lab, that if after an inventory of B's workplace he found equipment missing, he should call the police. All certainty dissipated when I

heard that B's supervisors in his new job were no happier with him than Z had been.

This essay should conclude with an account of the present mess, whose epicenter I seem to occupy. Since the first TAA strike, ten years ago, that organization has aroused an immense amount of hostility on the part of the campus administration and the established faculty in several departments. It has a few secret allies and admirers among the faculty—probably *very* few. It also has a fraternal relationship with United Faculty, which is by merger also a local of the American Federation of Teachers.

After working without a contract for several months, the TAA voted to strike on April first. United Faculty met that evening, voted to approve a statement in support of the TAA, and urged all teaching staff to respect picket lines.

The form that respect took in nearly all cases was the adoption of a longstanding faculty option of meeting classes in a variety of places other than the assigned room. Faculty have long met classes at places of mutual convenience: their homes, the lawns in good weather, the Memorial Union. About seventy faculty and staff took this action. Continuity was maintained, tests administered, grades accepted, and credit granted.

Even before the strike was called, the administration indicated extreme displeasure with any move from assigned space. Threats of pay forfeiture and of other unspecified discipline were made by the Chancellor.

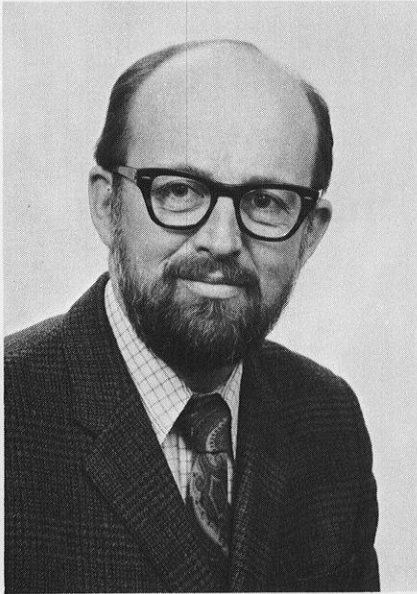
It is an interesting dispute, because both sides assert certain appealing values. On the administration side, they must be free to combat disruption, and they wish to deny their TA adversaries any claim of success. They are no less committed to autonomy from outside influence on educational policy—an argument based on valid experience with the dangers of interference to academic freedom and academic excellence.

On the other side, we claim the freedom to pursue our customary practices, protected as part of academic freedom by Faculty Policies and Procedures. We also claim freedom from coercion of adherence, or the appearance of adherence, to administration views in a public dispute. And we reject the distortion of the English language practiced by the administration in its attempt to characterize is threatened pay penalties as an "administrative action," rather than what it really is, discipline—since as discipline, it would require a variety of due process protections for the accused.

Both parties are struggling for values they deem fundamental: a feared threat to its autonomy (the necessary condition of academic life) on one side, a threat to its freedom (no less a necessary condition) on the other.

In this clash of values—struggle for power—it seems to me that the values of freedom far outweigh those stated or unstated administration fears. But my guy is the hero. □

continued from page 2



**Charles Bentley**

**Charles R. Bentley** received his B.S. in physics from Yale and a Ph.D. in geology (geophysics) from Columbia in 1959. Following two summers of geophysical measurements in Greenland, he went with the IGY expeditions to Antarctica where he remained for the years 1957 and 1958 at Byrd Station as oversnow traverse leader and seismologist for the Arctic Institute of North America. In the past ten years, he has returned to the Antarctic eight times to lead field programs.

Professor Bentley came to the University of Wisconsin-Madison in 1959, becoming full professor in 1968 in the department of geology and geophysics. He is at present vice president of the International Glaciological Society, chairman of the Glaciology Committee and member of the Committee on International Polar Relations, both of the Polar Research Board of the National Academy of Sciences.

In April 1980 Charles Bentley chaired a workshop in Orno, Maine, on "Response of the West Antarctic Ice Sheet to CO<sub>2</sub>-Induced Climatic Warming" attended by glaciologists from around the world. He recapitulates in "And if the Antarctic Ice Sheet Melts. . ." the ideas discussed at this conference.

Born in Chicago, **Robert March** took all three degrees (A.B., M.S., Ph.D.) from the University of Chicago. He has been on the faculty of UW-Madison in the physics department since 1962, as a full professor since 1971. Professor March's research specialty is the physics of subatomic particles.

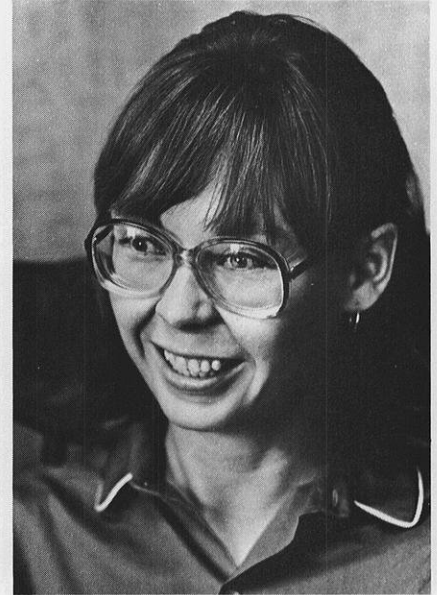
**Michael Sherman** is the associate director of the Wisconsin Humanities Committee, a state-based program funded by the National Endowment for the Humanities. Before coming to the WHC and Madison in 1978, he taught history and humanities at Lawrence University in Appleton.

Mr. Sherman did his undergraduate work in humanities and received his Ph.D. in Renaissance history from the University of Chicago. He has published articles on Renaissance France, has contributed to the *Wisconsin Academy Review*, and has published essays on the role of the humanities in the discussion of public policy issues.

**Jeri McCormick** is active in the Wisconsin Fellowship of Poets and is currently coediting *Poems Out of Wisconsin-V* for the Fellowship. The anthology will be available in late fall.

**Richard Jacobson** holds degrees from Brandeis, Harvard, and the University of California. He spent a year as visiting scholar at Yale Law School. His hobbies include walking with his daughter, growing roses, and making trouble. He emphatically denies that he was once questioned about black market currency dealings in a foreign country. He has published on Biblical semiotics and on the language of authority. He also once won a suspended fine in a cat-trespass case in Dane County Court. After nine years on the UW-Madison faculty, he is now a law student.

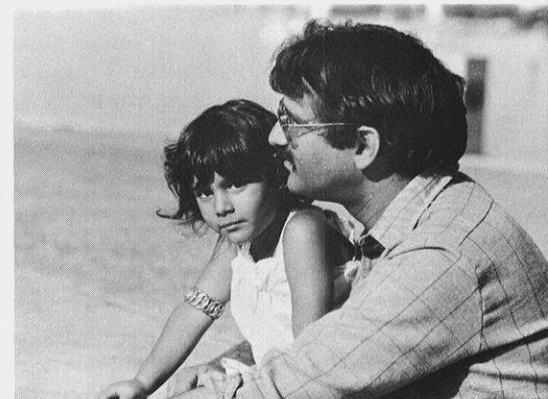
Photo by Richard A. Rygh



**Patricia Powell**

A few years ago, **Pat Powell** worked on a project doing descriptive cataloging of the sixteenth-century books in the Thordarson collection. Handling and examining these books was such a joy that she came to understand Mr. Thordarson's passion. Seeing the collection arouses curiosity about the collector, and the man was quite as interesting as his books. Thanks are due to Gretchen Lagana, curator of Rare Books, who made possible the original project and who provided additional information for "Chester Thordarson: Scientist and Bibliophile *Extraordinaire*."

**Richard Jacobson with daughter Miriam**



## WINDFALLS



## The Challenge of Challenges

by Arthur Hove

A blank piece of paper. The ultimate challenge. At least for the writer (and some artists). The paper must be filled with words. Sentences constructed. Paragraphs. Ideas, events, and people represented in a way that will be understandable and interesting to others.

It doesn't matter how you do it. Stand on your head if you have to. The important thing is to get the words down. That is the challenge.

Challenges. The air is full of them. They seem to come from every quarter. No self-respecting achiever would be without one. They are like spoons in the twentieth-century air. If a challenge doesn't exist, you go forth—like the medieval knight errant—in search of one. They are the fund raiser's delight, the sportsman's true test, and the politician's stock-in-trade.

Leaders from all walks of life instinctively recognize the usefulness of challenges. Challenges can motivate people to achieve something that lies beyond their presumed potential. A challenge becomes a talisman, a magical word to be employed whenever people need to rise above the cir-

cumstances of their everyday life. No life, in fact, seems complete without an appropriate set of challenges. To have lived without meeting and overcoming specific challenges is viewed by some as not to have lived at all.

Governments, in the interest of self-perpetuation, offer up challenges to their citizens. Such challenges generally involve items which will increase the welfare of the republic while causing the least strain on the social order. The arrival of each decade offers the media an excuse to trumpet the appearance of a new set of challenges. The fanfare often provides the opportunity to overlook the unrealized challenges of the previous decade and start afresh.

Simultaneously, individuals are setting down challenges for themselves—challenges which presumably will make them better, more successful. Such a process comes to the fore at the beginning of each new year as well-meaning citizens adopt New Year's resolutions designed to eliminate temptation and increase virtue.

Few, however, remain resolute through the year by keeping their resolutions.

Still, the belief in challenges continues to have a hold on our lives. Our streets presently are filled with joggers and runners inventing new challenges, trying to push themselves farther and faster than they ever dreamed possible.

The challenge was the staple of the once widely popular boy's pulp magazines that every young man kept stored under his bed. Challenges gave rise to the stuff that heroes were made of; they were tests designed to measure one's mettle.

There are other examples. Who can forget the tales of the young knight venturing forth to slay the dragon? The story of the outnumbered band of patriots doggedly holding out against hopeless odds at the Alamo? The timid little tailor outwitting the giant? The Dutch boy sticking his finger in the dike to hold back the North Sea?

The stories are part of a romantic tradition that refuses to go away. Meeting a challenge is a rite of passage that must be experienced before one can claim full maturity.

There is a sense of accomplishment and sometimes glory that comes with having met a challenge and overcome it. It is this reason that probably encourages most of us to respond to challenges in the first place. That is why we have Challenge Cups, Challenge Grants, Challenge Races, the Challenge of Change, and the Challenge of the Century—all appropriately capitalized to indicate their importance in the scheme of things.

The memory of the childhood taunt, "Bet you can't . . ." creates the stimulus to prove that you can. And once you have, there is always reason to go through a similar experience to demonstrate that the first time was not a fluke.

Animals are continually challenging one another. So is the remainder of the biological community. Charles Darwin characterized the interaction between one species and another as "the struggle for existence." We have come to know it in the form of clichés. The obstreperous drunk in the bar claiming he can lick anyone in the house. The commencement speaker trying to avoid the temptation, but finally telling the graduates to go forth and conquer a world that is not of their own making.

The air is so filled with challenges today that the concept seems somewhat hollow. After all, do things have to be that portentous? Isn't just making it through the day in these troubled times challenge enough—something that involves a reasonably high level of heroics?

So what's the big deal about challenges? Are they just another gimmick designed to call attention to things that otherwise would seldom rise above the routine? Are they insidious devices that demagogues and bureaucrats use to keep the populace in line?

The etymology of *challenge* is interesting in this context. The word originally was the same word as *calumny* which, emerging from its Latin, Old French, and Middle English forms, denoted trickery and artifice. Gradually, the word

became both a noun and a verb. This expanded its semantical horizons to the point where someone could respond to a challenge by challenging its legitimacy. Such brinksmanship can often lead to the issuing of a challenge—a trial by combat. The whole business can get confusing to the point where it is a challenge to understand just what is meant by the challenge.

Psychiatrists reassure us that the stresses of modern life have a positive dimension. Challenges, placed in a proper perspective, can generate healthy responses which will lead to an integrated view of the world, one which allows us to carry on with a minimal amount of dysfunction. Part of this, we are told, ties into the fight or flight syndrome. We have to make a choice of which challenges to accept and which to shy away from.

If we accept the right ones—presumably those we are capable of handling—we can achieve an intellectual and emotional equilibrium that will produce a well-balanced outlook. If we choose wrongly or allow ourselves to become overwhelmed by it all, things fall apart. Then the trouble begins.

Stability is called for amid the general chaos. The challenge, in a popular idiom, is to get and keep your act together. The realization is not exactly contemporary. Kipling used a similar sentiment to do a little moral cheerleading a couple of generations ago:

If you can keep your head when  
all about you

Are losing theirs and blaming it  
on you,

If you can trust yourself when  
all men doubt you . . .

Of course, it helps to have some basis for comparison. Any schoolchild will tell you about the importance of grades in separating the dolts from the geniuses. (They also may tell you that a four-point average is not necessarily the most direct road to happiness.)

If you want to know what people can do if they set their minds to a

challenge, you can consult the ever-expanding *Guinness Book of World Records*, a publication established in 1956 "to record the then extremes in, on and beyond the Earth—notably in human performances and of the natural world."

After all the attention given to the general subject, it is reasonable to ask who actually conducts an audit to see if all challenges have been met? Perhaps it is done regularly by those who are firm believers in management-by-objectives schemes or top level bureaucrats in socialist countries. Voters with long memories occasionally throw the rascal politicians out because they have not met the challenges or kept the promises they spoke about when they were elected to office.

But most people tend to have short memories when it comes to challenges. This claim can be documented by those numberless unkept New Year's resolutions that litter the landscape by the time Valentine's Day rolls around.

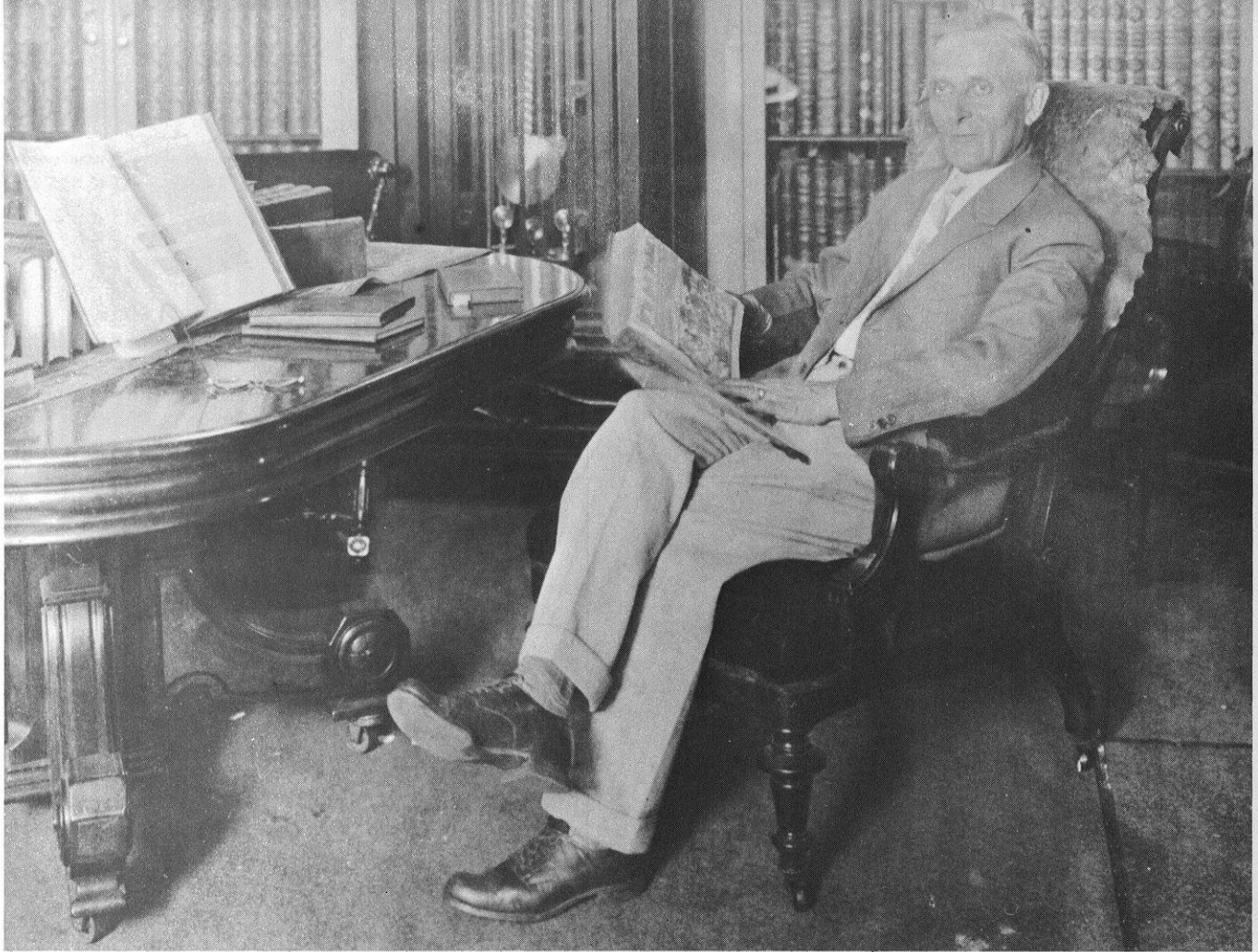
A further reality to be dealt with is that conditions keep changing. Effective politicians and businessmen (and occasionally essayists) know it is better to generalize than get caught making specific promises that can't be kept, particularly when the ability to respond has been compromised by events beyond our control.

Accepting challenges, therefore, presupposes that one has the ability to control things, people, and events to the point where the challenges can be met in a reasonable fashion. The knight going out to meet the dragon does not venture forth without his sword and armor. Bravery is one thing, foolhardiness another.

For a writer launching into something, such as a piece like this, the challenge eventually becomes one of deciding how to finish it properly. Some works end like symphonies—with thunderous beats and the clashing of cymbals. Others gradually dribble off into nothingness.

And some just stop. □





## Chester Thordarson: Scientist and Bibliophile *Extraordinaire*

By Pat Powell

Back in the 1930s the Bibliographical Society of America held some of its meetings in conjunction with those of the American Library Association. At one of these meetings—1933, I think—the members of the Society were invited to meet Mr. Thordarson and see his library at his electrical and manufacturing plant on East Ohio Street in the heart of one of Chicago's warehouse and industrial districts. The group went through a dimly lighted passageway alongside machinery and up a staircase to a room where we were greeted by a gray-haired man well on in his

sixties, rather slight of build, who nervously began to show us his treasures. And what treasures they were! The elephant folio of Audubon (he told me later that it cost him two hundred dollars a volume to have it bound in England, and the binder told him never to send another volume as big as those were, for he had had great difficulty in getting skins big enough to cover them); the Coverdale Bible ("Great Bible") of 1535; a complete set of Gould's magnificent monographs on the birds of the world, a set quite as valuable as the Audubon; and many, many

others of less magnitude, even though of greater rarity. The eyes of even the more distinguished members of the Society almost popped out of their heads, and Mr. Thordarson's nervousness began to abate as he realized their admiration for his achievement in bringing such a collection together. He began to open an occasional book to his favorite passage, which he had lightly ticked with a pencil mark, and read it aloud, almost always with the comment: "It's wonderful, isn't it?" It was easy to see that he loved his books and knew them intimately.

Gilbert H. Doane, then director of University Libraries, painted this vivid picture of his meeting with a remarkable man in an early volume of *Library News*. If a collection of rare books in an electrical manufacturing plant is unusual, it is emblematic of an unusual man—Chester Thordarson.

Born in Iceland in 1867, Chester was one of the six children of Gudren and Thordar Arnason. His family left Reykjavik when he was six years old and arrived in Milwaukee in July 1873. That September his father died of a disease of the nerves. With the help of the Norwegian congregation of Dane County, Gudren moved her children to a Norwegian settlement in DeForest. When Chester began school there, his teacher, Ella Wheeler (Wilcox), had such difficulty pronouncing his Icelandic name *Hjortur* that she decided to call him Chester, the name he thenceforth adopted.

From Dane County Gudren moved her younger children to Shawano County to join a group of Icelandic settlers with whom they later moved to North Dakota. Chester, thirteen at the time, made the 700-mile trip on foot.

In his late teens, Chester began observing nature and making careful classifications. He pored over a physics text, translated into Icelandic by his uncle, Magnus Grimsson. From studying this book and doing the suggested experiments, Chester realized that what he wanted to do in life was work with electricity. And feeling the enormous influence of this book, he decided to collect books.

Moving to Chicago in 1885, he took a job in an electrical shop to pursue his twin dreams. Years later when Neil Clark interviewed the successful man for *American Magazine* (December 1926), he asked Thordarson how he could live—and collect—on four dollars a week. He got this reply:

I managed by finding where my pennies would buy most. I lodged in a pretty poor place on the West Side. If I remember correctly, I paid two dollars a week

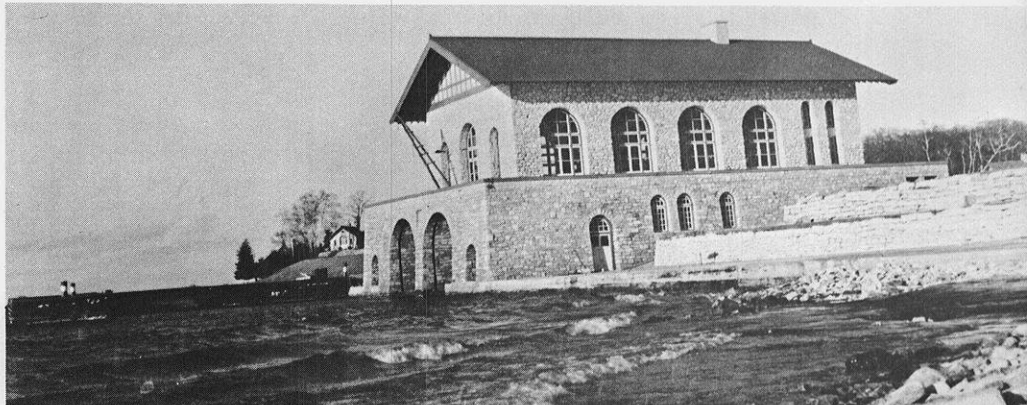
for my room and breakfasts. I walked to work. That left me one dollar each week for other meals, which consisted of stuff bought mostly at bakeries. One dollar remained. With that I bought books.

Thordarson began his own business in 1895, designing and making electrical devices and constructing laboratory equipment for university classrooms. He received his first patent for one of these inventions July 30, 1901, and eventually he held about 150 patents, including ones on x-ray, neon, and radio transformers. He was awarded two gold medals by the U.S. government for outstanding work in electricity. Thordarson received the first for a transformer capable of producing up to 500,000 volts, which was unveiled at the 1904 St. Louis Fair, and the second for the first 1,000,000-volt transformer which was exhibited at the San Francisco International Panama-Pacific Exposition of 1915.

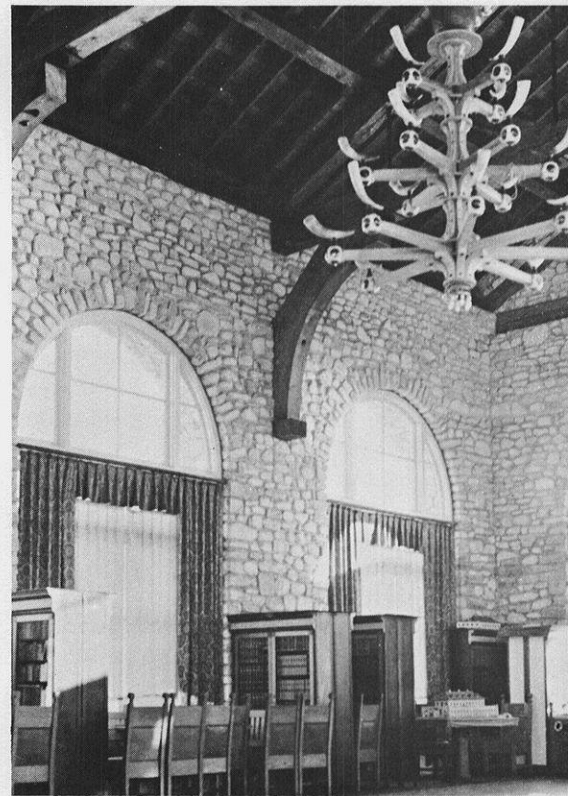
When his business prospered, Thordarson bought parcels of Rock Island, off the tip of Door County, until by 1912 he owned all but the U.S. lighthouse. On this island Thordarson recreated an Icelandic village. He moved his library from Chicago to the great Viking feudal hall. The thousand-acre island, with four miles of dramatic limestone cliffs which rise to 300 feet, was sold to Wisconsin in 1965 to be used as a state park.

Chester Thordarson died in 1945. In the summer of the next year, the University of Wisconsin

Courtesy State Historical Society of Wisconsin



Courtesy State Historical Society of Wisconsin



Thordarson designed the sixty bronze and steel bookcases and the 9' by 6' chandeliers made of buffalo horns, white pine, and red, green, yellow, and blue crystal for the Viking hall on Rock Island.

The boathouse below and great hall above, built of blue limestone quarried on Rock Island, is 70' by 140' by 65' high.

purchased his 10,000-volume library for \$300,000. Gilbert Doane, with the aid of his wife, Ralph Hagedorn (the acquisition librarian), and A. W. Peterson (soon to become UW Vice President) spent a week in the Great Hall taking inventory and packing boxes. On a fair day, they watched nervously as the winch set up on the terrace lowered the cartons of precious books onto the ferry docked below in a calm sea. The Thordarson books arrived safely over water and land and were set up in their own steel and bronze cases on the third floor of the Historical Society, which then housed the University Library.

Thordarson had primarily collected books which demonstrated the development of British scientific thought and technological evolution. He added many books, however, for personal and aesthetic reasons. Ralph Hagedorn divided the library into six separate collections:

- individual books in the history of science and technology, especially early and rare books on mathematics, medicine (including herbals), and agriculture

- reference works and working copies of rare books, such as the publications of the Early English Text Society and the Hakluyt Society, and British Museum catalogues

- "color-plate books," which are mostly scientific contributions such as the Audubon elephant folios and the Gould monographs on birds

- sets of standard authors, with a fine collection of first or early translations of Greek and Roman classics and early editions of Chaucer, Donne, Shakespeare, and Spenser

- books in Icelandic and about Iceland, considered the third-best collection in the world

- Americana

The University Librarian decided to use this collection as the nucleus of a Rare Books Department. Through the acquisition of supplemental collections, the UW Memorial Library has built a collection which ranks as one of the ma-

ior centers in the country for research in the history of science.

Descriptions of just a few of the sixteenth-century treasures, important in the history of science or the history of printing or both, should serve to tantalize bibliophiles and alert others to the significance of the Wisconsin acquisition.

The *Hortus Sanitatis* is a Latin treatise on natural history with tracts on plants, animals, birds, fish, rocks, and ending with a tract on urine. Each entry consists of a small woodcut, a description of the physical properties, and a compendium of the medicinal uses of its parts. This edition is formally dated c. 1507, but it corresponds to the description of the 1499 edition. Printed by Johann Pruss in Strasbourg, the type is black letter in two columns with fifty-five lines each.

*The Noble Experience of the Vertuous Handywarke of Surgeri* by Hieronomus Brunschwig, the first English edition of this influential medical text, was printed in London by Peter Treveris in 1525. A woodcut of a human skeleton used in *Surgeri* is repeated from the *Hortus Sanitatis* and is used again in the *Grete Herball*—an example of the economies of the printing art.

In 1526 Treveris printed the *Grete Herball*, the first book on botany in the English language. The woodcuts of the plants are copies from the *Herbarius zu Teutsch* (1484) of Peter Schoefer of Mainz and are used in nearly all herbals for the next half century. Interestingly, this edition has illustrations colored with red and green wash and copious handwritten notes throughout the text.

As a capstone of the collection, Thordarson was able to obtain the Marquis of Lothian's copy of the Coverdale Bible (1535), the first complete Bible in the English language. It was translated from the Latin by Miles Coverdale, but political pressures forced the printer to remain obscure. Both place and printer are still the subject of debate. The Bible is in folio

with double columns of black letter, each with fifty-seven lines.

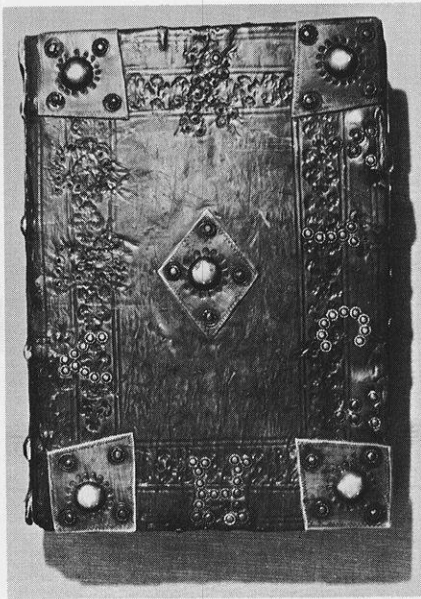
Euclid's *Elements of Geometry* was printed by John Day in London in 1570. This first English edition is a folio text with beautiful roman and italic type: the italic for the preface and the propositions, the roman for the main body. John Dee, mathematician and astrologer in the court of Elizabeth I, wrote the preface.

Born at Dunwich in 1522, John Day was the first English printer of whom we can say with certainty that he was his own letter founder, cutting roman and italic fonts of the same size to be used together.

Chester Thordarson assembled a magnificent private collection of books which demonstrate the achievements of Western man in science and in art. His own achievements as a scientist and a bibliophile should place him along side those he honored.

**During his lifetime Chester Thordarson systematically acquired one of the finest private rare book collections in the country. The University of Wisconsin was fortunate enough to acquire the collection in the summer of 1946, one year after his death.  
—Gretchen Lagana, Curator  
of Rare Books**

Tantalizing tidbits of Thordarson's treasures

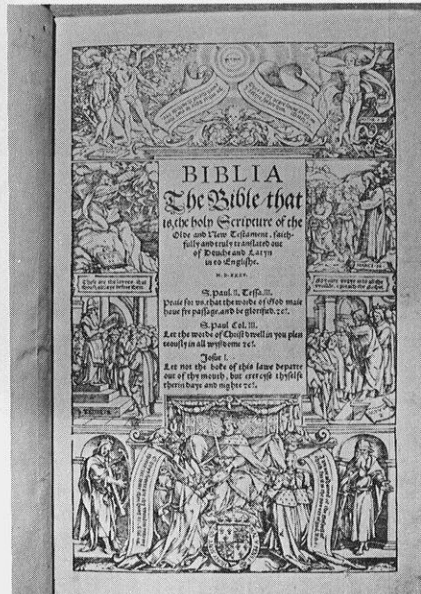


The Grete Herball, first (1526: Treveris) English book on botany, is still in its original binding of brown pigskin over oak, decorated by brass tacks, corner-pieces, and center diamond. Below: Peter Treveris' colophon.

Jerome whiche booke of late was translated out of frenche into Almayne into we Dutch. And afterwarde in to our language of Englysh. It is moche necessary & profitabill for surgyns to see that have conyng as for the that be lerners. For wch they oftentimes redeth over this present booke hal fyndeth veritye & conyng. Printed at London in Southwarke in Treveris. In the yere of our lord god .M.D. xxv. on the .xij. day of Marche.



Photographs by Barry Powell



The title page of the Coverdale Bible (Zurich? 1535) shows biblical scenes and Henry VIII on his throne. Each chapter has a woodcut designed by Hans Sebald Behan and an historiated initial (below).

The first Epistle  
The first Epistle  
of the Apostle S. Paul, to the  
Corinthians.



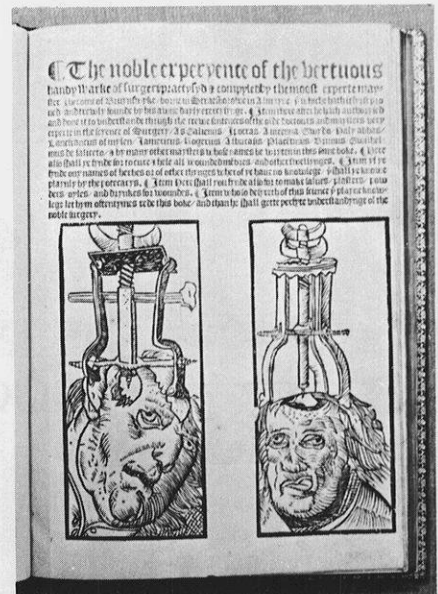
The first Chapter.  
**P**aul, called to be an Apostle of Jesus Christ, chosen of will of God, and brother. Soothe me, unto the congregation of God which is at Corinthum, to them that are sanctified in Christ Jesus, by calling, with all them that call upon the name of our LORD Jesus Christ, in every place, both of theirs and ours. Grace be with you and peace from God our father, and from the LORD Jesus Christ.

I take my God alwayes on youre behalf, for the sauoure of God which is geue you in Jesus Christ, that in all poyntes ye

to the Corinthians. The fourth, I held Christ then denyed in particular for you: Whiche name of Paul: I shalke baptize none of you here: lest any shulde saye, I name had baptised. I baptise of Steephana. Therefore, whether I baptise Christ in me not to baptise the Gospell, nor with wysse of a crosse of Christ shulde of none effecte.

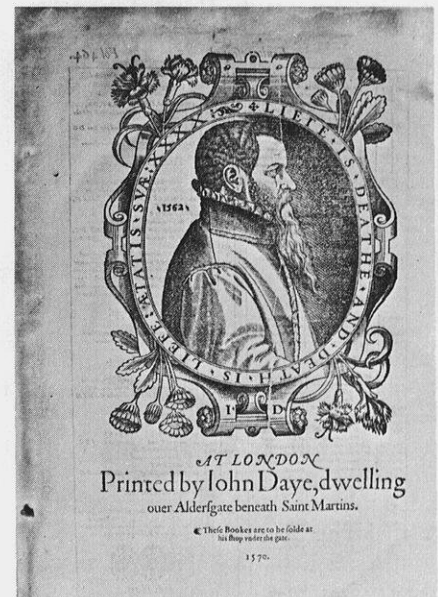
For the woulde of I care to the that perishe: but vnsaued, it is the power of God. I wil destroye the wysse, wil cast away the vnderstandinge. Where are the wisemen? where are the disputers? hath not God made this woulde foolishnesse: the woulde by the wysdom not God in his wysdom chose foolish preachinge belene. For, the Jewes seeke the wises are after my occasion of fallinge, and foolishnes. But unto the (both Jewes and Gentiles) the power of God and of God.

For the foolishnes of men: and the weaknes of men. And them loke on you



Woodcuts on the title page of Brunshwig's Surgeri (1525: Treveris) show surgical techniques on the head.

Colophon portrait of John Day from Euclid's Elements (1570). Finest printer of his time, he worked in London between 1546 and 1580.





## BOOKMARKS/WISCONSIN

**COLONIAL RULE IN AFRICA: READINGS FROM PRIMARY SOURCES** edited by Bruce Fetter; University of Wisconsin Press, Madison, Wis., 1979. xiv, 223 pp. \$15.00; \$6.75 paper.

By David Henige

In this work Bruce Fetter provides a sample of seventy-nine documents and other kinds of testimonies relating to Africa during its colonial period. His intent is to provide students with an opportunity to "study the mechanisms of diseases past [sc., colonialism]" in order better "to deal with those still raging out of control [e.g., apartheid]" (p. 3).

In preparing this selection the author admits that some readers might discern an unusual and undue emphasis on materials generated by the colonizers rather than by the colonized (only about one-quarter of the documents emanated from non-Europeans) but argues that this bias is proper since "most of the major events in the colonization of Africa were determined by the colonizers" (p. 4). He also admits to including an unusually large number of legal documents because of the crucial role European law played in the lives of Africans. A reader aware of Fetter's own interest in Zaire might feel that he or she detects a trifling emphasis on documents relating to the Belgian Congo; if so, this merely reflects the importance of that colony as a useful microcosm

of many colonial problems and policies throughout Africa.

A narrative and interpretive historical chapter introduces the selections, which are divided into ten categories: The Background of European Colonization; The Conquest of Islamic Africa; South Africa: The Clash of Liberalism; The French and Belgian Conquests in Africa; Colonial Administrations; Colonial Economies; The First Steps in African Modernization; Nationalist Movements Before the Second World War; Decolonization; Revolutionary Change. Each selection is preceded by a citation to its first or most convenient appearance in print (although a few are taken from unpublished sources) and a capsule account of the author and/or context of the document.

Certainly no two historians would choose the same group of documents to epitomize the African colonial past—indeed the overlap among historians might be surprisingly small—but Fetter's selection is a defensible and interesting one. He attempts to distribute his materials over time and space in order to provide, insofar as this is possible in the format he chooses, a representative sampling of both European attitudes to Africa and Africans and the reverse. By providing his sources he enables interested students to gain easy entry to useful materials (as well as to test his choices), but it may not be churlish to point out that it would have been even more help-

ful if he had included a brief reading list of some of the more important and recent general discussion of colonialism and its effects in Africa.

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*David Henige is the African Studies bibliographer of Memorial Library, University of Wisconsin-Madison.*

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**CLIMBER'S GUIDE TO DEVIL'S LAKE** by William Widule and Sven Olof Swartling; University of Wisconsin Press, Madison, Wis., 1979. 198 pp. \$7.95.

By Sharon M. Mulak

A climber needs a guidebook that identifies and rates trails. If the book also contains extremely useful notes (e.g., where to be on the lookout for wasps), photographs and clear diagrams of the areas to be climbed, some botanical and zoological information, and a complete index to the climbs, it becomes a well-thumbed companion to be taken along on numerous trips. This *Guide* not only has all of these qualities, it has, in addition, very precise, follow-the-"dots" (numbered reference points that correspond to the text) instructions that turn a slab of rock into a roadmap. Utilitarian in the main by intention, the *Guide* provides a lot of information about many trails. The editor acknowledges the undocumented use of much data from an earlier book (*Climbers and Hikers Guide to Devil's Lake*, compiled by Errol Morris and edited by David

Smith and Roger Zimmerman; Wisconsin Hoofers, Madison, 1970), and the absence of this predecessor's "exquisite prose style" that the inclusion of so many trails brought about, made the editor apologetic. Were I a climber, though, I doubt that I would criticize the *Guide* for its trade-off.

It was not possible for me to verify the accuracy of this book; but the fact that the authors have been climbing for many years and put a decade of work into this volume lead me to believe that they know their material well. A review of a dozen other climbing books does not cause this one to suffer by comparison. The *Guide* appears to be meticulous and thorough in its coverage of Devil's Lake climbs. Those of us whose idea of a mountain is Bascom Hill (UW-Madison) can still enjoy the prefatory text, and climbers should find this small area of Wisconsin well described.

**MORE WISCONSIN BIKE TRIPS**  
by Phil Van Valkenberg; Tamarack Press, Madison, Wis., 1980. 50 pp. \$5.95.

By Sharon M. Mulak

Twenty one-day bicycle tours throughout Wisconsin, with emphasis on the southern half of the state, have been charted by Phil Van Valkenberg and assembled into this travel book. The tours, consisting of twenty individual maps with accompanying text, are prefaced by notes about getting oneself into good riding condition, preparing a gear chart, and fixing flat tires. Van Valkenberg aims this book at cyclists of all ages and keeps his narrative in a light vein. Mention is made of museums, geographical highlights, and local wildlife; historical anecdotes further emphasize the author's pleasure in biking through each region.

Van Valkenberg caters to riders who may wish to cover shorter trails by designating up to four alternate routes within each larger route. Responding to readers of his

earlier book, *Wisconsin Bike Trips* (Wisconsin Tales and Trails, Inc., 1974), he has also avoided gravel roads whenever alternative routes were nearby.

My criticism of the book concerns the maps. Done in black-and-white with red overlays, they are sometimes cluttered with physical features, and they are not removable from the book. The existence of a photocopying machine that duplicates color does make it possible to carry copies in one's backpack.

This book is worth reading since it lends a personal note to these trails, and it reflects the attitude of a long-time bicycle enthusiast. One readily senses the author's own comfort with outdoor Wisconsin as he pedals along. He has collaborated on a much more practical book (Doug Shidell and Philip Van Valkenberg, *Bicycle Escape Routes*, Wisconsin Tales and Trails, Inc., 1975), and cyclists who want separate maps and very detailed lists of sites to visit should not overlook this book. The merit of *More . . .* rests in its light-hearted narrative and in the fact that having many trails selected for each route is kind on those whose limbs may not be limber enough for a long ride.

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*Sharon M. Mulak, a librarian at the State Historical Society of Wisconsin, is an avid walker and born-again bicyclist.*

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**MILTON AND THE ART OF SACRED SONG** edited by J. Max Patrick and Roger H. Sundell; University of Wisconsin Press, Madison, Wis., 1979. 154 pp. \$17.50.

By Patricia Powell

This collection of eight original essays was officially published in October 1979 to coincide with the dedication of the Seventeenth-Century Research Collection, initiated by Professor Patrick's gift of 600 rare volumes printed in the sixteenth, seventeenth, and eighteenth centuries, and housed in the Golda Meir Library at UW-Milwaukee. Professors Patrick and Sundell are members of the UW-

Milwaukee English Department and editors of *Seventeenth-Century News*, the official organ of the Milton Society of America.

The essays cover a variety of themes and are grouped according to such topics as Milton's knowledge of biblical, classical, and early Renaissance literature, his interest in music, and his artistry.

The two opening works explore Milton's use of scriptural and apocryphal themes and offer fresh insights into both his poetic inspiration and his understanding of Christian doctrine. James H. Sims examines the uses Milton makes of the Bible for his own personal vision of Paradise and probes his understanding of the Bible as literature and as sacred text. Separating apocryphal elements from scriptural (a differentiation not previously made), Virginia R. Mollenkott studies the pervasive influence of the Apocrypha on Milton's works.

In the second section, William A. Oram investigates Milton's use of genii or guardian spirits to promulgate his theme of poetic conversion: the genius/poet mediates between Nature and the supernatural using the power of poetry to bring man to God. Roger H. Sundell focuses on the prologues of *Paradise Lost*, discovering there a voice distinctive from others within the poem, an epic speaker whose Christian service is his sacred song.

In the third section, Mortimer H. Frank evaluates Milton's musical sophistication and, reviewing the state of early seventeenth-century music, demonstrates the musical structure underlying Milton's poetry. J. Max Patrick investigates Milton's changing attitude toward Rime, how the use and refusal to use it affects his art. This revolution in attitude towards rime has important implications for establishing a correct chronology, Professor Patrick convincingly argues.

In the final section, "Subject for Heroic Song," Stella P. Revard considers the unique role in Renaissance literature the Son of God plays in *Paradise Lost* and discusses

why Milton bestows on Him many of the Renaissance attributes of the archangel Michael. John T. Shawcross addresses himself to the ancient and thorny problem of whether *Paradise Lost* has a proper hero and offers a unique, if not wholly convincing, solution.

This volume represents another impressive University of Wisconsin Press contribution to seventeenth-century scholarship. Milton scholars and students will benefit from reading these provocative essays, those which open new fields of inquiry such as Milton's use of the Apocrypha, as well as those which consider old problems, such as the disturbing hero of *Paradise Lost*. For those of us interested in more general problems of literature, this collection gives glimpses into the process through which cultural and religious givens are transformed into the highest art, sacred song.

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*Patricia Powell is a Madison free-lance writer and editor with a longstanding interest in literary criticism.*

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**IMAGES OF THE AMERICAN CITY IN THE ARTS** by Joel C. Mickelson; Kendall/Hunt Publishing Co., Dubuque, Iowa, 1978. 160 pp. \$7.95.

**By James W. Lukens**

In his brief introduction to this book, Professor Mickelson describes it as "a collection of readings from various sources which have been found useful" for an interdisciplinary American Studies course team-taught at the University of Wisconsin-Stevens Point. Drawn from the fields of art, music, literature, history, and sociology, these readings have been arranged in roughly chronological order and divided into three main sections: the Civil War to 1914, 1915 to 1945, and World War II to the present. Yet these efforts at order and organization fail to provide the kind of focus and coherence so important in any college anthology—and absolutely essential in a book which purports to be an interdisciplinary reader.

The problem of focus is reflected in the introduction, which offers evidence that the editor himself is uncertain of his purpose. The title of the book is *Images of the American City in the Arts*, yet the title of the course from which the work comes, "and an indication of the focus of the book, is 'American Social Conscience and the Arts.'" Later in the introduction, the editor says that the book is designed to present "the general characteristics and problems of city life in the United States," and still later that an implicit theme is "the central influence of the city in American culture." Perhaps the only thing Mickelson can say with certainty is that the book has something to do with the American city. "After all," he concludes, "three-fourths of the American people are currently classified as city inhabitants!"

With no unifying theme or purpose to hold the book together, introductions to each selection would seem especially crucial; yet here again Mickelson disappoints: the readings go unintroduced and hence seem unrelated to one another. Robert Walker's article, "The Poet and the Rise of the City," does a solid job of detailing the city's negative image in the poetry of the late 1800s; however, another on musical comedy by Cecil Smith has little whatever to do with the city and seems to have been included merely to represent the perspective of the musical arts. Mickelson's own contribution, ambitiously entitled "Correlations between Art and Literature in Interpreting the American City: Theodore Dreiser and John Sloan," is the only selection not previously published elsewhere and may provide a clue to the rationale behind the book. There are also problems of balance and proportion. Gwendolyn Brooks' poem, "We Real Cool," has been anthologized *ad nauseum*; there are two long selections from Barbara Rose's *American Art Since 1900*; and the script of *West Side Story* takes up almost half the book.

There are a few well-chosen selections, however. The excerpt

from F. Scott Fitzgerald's *The Crack Up* recounts the writer's vivid memories of New York City during the 1920s. And Chadwick Hansen's article, "Social Influences on Jazz Style: Chicago, 1920-1930," is persuasive, interesting, and highly readable. Yet even the best selections are often too narrowly grounded in their own disciplines to be useful to the undergraduate seeking interdisciplinary enlightenment on the subject of the American city in the arts.

What is missing from the book is what a good teacher might provide in his lectures—a sense of unity, connection, and controlling purpose. It is simply not enough to gather together those readings "which have been found useful" in preparing, planning, or teaching a course.

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*James W. Lukens is a program associate in the Department of English at the University of Wisconsin-Madison.*

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**THE PAWNEE GHOST DANCE HAND GAME** by Alexander Lesser; University of Wisconsin Press, Madison, Wis., 1978. 340 pp. \$17.50; paper \$6.95.

**By Barry B. Powell**

The Pawnee, of Caddoan-Iroquoian linguistic stock, was one of the five or six great Indian tribes that inhabited the American plains between the Mississippi River and the Rocky Mountains. From prehistoric times they had lived in earth lodges and practiced a limited agriculture. Periodically they left their villages to follow the buffalo, and the warpath, a man's path to honor. In religion they sought knowledge through trance-inspired vision.

In 1804 when Lewis and Clark encountered the Pawnee on the Platte River in Nebraska, they numbered around 9,000. But white emigrants brought with them cholera and smallpox. The Indians had no immunity. The buffalo declined in abundance. In 1833,

weakened by disease and hunger, the Pawnee ceded all traditional land holdings south of the Platte. In 1840 the tribe counted 7,500. The Pawnee agreed to the government's demand that they give up nomadism and become farmers, but the government was unable to protect them from Sioux raids which were relentless and devastating. In 1849 cholera struck once again: 1,234 Pawnee died. The tide of white emigration was a flood. By 1853 the Pawnee numbered about 3,000. In 1857, destitute and demoralized, they accepted a reservation on the Platte. The crops failed. The Sioux accelerated their campaign of extermination; hunting was impossible. In 1875 the Pawnee accepted removal to Indian Territory, what is now northern Oklahoma. In 1876 there were 2,026 Pawnee. But malaria, pulmonary afflictions, venereal disease took their toll. The census of 1877 reports 1,521 Pawnee. In 1892, 759 Pawnee still lived upon the earth. Everything had gone. Freedom—to hunt, to move when they willed, to fight, to boast—no more. Like other Indian tribes, the Pawnee had fallen victim to the caprice of politicians from an alien race.

In 1888 came a great hope to the Indian. In a vision a Paiute named Wovoka was taken into the other world. There he was told that Indians should give up a warring life, that all Indian people should be good, should love one another, and live in peace with the whites. They must work hard and, at last, they would be reunited with the dead of olden times. And they should dance a special dance, which would hasten their union with the blessed dead, would bring back the game, and would remove the white man and his pernicious power from the earth forever. Hence began one of the most compelling chapters in the history of aboriginal religion, the cult of the Ghost Dance.

In *The Pawnee Ghost Dance Hand Game*, written in 1932 and first published in the *Columbia University Publications in Anthropology*, Alexander Lesser

describes in lucid detail the history of the Pawnee and the effect that the Ghost Dance doctrine had upon them. Specifically he tells how the cult led to the revival of an ancient gambling game wherein one team guessed the whereabouts of two counters hidden in the hands of members of the opposing team. It is an instance of the nativistic revival that, under the influence of the Ghost Cult, reformed the deracinated Pawnee culture after 1890. The rules of the game remained substantially unchanged, but the content became religious: one gambled to learn how God's grace favored this or that team or individual. And the dancing performed during the game led frequently to the trances and visions that the Ghost Dancers wished to invoke.

Modern technological civilization has devoured the past at an awesome pace. Lesser, like many anthropologists of his generation, was in the right place at the right time, when old Pawnee remembered how it had been. A student of Franz Boaz, he learned his lessons well and has given us a classic in American anthropology, a book that will always have value for anyone interested in the history of religion or in the aboriginal peoples of North America. It is a credit to the University of Wisconsin Press that they have reissued this study.

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*B.B. Powell, associate professor of classics at the University of Wisconsin-Madison, has had a lifetime interest in the culture of Native Americans.*

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**THE PRISM OF SEX: ESSAYS IN THE SOCIOLOGY OF KNOWLEDGE** by Julia A. Sherman and Evelyn Torton Beck, editors; University of Wisconsin Press, Madison, Wis., 1979. 320 pp. \$18.50.

**By Rosella Howe**

Yes, there is a difference between women and men. Women view the world through the female prism, men through the male prism. The

world looks different to each sex.

How convenient! That means we can get a well-rounded, many-faceted view of the world, combining everyone's insights.

Wrong. It just happens that the pursuit of knowledge in our society is a male preserve and that most of our official world-viewing is done by men.

Easy. Get women to do more viewing.

Not so easy. Women are systematically excluded from creative intellectual work. With considerable evidence to prove this contention, the editors of this book began to wonder what our major fields of knowledge would now be like if women had been present in numbers and positions equal to men. They gathered together eleven women scholars and produced first a conference and then a book.

In the first essay, Nancy Schrom Dye, a specialist in women's history and the history of childbirth, says: "Historians' inability to deal with the realities of women's lives has distorted history. . . . [H]istorians have developed the scope of historical inquiry and defined basic assumptions about the nature of the American experience without reference to women. . . . [O]ur interpretations of the impact of basic social, political, and economic developments on Americans' lives are one-dimensional and inaccurate."

Jane Tibbetts Schulenburg, a medievalist, notes that Christine de Pisan (1363-1431), first feminist in Western tradition, wrote that a basic reason for the gross distortion of women in books was that women were not the authors. (That prism again.) Schulenburg notes that Marc Bloch, twentieth century French historian, wrote "... the object of history is, by nature, *man*. Let us say rather, *men*. . . . [I]t is *men* that history seeks to grasp." She says, "Bloch obviously intended the term *men* to include both women and men, but in fact his history comprehends only . . . men." Such omissions are observed in every period of history, in-



cluding our own.

Catharine R. Stimpson, Susan Sniader Lanser, and Evelyn Torton Beck write of women as authors and as critics. A section on Vernon Lee and her relationship with Henry James is especially interesting. Lee's real name was Violet Paget; like Charlotte Bronte, she knew which side her publishing bread was buttered on.

In the field of psychology, according to Carolyn Wood Sherif, there is so much bias against women both as objects of research and as psychological researchers that one hardly knows where to begin. Psychologists as a group and psychology as a discipline come off badly in this rather angry attack.

Canadian sociologist Dorothy E. Smith, in "A Sociology for Women," demonstrates that sociology as developed by men simply does not represent the experience of women in our society. She also proves that male sociologists do not hold a monopoly on dense sociological prose.

Kathryn Pyne Parsons analyzes the dilemmas of abortion in a philosophical discourse in which *woman* is the starting point, not that "other" whom Simone de Beauvoir identified in the male-dominant world. Two political scientists, Jean Elshtain and Virginia Sapiro, reveal some prismatic aspects of their discipline.

Sociologist Jessie Bernard in an "Afterword" writes: "The history of female scholarship and research is, in fact, one in which women have been taught to see the world—even their own experience—through male eyes."

*The Prism of Sex* is not light reading. But it is full of illuminations, for the precise reason that it looks at familiar situations through the prism of the *female* sex. The stated goal of the authors is not to substitute one prism for the other but to make use of both.

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*Rosella Howe, a writer and writing teacher with a special interest in sexist language, is currently working on the invention of a sexless singular personal pronoun.*

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**YARNS OF WISCONSIN** by Sue McCoy, Jill Dean, and Maggie Dewey, editors; Wisconsin Trails/Tamarack Press, Madison, Wis., 1978. 224 pp. \$6.95.

**WISCONSIN FOLKLORE** by Walker D. Wyman; University of Wisconsin-Extension Department of Arts Development, Madison, Wis., 1979. 96 pp. \$4.95.

**By Roger Mitchell**

The title of this publication does disservice to its contents. Much of *Yarns of Wisconsin* stands as a worthwhile contribution to Wisconsin popular history, whereas for me a yarn conjures up the image of a tale whose facts may well bear careful scrutiny. The book is a nostalgic smorgasbord of bygone delights and their attendant hardships. One savors again the joys of country cooking, plus the sheer labor expended to load the holiday board with no packaged assist from the Jolly Green Giant. The perennial question of today's mass-entertained children—What did you do for fun?—is answered. There were Christmas programs, Fourth of July celebrations, box socials, and village bands. It was a time of close-knit families and one-room schoolhouses. Communities backed with fervor their local teams of dedicated amateurs. In those days of fewer people and more game, the sportsman could luxuriate with rod or gun in his favorite wilderness. To such reminiscences is added the corrective medicine of Wisconsin blizzards, horse and buggy doctors, and water power. Included too are accounts of a faltering transition from horse power to gasoline via muddy roads and eccentric autos. Lumbering, the mining of lead and lime, the rags-to-riches story of Wisconsin dairying also pass before the reader's eyes. Given their rightful place in Wisconsin history are circus tycoons, artists, a colorful governor, a renowned ornithologist, and that historic eagle, Old Abe. It is a book jam-packed with colorful vignettes. It ends with some yarns in the true sense of the word, the Brush Hollow Tales.

These stories abound with the kind of antics city folk love. Here we find the stereotype of the country bumpkin, very often eccentric and not always too bright. For me, this final portion fell a trifle flat after having experienced the forthright, hard-working, enduring people who move through the most of the articles.

It probably will matter little to the general reader of *Wisconsin Folklore* that Wyman blurs the distinctions among popular culture, local history, and folklore. Yet I feel an author should be held to his own definitions, and in his early pages Wyman defines folklore as "... oral tradition where beliefs have been passed on largely by word of mouth." I consider it intriguing that President Lincoln was once the victim of a Wisconsin horse thief and amusing that the Badger-Brodhead Cheese Company once dueled verbally over the aromatic effects of Limburger cheese with an Iowa postmaster. But is this oral tradition or samples of the strange and curious that can be dredged endlessly from forgotten newspaper files? The discerning reader must bear the touchstone of tradition in mind as he reads *Wisconsin Folklore*.

Despite a lack of rigor in selection of material, a more important question remains. Will this book accomplish what Wyman hopes for, a stimulation of interest in Wisconsin folklore? I think it will. *Wisconsin Folklore* will not replace an earlier work, *Wisconsin Lore* by Robert Gard and L.G. Sorden, but it is a valuable supplement. Wyman omits some traditional categories included by Gard and Sorden, such as ghosts, buried treasure, and lumbering. He adds to our knowledge of folk medicine, weather lore, mythical animals, place names, and water-witching. He includes a valuable section on the folklore of liquor and prohibition, a topic not often enough covered in surveys of regional folklore. He is to be commended for his inclusion of immigrant lore, and especially for his presentation of a contemporary folk group, those

eccentric college professors and their long-suffering students. My theoretical quibbles to one side, I see *Wisconsin Folklore* as making a valuable contribution. It was first distributed widely as a series of newspaper articles. In its present form it should achieve even greater circulation. From the contents and the appended reading list it should sensitize the citizens of Wisconsin to the richness of their state's traditions and the crying need for in-depth studies.

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Roger Mitchell, professor of anthropology and folklore at University of Wisconsin-Eau Claire, is a graduate of the Folklore Institute, Indiana University and has published several monographs on Oceanic, American, and Wisconsin folklore.

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**THE CRISIS OF CHINESE CONSCIOUSNESS** by Lin Yusheng: University of Wisconsin Press, Madison, Wis., 1979. 201 pp. \$20.00.

By A.C. Scott

*The Crisis of Chinese Consciousness* is one of the most thought-provoking books on China that has appeared for a long time. It is especially valuable for anyone seeking to understand the cultural confusion that reigns in that country today, and it is a welcome antidote to so much of the ill-informed commentary on the subject that now prevails.

The collapse of the traditional social and cultural structure of China in the nineteenth century had profound consequences for her people. Bereft of the concept of universal kingship, which in Confucianist thinking linked the cosmic order to the social order, the nation was thrown into intellectual and moral disarray. The loss of credibility in the old system led traditionally educated intellectuals to seek new solutions for an ordered society; they tried to establish a cultural foundation for social and political change that

would be based on a new world view. Although their thinking was colored by a knowledge of Western political and social institutions as well as technical and scientific expertise, this in no way clouded their own view that ideas were the basis for change, a concept which was taken for granted. Traditional Chinese belief held that the human mind had the natural ability to seize truths: there was absolutely no thought among the nineteenth-century reformers that priority should be given to cultural-intellectual change over social-political change.

A turning point came with the May Fourth Movement of 1919 which, although it was sparked by political protest arising from nationalistic indignation, incited intellectual revolution throughout China. This movement was led by a new generation of the intelligentsia who called for a total rejection of China's traditional culture in the interests of wholesale westernization. Where the attitudes of an earlier generation of reformers had been affected by a deep-seated recognition of some traditional values in a social cultural order that had not yet fallen completely apart, the men of the May Fourth generation argued that since traditional Chinese culture was a totality organically shaped by its ideas, in the disintegration of the whole there could be no constructive function for any of the parts; thus total rejection of the old culture was the only answer to the problems of creating a new society.

However, the transmutation of the earlier attitudes to reform into this uncompromising line of thought retained a generic identity in that its monistic, intellectual nature was traditionally derived. The minds behind the May Fourth Movement therefore were so inwardly influenced by tradition, Professor Lin suggests, that paradoxically they became antitraditionalist in a total sense. This he sees as a searing problem in the attempts of the intellectuals to bring about cultural and social change in this century.

Notwithstanding their uncompromising iconoclasm, it proved simpler for them to draw upon Western ideas and values for carrying out reform than for them to come to terms with that which was implanted in their consciousness, by virtue of the fact that "the integrated structure of Chinese culture and society had existed throughout time without generic change." Moreover, the iconoclastic impatience of the May Fourth reformers precluded any sustained and substantive exploration of the range and depth of their traditional culture, together with that of the West, in relation to their meaning and purpose for China.

Failure in this respect led to their minimizing the very complex problems inherent in the realities of different cultures. It is a dilemma relevant to what has happened in communist China, where Mao Tse-tung propagated the theme of China breaking away from her traditional culture and that of the bourgeois West as well. This, Professor Lin sees as an incitement to a fluid cultural situation that seems likely to result in continuing turmoil, and he questions whether Maoist concepts can provide the solution to China's cultural crisis. Since this book was written, Maoist concepts have come under attack and there has been a general cultural reprieve in China. It remains to be seen whether out of this can grow a "pluralist and substantive approach to the specificities of the cultural problems" that Professor Lin suggests could provide creative answers to the issues.

To reinforce his arguments, Professor Lin has devoted a part of his book to a comparative study of the ideas of the three most celebrated leaders of the May Fourth Movement, namely: Ch'en Tu-hsiu (1879-1942), a Dean of the College of Letters in Peking University who spearheaded the events of the May Fourth Movement and later became cofounder of the Chinese communist party, from which he was expelled in 1930; Hu Shih (1891-1962), an

American-trained disciple of John Dewey who attempted to apply Western philosophical theory to classical Chinese thought and was prominent in promoting use of the vernacular during the literary reforms of the twenties; and Lu Hsun (1881-1936), a writer and social critic who began by studying medicine in Japan, became a legend in his lifetime, and has been canonized in communist China. Different in the qualities of their thought, personalities, and political inclinations, all three men fought for a common aim, the rejection of the traditional past in the interests of modern political and social change, and in the event all three were unable to transcend the divisive pulls of tradition and modernity within their own consciousness.

This is an important book. Although it is written in the dense prose of the American-trained scholar, the thinking behind it is incisive. It raises vital issues which should be widely studied.

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*A.C. Scott, professor of theatre at the University of Wisconsin-Madison, worked in China from 1947 to 1950 and in Hong Kong and Japan from 1950 to 1960.*

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**WHITE TOWERS** by Paul Hirshorn and Steven Izenour; The MIT Press, Cambridge, Mass. 1979. 189 pp. \$17.50.

By Hannah W. Swart

In the 1920s urban America was becoming increasingly prosperous and mobile. Working-class families were moving from the industrial centers of cities to the trim, modest houses that were filling in undeveloped suburban land. Working men were no longer walking to their jobs but commuting on an expanding network of electric trolleys, subways, and buses. As their daily travel time increased they began to look for a place to grab an inexpensive bite to eat, on the run, to and from work or across the street from the factory. "Mom and Pop" luncheonettes were around, but their food was of un-

even quality and people were skeptical about the origin of their hamburger meat.

The opportunity was apparent for a chain of strategically placed hamburger stands—obviously clean places selling wholesome food at a reasonable price with fast service. One of the many who saw this opportunity was twenty-three-year-old Thomas E. Saxe of Milwaukee.

In the fall of 1926 the Saxes found a promising site for the first White Tower on Wisconsin Avenue near the campus of Marquette University, Milwaukee #1, which opened for business on November 17, 1926.

Everyone will recognize these gleaming little white buildings, located in older business districts and along roadside strips, open all night, serving hamburgers and coffee, but few will be aware of their architectural history. The White Tower System was one of the first short-order food chains in the country and a pioneer in a form of food service that has become an integral part of American Life. In more than fifty years of development the White Towers have formed a particularly complete and sophisticated set of stylistic variations on one strict symbolic theme—a white building with a tower over its entrance—for one strict functional purpose: selling hamburgers.

The White Tower chain benefited from the postwar prosperity, reaching its largest numerical expansion in the mid 1950s, when it was operating over 230 shops. By the early 1960s, however, the pinch of rising costs, changing eating habits, and, most important, competition from a new generation of hamburger chains led by McDonald's, warned that the era of the workingman's restaurant, the made-to-order hamburger, and the shining white tower was almost over. White Tower knew as well as McDonald's that the hamburger market of the sixties and the seventies was in the suburbs along the commercial strip, but the majority of White Tower locations, chosen up to thirty years

before, were in decaying downtown areas and tied to trolley and bus lines that no longer carried the majority of potential White Tower customers. White Tower's reputation—a considerable source of pride carefully nurtured over the years—was tarnished by the unattractive context in which their shops now appeared and with which they began to be associated.

In January 1977, White Tower, in conjunction with its fiftieth anniversary, changed its corporate name to Tombrock, reflecting the fact that it had become a diversified food service organization under the direction of Brock Saxe, T.E.'s son, who had taken over as president of White Tower when his father retired in 1970. Tombrock still profitably operates over eighty White Towers today. In addition the corporation operates Brocks, a steakhouse chain faithfully modeled on Irish pubs and aimed at the suburban business and adult dining market.

The hamburger business today is clearly dominated by the Golden Arches of McDonald's. It is interesting to note that to reach that position McDonald's has seemed to follow the same strategies that White Tower used in the preceding generation. Both chains started when an entrepreneur saw an opportunity to sell a limited product in a distinctive building with a distinctive symbol placed in convenient locations. For over fifty years White Towers from Milwaukee to New York and from Boston to Tampa have acquired their impact and meaning from a conscious use of style and symbol.

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*Hannah W. Swart is curator of Hoard Historical Museum.*

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#### Errata

*Milwaukee Landmarks*, reviewed in the June issue, was published by the Milwaukee Public Museum as No. 9 in the "Publications in History" series. Peerless Press is the printer.

*Bay View, Wis.* was published by the Milwaukee Humanities Program.

# INSIDE THE ACADEMY

## The Academy And Inflation

By Thompson Webb  
President

How is the Academy to meet the fiscal demands of the present trying times? It is more dependent than at any time in recent years on grants from donors and on the dues of membership, and generating revenue of these kinds will inevitably take up increasing amounts of staff time. Nevertheless, the Academy must turn attention back to its program.

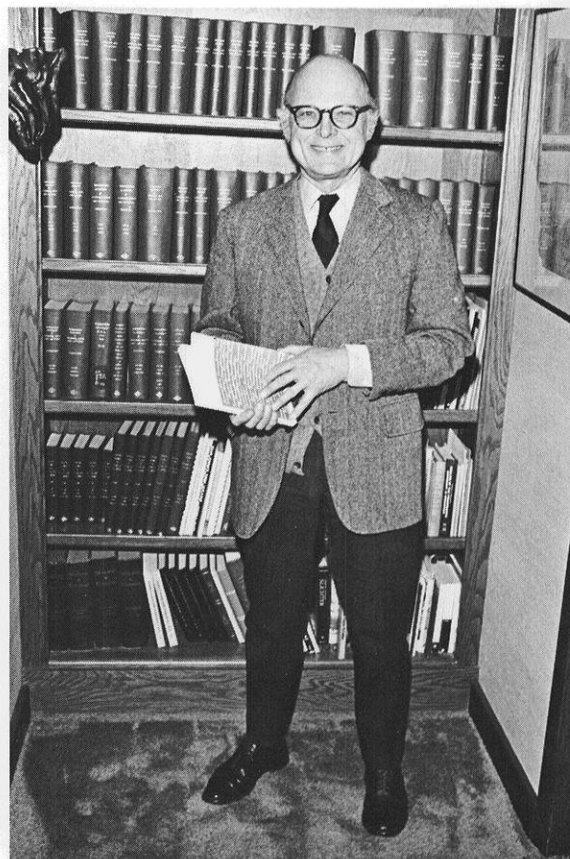
A year or more ago, President McCabe set in motion important steps which in time may result in legislative support to supplement income from endowment, dues, gifts, and grants. Executive Director Batt is actively and successfully engaged in soliciting donations, and he promises further efforts toward attracting additional members. The Youth Program is drawing not only gifts to support its central activities but also grants for important special projects. On such activity the Academy depends, but it faces a Catch 22. Funds are needed to support programs, but programs are needed to attract

funds. When the Academy goes to the legislature for an appropriation, the question is what does the Academy do that deserves taxpayer's money? When foundation, commercial, and business executives are approached, they want persuasive evidence of accomplishment; and, of course, the prospective new member wants to know how the Academy contributes to specific interests of his to deserve his support. To all these it is helpful but not wholly sufficient to point to *Transactions*, to the *Review*, to the Youth Program, and to other Academy work, though the questioners may respect those activities as we do. The Academy's major responsibility after *Transactions* is to facilitate studies and investigations, but few funds are likely to be attracted on the basis of potential alone. This is a what-have-you-done-for-me-lately matter. Initiative will have to come from the Academy. Its attention must be directed to the search for projects and programs of the kinds defined

in our charter as well as to attracting funds to implement such activity. An outgoing schedule of that sort is the most effective answer to questions from legislators, from foundations, and from prospective new members.

The Academy was established as a service agency. It has provided distinguished service for more than a century and is respected for its accomplishments and what it is continuing to accomplish, but laurels are not enough. The Academy must continue to look for jobs that need doing. The respect that it enjoys depends on its own ability to find significant ways of serving Wisconsin and citizens of the state.

*Thompson Webb has been director of the University of Wisconsin Press since 1947.*



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