

PHILOSOPHY & PUBLIC POLICY QUARTERLY

Formerly *Report from the Institute for Philosophy & Public Policy*



The Institute for Philosophy and Public Policy
School of Public Affairs • University of Maryland



Conscription: Between the Horns

In a recent debate about an all-volunteer force, William A. Galston correctly argued that society risks much by ignoring the issue of justice, and Robert K. Fullinwider pointed out that compulsory service can cause more harm than good. The author contends that service should be rewarded by support for education, which would undercut unearned privilege and create a corps of future of civic leaders.

Mick Womersley 2

Bragging, Boasting, and Crowing: The Ethics of Sharing One's Glad Tidings with Others

To support her view of why bragging seems morally problematic, Mills finds that braggards monopolize conversation, paint a distorted picture of their lives, and use their good news to justify their inflated sense of self worth.

Claudia Mills 7

A National Character

Based on evidence that he gambled on Major League baseball games, player and manager Pete Rose was banned from participation in professional baseball and barred from possible inclusion in the Hall of Fame. The general dissatisfaction expressed about his fate stems in part from the undeservedly incomplete consideration of ethical questions raised by his experience.

Verna V. Gehring 13

Globalization's Major Inconsistencies

Globalization and free trade advocates support the free flow of goods, services, and capital across national boundaries. Yet at the same time they insist that migration of labor should not be free, revealing some tensions and weaknesses in the free trade and globalization position.

Herman E. Daly 22

Conscription: Between the Horns

Mick Womersley

In the previous issue of the *Quarterly*, William A. Galston and Robert K. Fullinwider engaged in debate on the merits of conscription. The day after I read their competing articles for the first time, Internet service provider America Online (AOL) carried on its "Welcome Page" the following headline, "Is war worth 87 million? Bush tells us we must sacrifice." Although the presidential speech the previous weekend had concentrated on monetary sacrifice, other more important sacrifices are asked for. The night I read the articles posted on AOL I realized that it was the first time in awhile that I did not see another one, two, or three portraits of dead US military personnel that typically end the nightly news program, the Jim Lehrer "Newshour." Since these memorials put a human face onto what otherwise might be a dry and academic debate, it is appropriate to begin a deliberation of Galston's proposal for universal service conscription with consideration of the faces involved.

I doubt that I am the only person in the US who is sick at heart to witness this regular and morbid parade of dead youth across our screens. One learns from the accompanying captions that these individuals are primarily of blue collar and rural extraction, and for the most part barely out of their teenage years. This is extremely sad. Yet more dismaying perhaps is that some *are* older. These are the fathers. One or two in their fifties are possibly grandfathers. The pictures of young women killed are harder still to bear.

These are men and women who have entered the service of their country in what is probably for most a commendable attempt at self-improvement tempered by a strong ethic of public service. They are engaged in a very difficult mission devised by an administration remarkably impenetrable to civil debate. They are posted in a hostile country with a bad climate many thousands of miles from home—in many cases away from their own young families. That some of them are injured, while others are killed is a consideration that seems to me to outweigh all others. Whatever our beliefs about the war, they are dying in our service. This mortality is not, as some eminently liberal Washingtonian friends opposed to the war recently tried to convince me at a dinner, a minor consequence

of the chosen profession of the people involved. The wounding and dying are not the failure of OSHA (the Occupational Safety and Health Administration, which regulates worker safety) but is the closest thing to sacred that a secular state can observe. Harm, and even death, is, or should be, a deliberate and careful act of sacrificial self-defense on the part of a threatened democratic state. (If it is not, then the deaths of several hundred Americans and British, and those of thousands of Iraqis and others now should weigh on the consciences of the authors of the war.)

The Unfair Burden

If my words seem overly passionate, there is reason for them. I have some personal experience with all this. Enlisting at seventeen in the British Royal Air Force, for more than six years I served in comparative happiness and fulfillment as an aircraft technician and rescue party leader. Then the government of Margaret Thatcher mounted what seemed to me, and most of the folk in my home region, a concerted and physically brutal attack on the rights of workers and the unemployed: another "limited war" planned by neo-conservatives. When the policy on the European placement of American short-range nuclear missiles provoked a

*Harm, and even death . . . should be
a deliberate and careful act of sacrificial self-
defense on the part of a threatened
democratic state.*

further reaction from feminists and environmentalists, and my own girlfriend was caught "manning" the barricades stormed by police, I was sick at heart. It was time to leave. After pressing my case at a military tribunal, I was permitted an honorable discharge as a conscientious objector. Helping to save lives as a military rescuer, I was able to learn the great value of military service in a just cause. Pressed by conscience into an early discharge, I can easily understand the great individual and collective harm done by compulsion.

I differ, then, from Bob Fullinwider, who seems to believe that it is safe for a democracy not to distribute such sacrifice around more equitably, the usual prescription for which is called a draft. It is also clear, although the administration continues to prevaricate on the point, that fresh forces *are* now needed to relieve the strain on the overburdened regular force. Recent announcements from both the UK and the US about adding new forces and further lengthening the tours for both part-time and regular soldiers already in Iraq amply demonstrate the need.

If Britain and the United States must continue to expend both blood *and* treasure in places like Iraq and Afghanistan, it is patently and dangerously unfair that the burden of shedding blood is placed upon middle and lower class youth. Yet Bill Galston's plea for a program of universal national service to lessen the injustice is patently unworkable. Even the eighteenth

*Bob Fullinwider seems to believe that it is safe
for a democracy not to distribute . . . sacrifice
around more equitably. . . .*

century political philosopher John Stuart Mill, the authority cited by Galston for the "fair share" argument, would be forced to concede that the monumental disutility created by such a scheme might easily outweigh the utility. Disutilities would occur not only in the minds of those drafted. As Fullinwider points out, our military probably would want only a fraction of the new forces, condemning the rest to some domestic service program, a new and ill-formed Civilian Conservation Corps (CCC), the details of which Galston does not provide. One finds a dilemma: on one horn is a "spectatorial" democracy, in which some merely watch while others serve and die. On the other horn of the dilemma one finds the misuse of the state's powers to coerce all young people into what will clearly become a make-work and vacuous service in homeless shelters, inner-city schools and the military. Since neither extreme is tolerable, there *must* be some middle ground between the horns.

A Failure to Appreciate Harm

Fullinwider concedes that a draft is legitimate if it is necessary for national defense. But he disputes that a draft is needed now. Additionally, he cites that such interference will no doubt reduce the efficiency and effectiveness of the force, at least in part because it will reduce the overall quality and tractability of recruits.

These considerations are the basis for his contention that the All-Volunteer Force (AVF) should be left as is. The personnel recruited must be of good quality; therefore draftees are not welcome. There is no mercenary impulse to worry about, since the people involved know what they are getting into.

But *do* we know what we are getting into? As an unintended consequence of his defense of the *status quo*, Fullinwider belittles the distinct harm that is done when our volunteers come home to their relatives in aluminum coffins or wheelchairs. It must be extremely hard to explain to some of these parents, wives, husbands, and children that their loves died as a consequence of a career choice. To make it more than that, the civic life of a democratic nation still requires, even in the age of globalization, the perpetuation of the civic myth of democratic service. It is even better if it is not actually a myth. We have to respect military and other national service over and above its career components. Service cannot safely be restricted *either* to elites *or* to lower classes or minorities, since to do so aids in the perpetuation of both. As Galston forcefully argues, service must be spread out over society as evenly as possible.

At the same time, however, Galston fails to appreciate the unequal but distinct harm nonetheless that is done when a sovereign person is compelled in any way. Conscription, whether for the military or a wider range of service options, is compulsion. If it is not slavery, then those who are conscripted are likely to act like slaves in the absence of any better argument for their service; they will be stubborn and intractable. The reason why draftees fought so well in the Second World

*Bill Galston's plea for a program of universal
national service to lessen the injustice is
patently unworkable.*

War and for the early part of the Cold War—and by comparison so poorly in Vietnam—is because they accepted the reasons given for their service and, by extension, the authority of the state and the leaders who sent them. They were not, in most cases, fully compelled, but instead they were quite willing to serve. Because some in the ranks were compelled and unwilling, the Vietnam war was often indifferently fought. The continued willingness of volunteers in Iraq depends in large part on how well their burdens are distributed, and on how strongly they believe in the mission and its progenitors' sincerity. The Bush administration is beginning to see that willingness erode.

Even a nation that enjoys an enduring and vigorous ethic of universal military service might eventually

regret the use of universal compulsion for other reasons. Germans who resisted compulsion in the same period were likely to find themselves in prison or quickly dead, to the everlasting shame of that state. Willy Brandt, former premier of Germany, would agree. He escaped to Norway during World War II, where he resisted German occupation. Following the defeat of Nazism, he became, of course, a hero. The students of the White Rose Resistance, one of very few German anti-war protests in the Second World War, are rightly heroes to their country today. Their story, too rarely told in the US, demonstrates the extreme nature of the harm from universal compulsion in a time of attenuated conscience.

At that time, many people of conscience—Mennonites, Brethren, Amish, and Quakers—became smokejumpers, farm-workers, firefighters, and medics, trading horse and buggy for pack and Pulaski and other tools. Pacifists performed alternative service to their honor and that of the nation that had, belatedly, realized the civic value of their conscience and organized Alternative Service. If the German *Reich* had included enough such people (if they hadn't evicted them to America several centuries earlier), it is possible that the Holocaust could have been avoided. A similar, although less well-worked out conscience on the part of American youth ended the Vietnam War after My Lai and other disasters brought home the fact that it was the wrong war, in the wrong place, at the wrong time. A system of just civic service must therefore honor service *and* conscience while avoiding compulsion.

Fullinwider's solution continues the status quo, and the parade of doomed and underprivileged youth continues on nightly news programs.

A draft is therefore a civic myth: a unicorn. There is no such animal. Democratic service is not achieved by the compulsion of the state, but by the individual consent of those who serve. It will not work to draft youth for a war with which they disagree. They will not fight the war; the war will then be lost. Their disagreement, however, is not something to be hated and despised, as it so often is by conservatives and so-called patriots. It is instead a national treasure of sorts, since it is just that disagreement that can stop a nation that is about to propel itself into an unjust or unnecessary war, as did Nazi Germany in the late 1930s, as did the US in 1963 and 1964. As we might have done just recently.

Impasse. Fullinwider's solution continues the *status quo*, and the parade of doomed and underprivileged youth continues on nightly news programs. Galston's

solution will not work practically; it encourages stubborn, intractable behavior, and discourages protest. Neither is actually tolerable. For myself, I would like to see President Bush, Secretary of Defense Rumsfeld, Deputy Secretary of Defense Wolfowitz, and the rest pulling guard duty in Baghdad. If they were to be killed, I'd give them the same empty ceremony that is provided to the rest of the returning dead. But this is juvenile pique, venting, mere name-calling. It is not a long-term solution, a solution that will outlast the neo-conservatives. And the problem is clearly not "who serves" as much as "who leads."

Between the Horns: Service *and* Education

A route between the horns is mentioned, but not examined fully, by both Galston and Fullinwider. They refer to the system of benefits available for the current volunteer service programs within and without the military. There's a policy that I like! I am a professor at an inexpensive private college that serves students of lower and middle class extraction, and my students

Galston's solution will not work practically; it encourages stubborn, intractable behavior, and discourages protest.

regularly take part in these programs as a way of broadening their horizons and saving money for college. On any given day, my classes will contain twenty students, of whom one or possibly two will have served an enlistment in the armed services. One may be an active member of the National Guard, and a much larger number are, have been, or will be volunteers for outfits like AmeriCorps, our rural fire department and rescue ambulance, college search and rescue team, or sheriff's department. Recent internships supported by the college have included service as diverse as search and rescue in Yosemite National Park, civic service with non-profit organizations in Washington, DC, or work with our local food bank. Our students serve, and we are proud of them.

At other times in my college teaching career, I have taught at places where the average incomes of parents were a lot higher, and the average esteem for service of any kind much lower. I much prefer my students now. But without the connections that the wealthy enjoy, in a world of "it's not what you know, but who you know," my students will struggle after college, and they know it, and I hate the thought. I can't abolish the other kinds of schools and other kinds of students, the

ones where service is not in the curriculum and where procession through life is assured by connections.

But I want to reduce their effect on society, and increase the effect of students like my own. I need a way, as does Galston, to encourage the civic participation of students from deserving backgrounds, a way to train them, and many more of them, to be the leaders of the kind of society in which I want to live. Fullinwider accuses Galston of “social engineering.” I agree, and say we need more of it, and better targeted. There’s nothing intrinsically wrong with the engineering of incentives. In fact, when I was at the University of Maryland’s School of Public Affairs, more than one of Galston and Fullinwider’s eminent colleagues explained at length on taxing “bads” and subsidizing goods. To not pay attention to such things, it was quite soberly explained, was to run the risk of perverse results. Perverted results are clearly what we have in a society where we throw off political leadership of the present sort. A long-term solution would replace the leadership pool of society with more deserving characters.

To tax the bad of non-service while sponsoring the good of service, one needs a place to grasp the “monetary handles.” That place is college. The route between the horns needs to 1.) achieve Galston’s goal of reorganizing incentives in society to foster service and civic participation, 2.) observe Fullinwider’s standards of non-compulsion and non-interference with the AVF, and 3.) address my own strong preference for a college system that reduces elitism in society and recognizes service to society. The first step is not the revision of the military or even the AmeriCorps program, but of the Federal Student Aid Program.

Service to government and society in general is best repaid by strong government support for education and career building. Both Galston and Fullinwider refer to the increasing need for education in the armed

Service to government and society in general is best repaid by strong government support for education and career building.

forces. Revising student aid in favor of service is one way to provide a stronger link between colleges and the military, a link Galston says is sorely needed. Similar beneficiaries would include the Peace Corps, Americorps/VISTA, inner city and rural schools, hospitals, environmental and social service providers. Instead of reinstituting Selective Service boards all around the country, I advocate elected National Service boards, whose job it would be to distribute financial aid for higher education on the basis of some-

thing like a one-to-one distribution, say one year of service to the greater community earns one year of support for education and training for young people to progress in life. This is a rate deliberately higher (times three or four) than that offered currently through the GI Bill, in effect a reinforcement of that benefit and its yet further extension to nonmilitary service. Prospective students applying for aid would demonstrate that they have participated in service by producing approved documentation such as records of military service or supporting letters from social service agencies. Aid would go for all kinds of college and university work, but also for technical skills training and the like. A revolving door would be instituted in which high school graduates serve to earn their baccalaureates, and then return to service to earn advanced degrees. The accession of graduates to higher posts in civic life, business, and government would create a better understanding of service at that level, and ensure fair and just recruitment practices. Nepotism and favor would be steadily eliminated.

One fully-intended consequence would be to dramatically increase and ease the pathways by which youth from underprivileged backgrounds become leaders in all walks of life and in society in general. There would be no compulsion, since students are not compelled to take federal financial aid. Students from wealthy families where service is disregarded would not be penalized, but would eventually find it harder to do what they are accustomed to doing: secure college places and jobs denied those with merit. Students from wealthy families who serve meaningfully would be at no disadvantage. But for students from rough and difficult backgrounds, the pathway to success would be much clearer. There would be no harm to persons of conscience, since they would find ample outlet in the various forms of service allowed by the boards. There would be no harm to religious minorities, such as Mormons, cited by Galston, whose local boards would presumably adjust to local conditions and, for instance, allow non-religious missionary service in the overseas clinics already run by that church.

Possible Objections

Some will argue that this scheme would fail to fulfill the requirements of equality and universality insisted on by Galston. My response: Conscription was *never* really universal. People are intrinsically unequal in lots of ways. There were always ways out of the draft, for instance, and many of these loopholes contribute greatly to the dishonesty of individuals and society in general. Were those Vietnam-era draft dodgers who went to Canada and who were later pardoned by President Carter equal in conscience to the Peace Church youth who went to prison? Was it equal ser-

vice to be made an army cook at home during the second World War, or to be a fighter pilot? Of course not. One finds intrinsic inequalities among people and their contributions. Requiring equality from life is akin to requiring blood from a stone. Wise people usually settle for justice, best decided by a jury of peers, in this case a national service board. It would be a far more just world if the people who were most likely to die in the next Iraq war were also the people whose expertise and leadership would be sought out after the conflict, if the returning 20 year-old GIs could become 21 year-old college students, and 25 year-old graduates with good job prospects.

Others will argue that the scheme fails to fulfill the requirement of non-interference with the AVF that is recommended by Fullinwider. I doubt that this will be a problem in practice. It might instead increase the quality and quantity of the pool of applicants upon which the military must draw. In a world where the profession of arms becomes increasingly technical,

It would be a far more just world if the people who were most likely to die in the next Iraq war were also the people whose expertise and leadership would be sought out after the conflict. . . .

linking military service directly to college help would probably be a boon. And, as recent events have taught us, we need more troops.

Finally, it might be argued that my scheme reinforces a possible mercenary quality in today's AVF. I disagree. Galston cites Stephen Hess on the social value of serving at low rank with no sign of a "light at the end of the tunnel." There's a further applicable fact about tunnel vision in today's youth. For most of our youngsters of the instant-gratification era, the reasons they enlist or take volunteer service will almost certainly be good and wholesome; their time horizon is typically too limited for it to be otherwise. The reward of college

support will be known and understood, but as a carrot it will be less attractive compared to the others available: seeing the world, doing adventurous things, making a difference. The stick that drives them, of course, is us: their parents and teachers, from whom they wish to be removed as fast as humanly possible.

Conclusion

To summarize my argument: Galston is entirely correct to state that society risks much by ignoring the issue of justice in service institutionalized in the current AVF. The nightly parade of dead, largely lower- and middle-class faces across our screens is a great and terrible harm and a gross injustice. The burdens need to be shared. Fullinwider also is correct to say that compulsory service can create more harm than good. I contend that we should link service more closely to civil society through far stronger support for education, working at the same time to undercut unearned privilege and create a corps of future civic leaders beyond compare in history. That's what we really need, not a draft.

Mick Womersley
Assistant Professor of Human Ecology
Division of Liberal Studies
Unity College
Unity, Maine 04988
mickatum@aol.com

Sources: William A. Galston, "A Sketch of Some Arguments for Conscription," and Robert K. Fullinwider, "Conscription—No" appeared in *Philosophy & Public Policy Quarterly*, vol. 23, no. 3 (Summer 2003). The Mennonite, Quaker, and Church of the Brethren are those Christian religious persuasions that hold to the "peace testimony" of conscience against all war. Amish are perhaps best seen as fundamentalist Mennonites. The author is an indifferently observant Quaker.

Bragging, Boasting, and Crowing: The Ethics of Sharing One's Glad Tidings with Others

Claudia Mills

As a first attempt to understand bragging, one might look to the world of baseball. Baseball legend Dizzy Dean is alleged to have quipped, "Braggin's only when you ain't got nothin' to back it up." Another baseball player, Al Oliver, agrees: "There's no such thing as bragging. You're either lying or telling the truth." So it may seem that someone can be held to be engaged in bragging only if her claims about herself are somehow exaggerated or overstated. But, contra these esteemed sluggers, it seems that even truthful claims about oneself can count as bragging. Many of the most irritating braggers of my acquaintance make claims about themselves and their accomplishments, or about their children and their children's accomplishments, that are arguably (and sickeningly) true. There is a story about me that, when I was a child, I greeted a new child on the playground by saying, "Hi, I'm the smartest girl in the school. Who are you?" If I actually did this—and I hope the story is apocryphal—wouldn't I have been bragging even if I was indeed the smartest girl in the school?

I want to approach this topic from a different angle, looking not at the truth or falsehood of the alleged braggart's claims, but at what they evidence about her relations to others. In writing on the related topic of arrogance, Valerie Tiberius and John D. Walker have suggested that arrogance is best understood not in terms of the accuracy or inaccuracy of the content of the arrogant person's beliefs about himself; instead, they understand arrogance as an interpersonal matter: the arrogant person draws on his beliefs about himself to structure "his relationships in hierarchical, nonreciprocal ways." But on the account I wish to pursue here, why bragging

per se should be judged as morally problematic becomes more of a puzzle.

Suppose something nice has happened to me. Suppose I have just had a paper accepted by a prestigious journal or had one of my books win an award. It isn't bragging if I tell this to my mother. Indeed, one of my chief faults as a daughter is that I find it so hard to

share my good news with my mother because I know she's going to gush and make a truly ridiculous fuss over me about it. My mother is thrilled by any shred of good news about me; to share that good news with her is to give her a gift. Why is this? I submit it is because she identifies with me closely enough that *my* good news is *her* good news; a good thing that happens to me delights her as much, if not more, as a good thing that happens to her—indeed, a good thing that happens to me *is* a good thing that happens to her.

I might also share my good news with a colleague who gave me earlier, very helpful comments on a draft of the paper, or with my writing group who critiqued earlier versions of my book. They, too, have a stake in my success with this project, because of their contributions to it. My good friends, too, want to hear my good news, so I might rush off an e-mail alerting them to it. They want to hear my good news because they genuinely care about me.

But here one has to be more careful. *Do* these friends really want to hear my good news? Do they genuinely care about me? Sometimes these assumptions turn out, alas, to be unfounded. I have one friend who sends me e-mails all the time about the great glories her daughter achieves on the high-school stage and the raves her teacher offers about her at parent-teacher conferences; indeed, I even know this girl's GPA out to three deci-



Copyright-free graphics are from:
Humorous Victorian Spot
Illustrations, edited by
Carol Belanger Grafton (Dover
Publications, Inc. 1985)

mal points. I always write back something like, "Great news! Congrats to Karen!" But if the truth be told, I really don't want to hear this so-called great news and don't particularly feel like heaping further congratulations upon Karen. But my friend *thinks* I do. That is to say, she thinks that I am more of a friend than I really am; she thinks I share her joy in her daughter's success more than I really do.

My puzzle is: why doesn't this say something bad about *me*, rather than bad about this friend? The person sharing the good news, in a way that I want to identify as bragging, is assuming that I don't suffer from petty faults like jealousy and envy and spite. Of course some braggarts don't make this assumption: they assume that I *do* suffer from these faults and their project is precisely to arouse, exquisitely, these negative and painful emotions in me. But I don't want to define bragging in terms of the intentions behind the relevant behavior, but in terms of the behavior itself. Most of the braggarts I know aren't mean-spirited like this. Anthony Trollope wrote appreciatively of his mother that "She could dance with other people's legs, eat and drink with other people's palates, be proud with the lustre of other people's finery. Every mother can do this for her own daughters; but she could do it for any girl. . . ." Many

Many braggarts seem to be acting on the assumption that their audience is . . . able to be proud with the lustre of everyone else's finery.

braggarts seem to be acting on the assumption that their audience is someone like Trollope's mother, able to be proud with the lustre of everyone else's finery. Why isn't this a generous, rather than problematic, assumption to make about one's audience? Well, some braggers, such as Karen's mother, simply spend too much time telling others their good news: they are narcissists who monopolize a conversation. It isn't the quality of what they say, but the quantity, that poses at least part of the ethical problem. In any conversation, even between the closest of intimates, there is some presumption of parity in conversational space: you say something, then I say something, then you say something. We take turns. Some of the braggers of my acquaintance don't take turns, don't leave any room in the conversation for the other person to offer her items of achievement for reciprocal congratulation. The only lines they leave for others in the conversational script are "Great!" or "Congrats to Karen!" This same dynamic can be present in non-bragging conversations as well. Consider Socrates' conversation about the founding of the ideal city with Glaucon and

Adeimantus in the *Republic*. Despite his alleged dislike of speechifying, he offers lengthy paragraphs punctuated only by his interlocutors' occasional exclamations, "That's true," and "Apparently," and "It looks like it." Indeed, even those sharing not their good news, but their bad news, with others, can be guilty of a narcissistic monopolizing of the others' attention. I have another friend who has been in a bad marriage since 1985. My family always knows when I'm the phone to her because they hear, on my end, long long periods of silence, and then "That's awful!" and "How could he?" At the end of an hour of her venting, she tends to remember that there is indeed a person at the other end of the phone, and exclaims, "But what about you? Now let's talk about *you*!" But at that point we both realize that we've talked on the phone long distance quite long enough. So one problem with at least some forms of bragging is that the bragger talks too much about herself, essentially erasing the other party to the conversation. But this doesn't locate a distinctive problem with bragging. Some braggers don't dominate a conversation; they just briskly and efficiently deliver the news of their stunning accomplishments and move on. And many non-braggers dominate conversations as well.

Setting aside the issue of the quantity of comments one makes about oneself we might also raise the issue of the balance of positive to negative comments about oneself. A report of something wonderful seems less braggy if it is balanced by periodic reports of something terrible. My son Gregory was reading over my shoulder one day as I was sending an e-mail to my friend Brenda, in which I mentioned how good Gregory's last report card had been. "But, Mommy, that's *bragging*!" he told me, shocked at my breach of manners and taste. But what he didn't know was that my last e-mail to Brenda had been full of my anguish over many other family faults and failings. I tell Brenda everything, and she tells me everything, bad and good, good and bad. The bragger tends to report only the good. Even here, however, we can say in defense of the bragger: isn't it more cheering and brightening to be someone who shares the good, but not the bad, who shares the positive but nobly hides the negative? "Smile, and the world smiles with you; cry, and you cry alone." But the bragger seems to be someone who is painting a deceptively positive picture of herself: "I am a person to whom only good things happen." Thus, to return to the earlier thoughts about the truth or falsehood of a bragger's claims about herself: while each individual bragging statement may be true on its face, the overall picture the bragger presents may nonetheless be false, because of strategic omissions. All the positive things she says about herself are indeed true, but she neglects to mention counterbalancing negative things about herself that are equally true. Thus the overall picture presented is deceptive.

And, indeed, still on the topic of truth and falsehood here, while I began by claiming that at least some braggards are truthful in reporting actual achievements that are clearly, by any measure, achievements, at least some braggards are not. While I don't think it is characteristic of the braggard to lie about her achievements, it is certainly characteristic of many braggards to rank their achievements as higher than they are—for example, to think that their quite ordinary children show signs of remarkable genius. Now, some of this is perhaps estimable—perhaps it is a good thing that parents err on the side of over-appreciation of their children. I myself don't think this—I've worked with too many adults who were over-appreciated by their parents as children—but many people do see fond over-estimation of their children's abilities as a mark of appropriate parental love. One could also overestimate oneself in this way, less appealingly, by providing an honest statement of the facts regarding one's achievements,

but nonetheless ranking these achievements higher than they objectively deserve to be ranked.

For this reason, in my view, it is morally preferable to share a wonderful fact about oneself rather than a wonderful assessment of oneself. The fact has a kind of neutrality on its face (though I will challenge this alleged neutrality shortly). But assessments are overtly self-satisfied. Thus, I have one friend who told me that his daughter had just flown to New York to play the violin at Carnegie Hall. Well, yes, that is pretty impressive. However, another friend told me, without offering any similar support for the claim, that his daughter's violin-playing was "superb." That feels much more like a parent's over-estimation of his child's ability and just not the thing that one can say possibly say in a non-bragging way about oneself or one's children. I can share news of a prize I have won; but I don't think I can tell even a close friend how fully and richly I think the prize was deserved. Thus, I coach graduate students

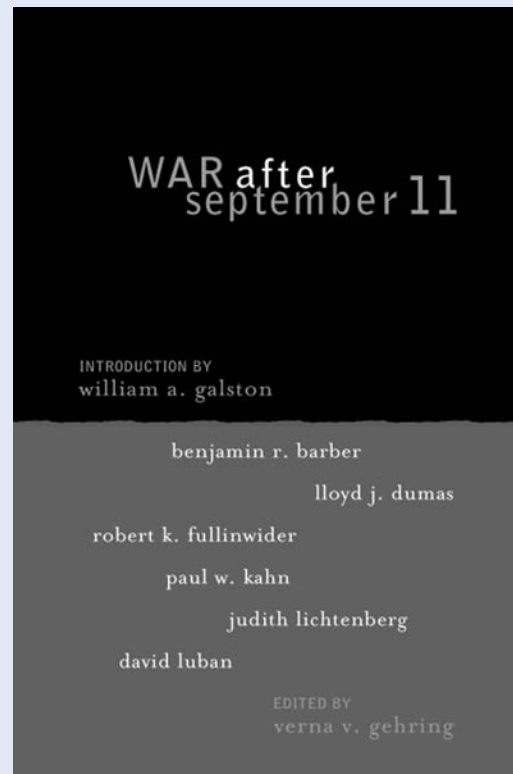
WAR AFTER SEPTEMBER 11

What are the limits of justified retaliation against aggression? What actions are morally permissible in preventing future aggression? Against whom may retaliation be aimed? These questions have long been part of the debate over the ethics of warfare. They all took on new meaning after terrorists hijacked four US airliners on September 11, 2001.

War after September 11 considers the just aims and legitimate limits of the United States' response to the terrorist attacks. Six essayists from the Institute for Philosophy and Public Policy at the University of Maryland pair off to discuss ethical questions such as, What are the moral challenges posed by terrorism? Can modern terrorism be addressed within the existing paradigms of just war and international law? Should the U.S. respond militarily or by some other means? Taken together, the essays in this volume ask the fundamental question: How should the United States use its power to combat terrorism?

Contributors: Benjamin R. Barber, Lloyd J. Dumas, Robert K. Fullinwider, William A. Galston, Paul W. Kahn, Judith Lichtenberg, David Luban; Verna V. Gehring, editor.

110 pages
Paper, \$14.95
ISBN 0-7425-1468-4



For orders and information please write
or telephone the publisher:

Rowman & Littlefield Publishers, Inc.
4501 Forbes Boulevard
Lanham, Maryland 20706
1-800-462-6420
www.rowmanlittlefield.com

writing job letters to learn to write in a way that seems to be merely reporting facts that display their wonderfulness, without having to call attention explicitly to their wonderfulness itself. You can mention your teaching award; you can't tell them outright that you're the greatest thing since sliced bread. When I worked as a book editor, preparing publicity for a series of academic books, I even drew up a list of ostensibly descriptive words that carried an evaluative charge. "Ground-breaking" was one. You can describe a book on your own list as "ground-breaking." It's more dubious to describe it as "brilliant."

But, as we think more about the distinction between the facts of one's achievements themselves and the way in which one assesses and evaluates these facts, the distinction starts to blur. Here, as elsewhere in philosophy, the fact/value distinction can't bear the weight we would want to place upon it. If we're talking about the ethics of sharing one's good *news* with others, we need to think for a moment about what we mean by *news*. News, by definition, is something new, different, that is to say, out of the ordinary. Even to view myself as having good news to share is to view myself as having something that others, by and large, do not have. Nozick's best line in *Anarchy, State, and Utopia* is that we don't assess ourselves as pretty good for having an opposable thumb and speaking at least one language. The only exception here is that parents do seem to want to share news with others of the most universally achievable milestones reached by their children: Tommy rolled over! Johnny walked! Sally made peepee in the potty! This becomes ethically problematic only when there is too great a volume of it (we don't need an e-mail for every tinkle) or when—and now we're closing in the heart of what seems problematic about bragging—it is framed in an essentially comparative and competitive way. Johnny walked *at nine months*—with the intended implication: so much earlier than other children! And so much earlier than *your* child!

The problem here, and now I think we're drawing close to the heart of what bothers us, or at least me, about bragging, is that estimation of achievement is fundamentally competitive. The braggart isn't one who says he is better than he really is, as much as the one who says he is better than others are, or better than you are. Indeed, even complainers can manifest this same self-preening assumption. They complain that they are getting less than their due, when it is clear that they think their due is far greater than what others are due, or what you are due. For example, I've had friends at the university complain to me about their obscenely low salaries—which salaries were tens of thousands of dollars higher than mine. Now sometimes this is just good-natured universal griping that all of our salaries are too low. But if the assumption is that their salaries are especially low, and ground a spe-

cial grievance, then one can't help but note the essentially comparative nature of the complaint: "My salary, while much higher than yours, is nonetheless lower than what I, but not you, are due."

Now, I have to say that sometimes braggers who accurately locate their own phenomenally high merits delight me rather than irritate me. A *Reader's Digest* article reports that when Irving Berlin finished writing "White Christmas," he crowed to one of his associates, "This isn't just the best song *I've* ever written, it's the best song *anybody's* ever written." Here Berlin does everything I've just said you shouldn't do: give an overt assessment of yourself, rather than simply report a fact about yourself, and do it in an explicitly comparative way, where, indeed, the comparative class that you have bested is the entire rest of the world. And yet this kind of crowing has a certain appeal. One reason may be that, because there is a social taboo against bragging, it can be refreshing to see it defied in such an in-your-face way. Even though I'm basically defending the prohibition against bragging, there is something satisfying when bad boys and girls flagrantly break certain rules. It can also just be fun to witness unabashed, unrestrained, infectious delight in anything, even in oneself. I think here of the song from some musical that goes, "Will everyone here kindly step to the rear and let a winner lead the way?" Or Maria in *West Side Story* singing "I'm Pretty" to her mirror. It can get tiring to be around cringing, abject, apologetic people with no self-esteem and refreshing to be with someone who can say, "Damn it, I'm GOOD." Similarly, there is something thrilling, I submit, about being in the presence of genius, and genius that recognizes itself as genius, because after all, how could it not? Mozart knew he was good. "White Christmas," sung by Bing Crosby, did go on to become the number one best-selling single of all time. In Noel Streatfeild's wonderful children's classic, *Ballet Shoes*, Posy Fossil knows that she is destined to become one of the world's greatest ballerinas. "When I dance," Posy tells her sisters, "nobody else will do instead of me; they'll come to see me, and if I'm not there, they'll just go home." While Pauline and Petrova promptly snub her for the remark, Petrova later goes to sleep "puzzling over what Posy had just said. She did not believe it was conceitedness when Posy said things like that, but it certainly was when Pauline did. Why?"

Part of the answer to Petrova's question may be that when Posy says this it is simply true—forcing us to acknowledge again the partial truth of the accuracy account of bragging. But the other part of the answer is that when someone is *that* good, competition, at least for most of us, ceases to be an issue. I may compete against my colleagues in the philosophy department, but I don't see myself as competing against John Stuart

Mill. In fact, when I was in graduate school at Princeton, I felt I was in the presence of so many truly brilliant philosophers that nothing about their achievement diminished me. We were batting in different leagues altogether.

But now I need to say that this is true of very few of my bragger acquaintances. Perhaps one of the most irritating features of their bragging is that seem to think that they are utterly out of my league in this way, so that I will be honored rather than depressed by recognition of their greatness. They think that just knowing a prodigy like their Sophie is an enormous honor and privilege for me. But I can tell you right now: it is not!

Along these same lines, reflecting on how true greatness doesn't diminish others, there is some news that is indeed too wonderful not to share, where deliberate silence about one's good news could only be viewed as making extremely uncharitable assumptions about one's audience. For example, there was a time when I and many of my friends were struggling with infertility. Then one by one, each friend in the circle finally became pregnant. It was always an awkward moment when the news of the forthcoming blessed event was announced to others who had previously shared the painful camaraderie of the infertile. For the news had to be shared—it would soon be all too visible and public anyway. And the news *was* received by others in the circle with some pain and almost a sense of betrayal—why her, and not me? how could she abandon me in this way? But when I had friends who made too much of this kind of worry—poor Claudia! how can I tell her my great and amazing news?—it began to seem insulting to me, rather than merely considerate of my understandably delicate feelings. For I was certainly a big enough person to be able to celebrate someone else's joy in this way. After all, I would have had to have been pretty sick and self-absorbed not to be deeply glad that a dear friend was achieving her desperately desired dream.

We have come full circle now, to our initial question: why don't we see the garden-variety bragger in this same way, as willing to assume that I am a big enough person to be able to share his joy in his success? Well, to recapitulate some of our earlier points: 1) many braggers monopolize the conversation, taking up too much space relating their good news; 2) many braggers, even while presenting their good news accurately, nonetheless paint an overall distorted picture of their lives by failing to share any of their counterbalancing bad news; 3) many braggers, even while presenting their good news accurately, nonetheless have a false sense of the significance of this news, using it to ground a higher evaluation of themselves than is objectively justified; 4) many braggers at least implicitly take their good news to ground a favorable comparison to others, and in particular, to you.

Truth v. Justice: The Morality of Truth Commissions

Robert I. Rotberg and Dennis Thompson, Editors

The truth commission is an increasingly common fixture of newly democratic states with repressive or strife-ridden pasts. From South Africa to Haiti, truth commissions are at work with varying degrees of support and success. To many, they are the best—or only—way to achieve a full accounting of crimes committed against fellow citizens and to prevent future conflict. Others question whether a restorative justice that sets the guilty free, that cleanses society by words alone, can deter future abuses and allow victims and their families to heal. Here, leading philosophers, lawyers, social scientists, and activists representing several perspectives look at the process of truth commissioning in general and in post-apartheid South Africa. They ask whether the truth commission, as a method of seeking justice after conflict, is fair, moral, and effective in bringing about reconciliation.

"This book discusses the vast and complex range of choices in between blanket amnesty and total accountability through criminal justice, and does so with engaged and critical sympathy."

—Albie Sachs, Justice of the Constitutional Court of South Africa

"The case for truth commissions is strongly and persuasively presented in these essays, which bring together a remarkable group of lawyers, political theorists, and historians, all of them intelligently engaged with each other's concerns."

—Michael Walzer

In addition to the editors, the contributors are Amy Gutmann, Rajeev Bhargava, Elizabeth Kiss, David A. Crocker, André du Toit, Alex Boraine, Dumisa Ntsebeza, Lisa Kois, Ronald C. Slye, Kent Greenawalt, Sanford Levinson, Martha Minow, Charles S. Maier, Charles Villa-Vicencio, and Wilhelm Verwoerd.

296 pages
\$55.00 Cloth
\$18.95 Paper

Princeton University Press
www.pup.princeton.edu
Available at bookstores or directly
from the publisher:
Tel.: 609-258-4900
FAX: 609-258-6305

Graceful Simplicity: Toward a Philosophy and Politics of Simple Living

Jerome M. Segal

In *Graceful Simplicity*, Jerome M. Segal expands and deepens the contemporary discourse on how to achieve a simpler, less harried way of life. He articulates a powerful conception of simple living—rooted in beauty, peace of mind, appreciativeness, and generosity of spirit. At the same time, he criticizes much of the “simple living movement” for believing that we can realize this conception as isolated individuals if only we free ourselves from overconsumption. Segal argues that, unfortunately, we have created a society in which human needs can be adequately met only at high levels of income. Instead of individual renunciation, he calls for a politics of simplicity that would put the facilitation of simple living at the heart of our approach to social and economic policy.

“Graceful Simplicity is a marvelously textured analysis of the elusive ideal of simple living. For those eager to find a way to get off the “more is better” treadmill, Jerome Segal offers insight and hope. Drawing upon philosophy, history, economics, sociology, and psychology, he explains why simplicity is not a simple concept and reveals why it retains its perennial allure. A must read.”

—David Shi, president of Furman University and author of *The Simple Life: Plain Living and High Thinking in American Culture*

“In simple, graceful prose, Jerome Segal explains why less elaborate modes of living would make us happier.”

—Robert H. Frank, Cornell University, author of *Luxury Fever*

263 pages
\$26.00 (cloth)

Henry Holt and Company LLC.
Available at bookstores or directly
from the publisher:
Tel.: 888.330.8477
FAX: 800.672.2054

To request examination copies
or inquire about classroom use, write to
academic@hholt.com

Now, perhaps I still haven’t answered the question of why this latter feature of bragging should bother me so much. Why is it so terrible if someone else scores better than I do at the comparison in question? Well, in my defense, I can say first that the bragger thinks this is significant, or she wouldn’t take the time and energy to brag: for her, scoring higher than someone else, scoring higher than me, is news worth reporting. All I can say here is that the perhaps generous assumption made by the bragger, that while she is competitive enough to want to announce her success to me, I am, by contrast, a completely non-competitive person who will selflessly delight in hearing about her success, is simply false. And I suspect that the assumption that you are a completely non-competitive person is simply false, as well. We may want to work together to diminish such competitive feelings, for, as Rawls has told us, envy is irrational and collectively disadvantageous: why, after all, should I wish that someone else has less of x if it doesn’t give me a whit more of it? Why should I wish for another’s diminishment for its own sake? And I don’t—or at least, I hardly ever do, the occasional pleasures of *schadenfreude* aside. (A new book explores the phenomenon of our barely suppressed glee when, according to its title, “Bad Things Happen to Other People.”) But a certain degree of competitiveness seems either hard-wired into human beings as animal creatures striving for success in nature’s mating game, or encouraged by our capitalist culture. We remain complex, competitive, flawed human beings who can only stand so much good news—to paraphrase the writer Anne Lamott—about “some of the most awful, angry, undeserving [people] you know—people who are, in other words, not you.”

Claudia Mills
Department of Philosophy
University of Colorado at Boulder
cmills@colorado.edu

Sources: The baseball quotes circulated to me over e-mail; for the growing philosophical literature on arrogance and modesty, see Valerie Tiberius and John D. Walker, “Arrogance,” *American Philosophical Quarterly*, vol. 35 (1998); G. F. Schueler, “Why Modesty Is a Virtue,” *Ethics*, vol. 107 (1997); Julia Driver, “Modesty and Ignorance,” *Ethics*, vol. 109 (1999); G. F. Schueler, “Why IS Modesty a Virtue?” *Ethics*, vol. 109 (1999); A. T. Nuyen, “Just Modesty,” *American Philosophical Quarterly*, vol. 35 (1998); Michael Ridge, “Modesty as a Virtue,” *American Philosophical Quarterly*, vol. 37 (2000). Other sources are Anthony Trollope, *An Autobiography* (University of California Press, 1947); Plato, *Republic*, trans. G.M.A. Grube (Hackett, 1992); Robert Nozick, *Anarchy, State, and Utopia* (Basic Books, 1974); Jody Rosen, “I’m Dreaming of a White Christmas,” *Reader’s Digest* (December 2002); Noel Streatfeild, *Ballet Shoes* (Random House, 1937); John Rawls, *A Theory of Justice* (Harvard University Press, 1971); John Portmann, *When Bad Things Happen to Other People* (Routledge, 1999); Anne Lamott, *Bird by Bird: Some Instructions on Writing and Life* (Random House, 1994).

A National Character

Verna V. Gehring

Baseball is something more than a game to an American boy; it is his training field for life work. Destroy his faith in its squareness and honesty and you have destroyed something more; you have planted suspicion of all things in his heart.

—Kenesaw Mountain Landis

I'd be willing to bet you, if I was a betting man, that I have not bet on baseball.

—Pete Rose

Introduction

Baseball player and manager Pete Rose once observed about himself, "I was raised but I never grew up." That honest observation captures perhaps the most cherished aspect of baseball: its power to transform the adult who—in all other parts of his life might be considered, as Rose is by some, "not a balanced personality" and "self-absorbed"—back into the elemental and joyfully single-minded child.

A member of Cincinnati's "Big Red Machine," Pete Rose was arguably its greatest player. In nearly a quarter century with the Reds, and later with the Phillies and the Expos, Rose (nicknamed "Charlie Hustle" by Whitey Ford, who aimed to capture Rose's intense physical style) earned 4,256 hits, breaking Ty Cobb's fifty-seven year record. Maybe less from modesty than from the recognition that he batted 2,300 more times than Cobb, Rose assessed his achievement in this way: "I'm not the greatest hitter ever, I just got the most hits." Rose also set a record for the most games played (3,562) and for the most at bats (14,053). In addition to having the most hits of all time, Rose holds the record for most singles (3,215); he collected at least 100 hits in his first 23 seasons, had more than 200 hits in a season ten times, and was the most prolific switch-hitter in history. Rose is also the only player to play 500 games at each of five different positions.

He seemed to be ending his career perfectly—managing the Reds from 1984 to 1989, and was a virtual certainty for selection to the Hall of Fame—until allegations that he gambled on baseball games abruptly dashed those expectations.

Pete Rose's story is filled with bad decisions, bad habits, bad actors, and just plain bad luck. Over the years, most baseball fans—and even those not at all

interested in the game—have voiced dissatisfaction with Rose's fate. One might speculate that their dissatisfaction stems in part from the undeservedly incomplete consideration of ethical questions raised by his experience. At the heart of Pete Rose's troubles is the question of whether we should honor someone's contributions even if his or her character is deficient. How one answers *that* question depends on the ethical attitude one takes toward others—whether one has adopted an optimistic or a pessimistic stance in judging others' motives and actions.

The Power of Baseball

Before looking to such considerations, it is useful to reflect briefly on baseball's rich history, especially its tendency to both promote the ideal of spirited amateurism while at the same time putting that ideal to its greatest mercenary advantage. Examined through this lens, one can understand why Major League baseball would consider Rose's involvement in gambling so scandalous, and why the outcome, while seemingly final, has an unresolved feel to it.

From its earliest days, baseball has both reflected and influenced America's complex and often tension-filled culture, as well as the way Americans do business. It grew and flourished over a century that saw both ethnic integration and long-entrenched acceptance of practices that barred some citizens from full economic and political participation. Baseball instructed—and learned from—big business's practice of exercising strict and paternalistic control over its workers, its shrewd management tactics, and its emphasis on image. Baseball lauded individualism as it busted unions; it sung paeans to the collective spirit as it paid a talented few extra under the table and underpaid the collective. Like American business, baseball reflected prevailing attitudes—and struggled with changing practices—about rewarding talent and skill over trickery and gall, and about whether to treasure the traditional or hasten its destruction in search of the brand new. One might say that baseball has never exactly been a game for children.

Baseball encouraged—and crafted—wonderful misremembrances and the creation of fables that its fans

have willed to be true. When Kenesaw Mountain Landis, baseball's first commissioner, dedicated the Hall of Fame, in Cooperstown, NY, in 1939, the date was chosen to commemorate the hundredth anniversary of baseball's invention by Abner Doubleday and its first game in an American farmer's field. That account was a creation myth, challenged by more plausible possibilities, such as that the game evolved from the English game of "rounders." Whatever its origins, by the early 1840's baseball was recognizable as its own game, with "official" baseball games played on the spot that is now Madison Square Gardens.

The commercial side of baseball developed quickly. By 1863, the National Association of Base Ball Players defined a "professional player" as a man who "plays base ball for money, place, or emolument." Shortly thereafter baseball began crafting its status as a special kind of business. By the 1870s, each club could "reserve," or hold off the market, several players on its roster. The player who had no option of playing anywhere else could not demand a higher salary. Prior to the reserve system, salaries were about sixty percent of revenue; by the mid-1950s, and because of the reserve system, player salaries represented less than fifteen percent of revenue. Through a series of court cases—most importantly, the celebrated Curt Flood case of 1970—the reserve system was slowly dismantled in the mid-seventies, making way for the free agency system, and by the mid-90s player salaries returned to about fifty-five percent of revenue.

But the courts were not always a refuge from the economic power of baseball owners. The Supreme Court itself took a hand in creating the special status enjoyed by baseball, ruling that the 1890 Sherman Antitrust Act (which prohibits "any contract, combination or conspiracy in restraint of trade") does not apply to baseball—it is kind of cartel, a "monopsony," a labor market dominated by one employer. Memorably, Justice Oliver Wendell Holmes, writing for a unanimous Court, offered a "summary statement of the nature of the business of baseball." Because baseball relies on "personal effort, not related to production, [it] is not the subject of commerce," and Congress never intended antitrust to cover the sport. A later Court would remark that the day the he issued the Court's decision "was not one of Mr. Justice Holmes' happiest days"—though it was, as one would expect, a very happy day for organized baseball. And over the years, baseball executives, its players, and its union representatives, continue to test baseball's special status, most recently in cases involving collusion among teams in the market for free agents.

Baseball executives also saw early on the importance of controlling baseball's wholesome image among exuberant amateurs. Yet even in its early years, baseball and gambling were not a novel combination. In the

nineteenth century, game-fixing (called "hippodroming") was common; Brooklyn and Philadelphia even allowed open betting pools in their parks, just as horseracing tracks do today. In 1878 four members—the "Louisville Four"—were banned by the National League for planning to lose their league pennant race for the Louisville Grays. Baseball executives soon realized that any association with the criminal underworld would destroy baseball's image. When details emerged of the infamous "Black Sox" scandal—in which eight White Sox players met with numerous gamblers, who offered them bribes to throw the 1919 World Series—baseball owners quickly created an office of the commissioner. They selected the federal judge Kenesaw Mountain Landis, who immediately banned the eight players for life, thereby ending the career of the great hitter and nearly certain Hall of Famer, "Shoelless" Joe Jackson. More recently, Mickey Mantle and Willie Mays were briefly banned from baseball (long after their retirements and election into the Hall of Fame) because they were spokesmen for Atlantic City gambling casinos. And Yankees owner George Steinbrenner was suspended from baseball in 1990 for two years for consorting with gamblers.

Given this brief history of baseball's entwined commercial, legal, and image-building powers, one can see why allegations that Pete Rose had gambled on baseball games in which he participated as the manager of

Mindful of the sixty-year history of banishment from the game for gambling, Commissioner Peter Ueberroth, on receiving allegations in February 1989 concerning Rose, publicly announced he would begin an investigation. . . .

one team would be treated so seriously. Mindful of the sixty-year history of banishment from the game for such gambling, Commissioner Peter Ueberroth, on receiving allegations in February 1989 concerning Rose, publicly announced he would begin an investigation, and he appointed New York attorney John W. Dowd as special counsel.

Rose flatly denied the allegation, choosing these unfortunate words in response to one of the commissioner's questions: "I'd be willing to bet you, if I was a betting man, that I have not bet on baseball." Although fans, especially those in Cincinnati, were outraged at the thought that their hero was under investigation, the power to investigate rightfully resided in the commissioner's office, and Pete Rose's career was in peril.

Were it found that Pete Rose betted on baseball, he would risk a one year ban; if he betted in connection with the Cincinnati Reds, the team he managed, he



In the twelfth inning of the 1970 All-Star Game in Cincinnati, Pete Rose slams into Cleveland Indians' catcher Ray Fosse, going on to score a controversial game-winning run for the National League Team. Fosse suffered a fractured shoulder in the collision. (Looking on are the third base coach, Leo Durocher, and the next hitter, Dick Dietz.) (AP WideWorld Photos, 1970)

risked being banned from baseball for life. Not only was Rose's livelihood in peril, but also, as he would learn, his baseball legacy.

... the Friends One Keeps

By all accounts, Pete Rose is, in the words of historian James Reston, Jr., an "elemental" baseball player—and man. In a book devoted to the Rose case, Reston describes how intense Rose was about baseball, and the high life that came with it. Rose loved to spend his money on cars and women, and on almost any bet—horses, numbers, the lottery—and sometimes used his celebrity to refuse payment to his bookies. He relied on an amphetamine, "greenies," to prolong his heroic feeling. Reston also suggests that Rose increasingly used gambling to cope with age and the decline in his baseball powers.

According to Reston, Special Counsel Dowd would learn that by 1985 Rose was running with a fast crowd,

writing bad checks and hiding income—typically either by asking that checks be made out to a fictitious name and cashed by friends, or by failing to report payments from memorabilia signings and other appearances.

But the revelations that Rose may have bet on baseball games arose almost as a fluke. In 1988, when the FBI was looking into Gold's Gym as a venue for drug trafficking, Paul Janszen, a friend of Rose's, was swept up in the investigation for selling steroids and also, it seems, cocaine. Janszen began cooperating with the FBI, but it was after Rose repaid Janszen only ten thousand dollars of a forty-four thousand dollar loan that an angry Janszen began telling the agents about Rose's gambling activities. In addition to revealing that Rose failed to report cash earnings from his appearances at baseball card signings, Janszen also said that when Rose and other players appeared at casinos to sign memorabilia, the others were paid for their appearances but Rose received nothing because

Genetic Prospects: Essays on Biotechnology, Ethics, and Public Policy

(Volume II of the Institute for Philosophy and Public Policy Studies series)

While the collapse of the Soviet Union has diminished the force of George Orwell's *1984*, the other great dystopian tract of the twentieth century, Aldous Huxley's *Brave New World*, is timelier than ever. The ongoing process of genetic science may well revolutionize medicine and human reproduction, and it may end by giving us the ability to transform the human species itself. This new power has raised hopes that we will solve a range of genetically based problems that afflict us. It has also evoked fears that we are on the verge of a "post human" future in which precious but necessary norms regulating individual and social life will be set aside. Will we have the moral and political wisdom to avoid the pitfalls in using new biotechnologies?

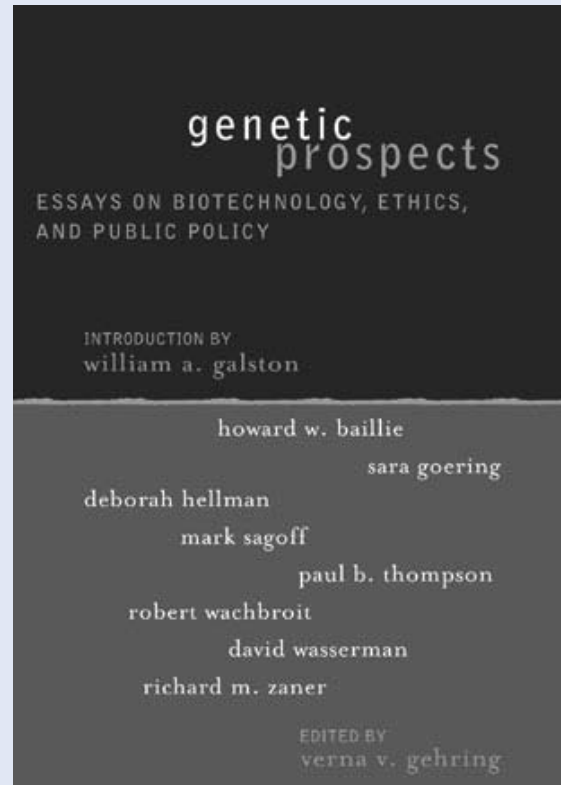
Genetic Prospects considers the resources from which the needed norms and maxims might be drawn, scrutinizing carefully the contributions of common sense, religion, and moral sentiment. Taken together, the essays in this volume apply philosophical analysis to address three kinds of questions: What are the implications of genetic science for our understanding of nature? What might it influence in our conception of human nature? What challenges does genetic science poses for specific issues of private conduct or public policy?

Contributors: Harold W. Baillie, William A. Galston, Sara Goering, Deborah Hellman, Mark Sagoff, Paul B. Thompson, Robert Wachbroit, David T. Wasserman, and Richard M. Zaner

114 pages

Paper, \$14.95, ISBN 0-7425-3335-2

Cloth, \$55.00, ISBN 0-7425-3334-4



For orders and information, please write or telephone the publisher:

Rowman & Littlefield Publishers, Inc.
4501 Forbes Boulevard
Lanham, Maryland 20706
1-800-462-6420

he was paying off gambling debts. Eventually the government would ignore Janszen's cocaine transactions, and allowed him to plead guilty to tax evasion on steroid sales, for which he received six months in a halfway house.

Two months after his appointment in March 1989, Special Counsel Dowd submitted an over two-hundred-page report detailing Rose's betting. Dowd concluded, in part:

In order to protect his stature as one of the most famous baseball players in major league history, Pete Rose employed middlemen to place bets for him with bookmakers and at the racetrack and to pay gambling losses and collect gambling winnings, thus concealing his gambling activities.

Dowd's full report included seven volumes of evi-

dence, including betting sheets that handwriting experts determined were written by Rose, and records of telephone calls Rose made to known bookies immediately prior to baseball games. Dowd found that Rose betted on Reds games—but at least he had betted on his ball club to win, never to lose.

There were many problems with the case made against Rose, perhaps uppermost among them was the FBI's reliance on unsavory hangers'-on to Rose. Dowd relied on materials that were copies (the originals were retained by the FBI) of betting slips stolen from Rose's home by some of his "friends." The slips were said to be in Rose's own hand, yet cronies commonly signed memorabilia in Rose's name, and so were practiced in his signature.

Yet Rose's friends, not known for their general veracity, could not surpass Rose's own poor judgment and mendacity. In one conversation with Dowd, Rose told a transparent *little* lie, denying he went to racetracks in summertime, because that was when he was constantly involved in baseball. But he also told a transparent *big* lie in insisting to Dowd that he owed no one any money. Dowd had the difficult task of weighing Rose's own flimsy lies against the untrustworthy words of cronies, whose relationships with Rose had soured. Not surprisingly, John Dowd's report, and subsequent actions of the commissioner's office, also became a part of the controversy.

Commissioner Ueberroth's successor, A. Bartlett Giamatti, a former president of Yale University and a Renaissance scholar, continued the Rose investigation. In the midst of the investigation, by all accounts, Giamatti made a huge mistake: he sent a letter to Judge Carl Rubin, who was about to sentence Ron Peters, one of Rose's gambling connections, asking that Peters be treated leniently for the "candid, forthright and truthful" way Peters had conducted himself with baseball's investigators, and for his "critical sworn testimony about Mr. Rose and his associates." Judge Rubin was furious at what he interpreted as the commissioner's "vendetta against Pete Rose," and he sent a copy of the letter to Reuven Katz, Rose's attorney.

After a flurry of legal wrangling, and following intense negotiations, the matter was put to rest on August 23, 1989. Pete Rose accepted permanent suspension from baseball.

The public "Agreement and Resolution" between Rose and Giamatti related the history of the case, and stated in part that Rose had "engaged in conduct not in the best interest of baseball in violation of Major League Rule 21, including, but not limited to, betting on Major League baseball games in connection with which he had a duty to perform" as field manager of the Cincinnati Reds. In the agreement, and presumably to take back the criticism of Giamatti's letter to Judge Rubin, Rose acknowledged that the commissioner "has acted in good faith throughout the course of the investigation and proceedings," while in exchange the commissioner made no formal finding on betting allegations (although he was not prevented from making public statements on the matter). Rose agreed that he was to be "permanently ineligible in accordance with Major League Rule 15c and placed on the Ineligible List;" but "nothing in this agreement shall deprive Peter Edward Rose of the right . . . to apply for reinstatement" (although Rose agreed not to "challenge the evaluation of any application for reinstatement"). Finally, but importantly, "Nothing in this agreement shall be deemed either an admission or a denial by Peter Edward Rose of the allegation that he bet on any major league baseball game."

Civil Society, Democracy, and Civic Renewal

Robert K. Fullinwider, editor

Civic society is receiving renewed attention from academics, politicians, journalists, community leaders, and participants in the voluntary sector. *Civil Society, Democracy, and Civic Renewal* brings together several of America's leading scholars—of history, sociology, political science, and philosophy—to explore the meaning of civil society, its positive and negative effects, its relation to government, and its contribution to democracy.

The chapters range widely, taking up the connection between social trust and civic renewal, the role of citizen councils in environmental decision making, the growth of self-help groups and their impact on community, historical patterns of civic activity by women and African Americans, and the place of expertise in public deliberation on scientific and medical issues.

Civil Society, Democracy, and Civic Renewal is a project of the Institute for Philosophy and Public Policy and the National Commission on Civic Renewal. It was written and edited with the support of the Public Policy Program of the Pew Charitable Trusts.

430 pages
\$69.00 (cloth)
\$26.95 (paper)

Rowman and Littlefield Publishers, Inc.
<http://rowmanlittlefield.com>
Tel.: 800.462.6420
FAX: 800.338.4550
For examination copies, call
800.273.5720

In what baseball historian and legal theorist Roger I. Abrams called the extraction of a full pound of flesh, Giamatti criticized Rose in his prepared remarks publicly announcing the settlement of this "sorry episode," pronounced that "one of the game's greatest players has engaged in a variety of acts which have stained" baseball, and fulsomely extolled the beloved place of baseball and his duty to "protect the integrity of the game."

Pete Rose did not fare well under the agreement he finally made with the commissioner—his permanent ineligibility denied him any connection to baseball. Further, because of a subsequent clarification of its rules—some say precisely to bar Pete Rose—the Hall of

Fame eliminated from consideration anyone on the ineligible list. Rose's livelihood and legacy evaporated. Bart Giamatti, who perhaps had an open mind about reinstating Rose a year after his ban, died eight days after the agreement was reached. Some contend that Giamatti's untimely death made matters worse for Rose, since rumor had it that Faye Vincent, the succeeding commissioner, blamed Rose for Giamatti's death. In July 1990, a federal district court sentenced Rose to five months in prison for tax evasion, based on failure to report \$354,986 in earnings from selling autographs.

Rose's "Sure" Place in the Hall of Fame?

One question that often arises in connection with this episode is whether Pete Rose *should be in* the baseball Hall of Fame on the basis of his achievements in the sport. If he deserves to be, and is not, then his ban is a greater harm than if his athletic contributions did not merit inclusion in any event.

Criteria for selection to the Hall of Fame are always open for debate, since from its earliest days Hall of Fame executives never established standards for identifying those players most worthy of inclusion. They casually decided to give the vote to newspaper and magazine sportswriters, who represented *the* media of baseball in 1939; there was, of course, no television, no cable outlets, and so on. Rules were sporadically changed in an attempt to address such problems as the selection of too few players—no player was elected in 1945, 1958, and 1960, for instance, and triennial elec-

tions soon were changed to yearly elections—and the over-representation of players from the nineteenth century. Eventually the system that evolved allowed two "doors" into the Hall of Fame, one controlled by the Baseball Writers Association of America (BBWAA), and the other by a select group of about twenty "veterans," or old-time baseball men. [See Inset]

Probably no one has studied more closely than baseball expert Bill James the many rational—and non-rational—ways of evaluating players' attributes and contributions. James offers several statistical and subjective methods, which, if applied in even a cursory way, show that Pete Rose's achievements warrant his inclusion among Hall of Famers. [see the inset on next page]

According to both statistical and subjective standards, Pete Rose's selection seemed reasonable, if not certain—until his gambling troubles began. Afterwards, one finds two kinds of assessments of his merits as a player. One kind is captured in the sentiments of sports writer Vinny Mallon, who insists that "there is no question that the simply staggering numbers Rose put up merit admission to the Hall on the first ballot." But one also finds a second sort of response, this articulated by Pete Palmer:

The Pete Rose case is interesting. Putting aside his suspension, let's look at how he stacks up.

Rose was a slightly above average player who played for an extraordinary length of time. Dick Allen played half as many games as Pete and produced 33 wins above average for his team, compared to 20 for Rose.

The Two Doors into the Hall of Fame

Door #1

Cut to its essentials, a player is not eligible until five years after his career has ended. The Baseball Writers Association of America (BBWAA) draws up a list each year; a committee then eliminates from that list those players obviously not viable (for instance, those who spent much of their careers on the bench). Ballots are mailed to those who have been members of the BBWAA for at least ten years, and each eligible voter can vote for up to ten men. To be selected, a player must be named on seventy-five percent of the ballots. A player is dropped from consideration after being on the ballot for fifteen years; thus, a player loses his eligibility about twenty years after he retires.

Door #2

Those not selected in their initial fifteen years of eligibility are ineligible for the next five years, after which time they have a second "door"—becoming eligible to be elected by the Veterans Committee. It falls to a "Veterans Committee," appointed by the Hall's Board of Trustees, and comprised of old players, writers, and baseball executives, to elect managers, umpires, executives, Negro League players, and others who have given "meritorious service."

Some would say that Palmer's view is crafted to justify on athletic performance grounds Rose's exclusion from Hall of Fame consideration *after the fact* of his ban. It is akin to arguing: Rose is banned from consideration—but he was a mediocre player anyway. Suspect arguments such as this raise the ethically relevant question of the moral weights we ought to give to character and contribution in appraising a player's overall stature.

Character and (versus?) Contribution

Mr. Palmer is content to exclude Rose from consideration because he was a "mediocre player" in addition to the *more important consideration* of being a bad actor. Others counter with a comparison of Rose's bad morals with those of Ty Cobb. Describing Cobb as a mean, vindictive, racist, and a psychotic does not do the man an injustice. Yet Ty Cobb is in the Hall of Fame, and so, some insist, should be Rose. But that argument is suspect as well—expressing in an extreme way the complete irrelevance of character and the supremacy of contribution.

Both arguments express one aspect of American culture: utility above all else. One side contends that Rose should be excluded from Hall of Fame consideration because the worth of his contributions is lessened by his poor character; the other side wants Rose to be in the Hall and have his life in baseball restored to him based on contribution alone. Pete Rose's case, however, raises the very question of the moral weights we should assign to contribution and character.

"Spring Training Is All Hope"

Roger Angell's lovely sentiment that spring training is "all hope" points to another dimension of the controversy about Pete Rose. The human condition demands that every person decide for him- or herself whether to view the world as an optimist or pessimist. Generally, the pessimist is one who expects the evil in life to outweigh the good, and who expects the worst possible outcome in any circumstance. The controversy over Pete Rose draws out one extreme kind of pessimist. The cynic does not just accept that the bad outweighs the good: his is an active and directed pessimism. He

Bill James' Methods, Which Assess Pete Rose's Merit for Inclusion in the Hall of Fame

Similarity scores. This evaluates the similarity of two players by measuring the distance between them; it is a method of asking, imperfectly but objectively, whether two players are truly similar. So, for instance, when a baseball writer Frank Galo, wrote: "If Pete Rose ever makes it to the Hall of Fame, so should ["Shoeless"] Joe Jackson," Galo is appealing to the similar quality of the two players, insisting that if one gets in, the other deserves to as well.

The black ink test. This method evaluates (applying a weighted point value system) the player's league-leading performance, and tries to highlight the best players from each era. Although players with big seasons are more likely voted into the Hall than players of overall accomplishment but greater consistency, the black ink test rewards a long career, high batting average, and "punch"—all essentials in a Hall of Famer, and all possessed by Rose. In addition to having the most hits of all time, Rose holds the record for most singles (3,215), at-bats (14,053) and games played (3,562). He collected at least 100 hits in his first 23 seasons, had more than 200 hits in a season ten times, was the most prolific switch-hitter in history. Rose is the only player to play 500 games at each of five different positions.

The Hall of Fame standards list. Bill James introduced this method, in which two hundred questions are answered in assessing whether a player did things that one might reasonably expect a Hall of Famer to do. (According to this method, the typical Hall of Famer meets exactly fifty percent of the standards.) Relevant here is Pete Rose's record-breaking accomplishments—most importantly, breaking Ty Cobb's hitting record.

The Hall of Fame career monitor. This method tries to predict whether a player would go into the Hall of Fame, and is used in discussing active players. Unlike the Hall of Fame standards list, which looks at career totals, the career monitor evaluates mostly seasonal accomplishments. Here too, Rose did have those seasonal accomplishments—for instance, he led the league in hits in seven seasons—and was talked about as a virtual certainty for Hall of Fame inclusion.

The Keltner list. The list is not a statistical method, but rather asks a series of subjective questions, such as: Was this man the best player of his time? Asking these questions leads one, so James contends, to see almost intuitively what the answers are, which is helpful in thinking through whether or not a player deserves Hall of Fame inclusion. Pete Rose's selection into the Hall of Fame was assumed to be certain—until his gambling troubles.

not only *believes* that everyone is motivated by selfishness and denies the sincerity of motives and actions, but he also tirelessly *pries into* motives until, with grim satisfaction, he uncovers a flaw.

Current American culture seems to offer abundant evidence of the triumph of the cynics. This was not always the case. Although baseball had a firm hand in shaping the image of the game as an ideal of boyhood—and despite life's lessons to the contrary, for most ordinary people—baseball's popularity shows that people wanted to be optimists, to believe that it was possible for even seriously flawed players to achieve a moment in which talent, skill, luck, and abandon prevail over ego and greed; a moment in which self-interest and calculation gave way to the sheer joy of the game.

But, as many have pointed out, today baseball is no longer the defining American sport, having yielded perhaps to football or basketball. Business and marketing decisions aside, one can argue that the loss of baseball's preeminent place evidences the rise of cynicism. Americans are now, more than ever, an impatient people: they don't (or can't) wile away three or four hours to watch a game. And the present moment, and its thrilling displays, is more important than the appreciation of a single, often slow, game—an appreciation which is enriched by comparison with past games. Further, some might say that Americans have come to admire too much the obvious and the ostentatious. Sheer physical power and speed are more admired than the slower, more deliberate play of ordinary physiques plying talent and guile to win. Victory is celebrated more frequently by open gloating than by gracious sportsmanship. Americans also have a diminished regard for loyalty. Although some fans will never forgive the Brooklyn Dodgers for heading west, the "branding" of teams as commercial properties—making them more mobile, as Americans themselves are more mobile—makes it harder to cultivate life-long loyalties.

Increased impatience, fixation on the moment, admiration for ostentation, and diminished loyalty all reflect the cynicism of contemporary American culture. Americans are afraid of retaining, much less cultivating, childlike wonder and joy, because if that innocence is betrayed, we fear looking foolish and becoming vulnerable to ridicule. Afraid to be optimistic, we become cynical. But cynicism corrodes under its armor. Assuming that everything, and everyone, is less good or worthy than he or she appears, the cynic chooses to live in that stable state of continual disappointment. To the cynic, Rose is to be celebrated *until* his flawed character is revealed, after which Rose deserves ignominy, with no place for him in the baseball world, much less any recognition of his achievements. To honor his contribution in the face of the revelations about his character would be to reveal ourselves as suckers or chumps—the one thing the cynic wants most to avoid.

The cynical conviction that everyone is less than he or she appears leads one to have only short-lived heroes. Truly having heroes opens one up to accepting less control, having greater faith in others, and, as every optimist knows, facing the certainty of disappointment. The cynic substitutes the possibility of heroes with the fashion of celebrity. But once the novelty wears off, when one learns of a flaw—like finding a fray in a once beloved garment—the cynic simply abandons this celebrity in favor of a new one, based not on good reasons, but on any whimsy, validating the correctness of his unyielding posture of preemptive disappointment.

Baseball has a way to reward stellar character and contributions—and punish its lapses and failures. I suggest that Pete Rose *should be in the Hall of Fame* to acknowledge his contributions to the excellence of the game, which can include not just performance but also perseverance. (One recent, noteworthy, example of this kind of achievement is that of Cal Ripkin, Jr., who in 1995 broke Lou Gehrig's record—held for nearly sixty years—for consecutive games played (2,130). While Ripkin now holds the record for *consecutive* games played, Pete Rose is the record holder for *most* games played, at 3,562.) Baseball is, after all, a comparative game. Its meaning and appreciation demand comparison—to past games, seasons, teams, one player's statistics pitted against another's. Any attempted erasure of Rose's place in that history diminishes the understanding and appreciation of the game itself.

Although Pete Rose deserves Hall of Fame election, I also suggest that he *should remain barred from participation, of any form, in baseball* to acknowledge the harm—or the risk of harm—his character brought to the game. For myself, I would prefer an eventual rapprochement between Rose and the commissioner's office—with Rose coming clean about his past activities and the commissioner's office allowing consideration for Hall of Fame selection but not allowing Rose's resumed participation in baseball. (Again, for myself, I would prefer that Rose's clean breast be made under the auspices of the commissioner's office, and not as part of a weepy and confessional talk show appearance.)

At its best, a baseball photo, observes Roger Angell, "shows a perfectly arrested moment of joy." One particularly, and deservedly, well known photo of Pete Rose captures his head-first slide onto a base. His arms are extended as far as they will reach, his cap has flown off yards ago, and he is staring at the only object in his universe: that base. As a human being, Pete Rose might not yet have cultivated many wonderful qualities—but how many of us can claim to deserve Spouse-, Parent-, or Human Being-of-the-Year awards ourselves? Yet Rose knew joy in baseball. By nature, joy is momentary and, if we are lucky, knowing that it is fleeting intensifies our joy. The Hall of Fame memorializes these

moments, allowing men such as Rose to relive them once again. Surely he deserves that, since the enjoyment of perfect moments is, after all, the gift ballplayers give to their fans.

As this article goes to press, Pete Rose has announced that a new book, My Prison Without Bars, to be released within days, will contain his admission that he betted on baseball. According to a January 6, 2004 New York Times report, Rose conceded, "My actions, which I thought were benign, call the integrity of the game into question. And there's no excuse for that, but there's also no reason to punish me forever." Rose hopes his admission will lead to the removal of his ban from baseball, clearing the way for Hall of Fame selection and renewed participation in the game. Reaction to his admission has ranged from derision to outrage. His revelation does not change my sentiments.

Verna V. Gehring
Institute for Philosophy and Public Policy
School of Public Affairs
University of Maryland
vgehring@umd.edu

I am very grateful to David Wasserman for his kind help and thoughtful remarks in the development of this article. Sincere thanks also go to crack baseball statisticians John Carlucci and Alan Palisoul.

Sources: Rose's quote that he "never grew up" occurs in Gorge Will: "Pete Rose's Chromosomes," in *Bunts: Curt Flood, Camden Yards, Pete Rose, and Other Reflections on Baseball* (Scribner, 1998, p. 119). In his memoir, Rose speaks about his nickname: "Hustle may be just a little downgrading, like I don't have a lot of skills, you know? I do have outstanding skills—who's had better hand-to-eye coordination?—and I got the most out of them, sure, but not so much with hustle as with enthusiasm . . . I haven't lost one damn bit of enthusiasm for baseball. That's why I've been able to work so hard. So maybe we need a new nickname. What do you say? Eddie Enthusiasm? Probably never catch on like Charlie Hustle." *My Story*, co-written with Roger Kahn (MacMillan Pub. Co., 1989). Rose's view of himself as not the greatest hitter ever occurs in Seymour R. Church, *Base Ball: The History, Statistics and Romance of the American National Game*, Volume I: 1845–1871 (The Pryne Press, facsimile of the original 1902 edition) p. 360; also, for the possible inspirations for the game of baseball, along with David Quentin Voigt, *Baseball: An Illustrated History* (The Pennsylvania State Press UP, 1987). The first organized team, the Knickerbockers, constituted in 1845, played its first match a year later, using rules that codified the symmetrical diamond, ninety-foot spaces between bases, and nine men playing for each side. The game was well on its way. For the Curt Flood case, see: *Flood v. Kuhn*, et al., 407 U.S. 258; 92 Sup. Ct. 2099, and for an example of legal action concerning collusion in the market for free agents, see: *Major League Baseball Players Association v. Steve Garvey*, 532 U.S. 1015; 121 Sup. Ct. 1724 (2001). In his famous Supreme Court decision, Oliver Wendell Holmes contended that, although teams played in different cities and states and traveled across state lines to play one another, baseball games were "purely state affairs" and traveling across state lines to play was not interstate commerce, but "a mere incident, not the essential thing." *Federal Baseball Club of Baltimore, Inc. v. National League of Professional Baseball Clubs*, et al., 259 U.S. 200; 42 Sup. Ct. 465 (1922). On the history of baseball and gambling, and on

the legal aspects of the Pete Rose case, see the very useful work: Roger I. Abrams, *Legal Bases: Baseball and the Law* (Temple Univ. Press, 1998); Landis banned the "Black Sox," even after a Chicago jury acquitted the men (even though, the pitcher, Eddie Cicotte, and "Shoeless Joe" Jackson, confessed to the fix—and their confessions were somehow lost!) Many books have recounted the history of the scandal—*Eight Men Out*, both a book (written by Eliot Asinof) and an entertaining film, details the events of the 1919 World Series scandal. The relevant section of Article 1, Section 2, of the Major League Agreement statement in full:

BETTING ON BALL GAMES. Any player, umpire or club or league official or employee who shall bet any sum whatsoever upon any baseball game in connection with which the bettor has not duty to perform, shall be declared ineligible for one year. Any player, umpire or club or league official or employee who shall bet any sum whatsoever upon any baseball game in connection with which the bettor has a duty to perform shall be declared permanently ineligible.

James Reston, Jr., *Collision at Home Plate: The Lies of Pete Rose and Bart Giamatti* (HarperCollins Publishers, 1991); according to Reston, Rose's bets were not penny ante: Reston reports that Rose typically bet between \$2,000–5,000 per game on football and basketball, and in one documented thirty-six day period, Rose bet about \$16,000 per day, or almost \$600,000 for the period. John Dowd's report can be viewed at : http://www.baseball.com/bb-data/rose/dowd/dowd_toc.html. Rose sued in Hamilton County state court, in his hometown, Cincinnati, seeking an injunction against the commissioner. Rose's attorneys argued that the commissioner's letter showed that he was biased against Rose. The judge his grant the injunction, concluding that Giamatti had "prejudged" Rose's case. In response, the commissioner's office sought to remove the case to federal court in Columbus, Ohio (it was speculated that this venue would remove Rose from his fan base, and place the case in Cleveland Indian territory). That court agreed with the commissioner that it could take jurisdiction of the case. Pete Rose's account of the accusation of gambling, and his reasons for settling with the commissioner's office are recounted in his memoir, *My Story* (co-authored with Roger Kahn), (Macmillan Pub. Co., 1989), p. 253 and following; in his disjointed explanation for why he settled with the commissioner's office—although he denies betting on baseball—Rose insists that there was *no* finding of his betting on baseball, and therefore he and his legal team held the hope of reinstatement after one year, with Commissioner Giamatti's assurance that he had an open mind. He also denied charges that some items commemorating his achievements—a World Series ring, a sports car given on the night he surpassed Ty Cobb, among them—were forfeited to pay gambling debts. For a history of the Hall of Fame, and an examination of and recommendations for selection criteria, see Bill James, *The Politics of Glory: How Baseball's Hall of Fame Really Works* (Macmillan Pub. Co., 1994) Statistical methods, Chapter 7. Vinny Mallon's view appears in *Sporting News*, August 27, 1990; Pete Palmer, "Pete Rose: An Ordinary Player for an Extraordinary Time," writing for *The Baseball Research Journal*, #20, 1991; "Spring Training is all Hope," occurs in Roger Angell's "Sunny Side of the Street," collected in *Five Seasons: A Baseball Companion* (Simon & Schuster, 1972). Among the many lovely philosophical meditations on baseball is A. Bartlett Giamatti's beauty, "The Green Fields of the Mind," reprinted variously, and found at <http://www.dodgers2001.com/multi-media/poetry/giamatti.html>, which also offers an audio reading of the piece. Frank Galo went on to observe that "Rose has never shown remorse, as Jackson did." *The Sporting News*, Feb. 10, 1992.

Globalization's Major Inconsistencies

Herman E. Daly

Advocates of globalization want goods, services, and capital to flow without restriction across national boundaries. They contend that global gains are made from free trade. But what about the free migration of people? The same economic logic of global gains from trade applies with equal force to free movement of labor (or human capital). Globalization and free trade advocates, along with such powerful organizations as the World Trade Organization (WTO), the International Bank for Reconstruction and Development (IBRD), and the International Monetary Fund (IMF) all support the free flow of goods, services, and capital. Yet they do not support the free migration of people.

Although *people* do not migrate freely, many *jobs* do. Recently, for instance, the task of writing welfare checks to New Jersey's unemployed was "outsourced" to India, prompting an alert politician to publicly wonder whether at least some unemployed citizens of New Jersey could not be employed writing welfare checks

Globalization and free trade advocates . . . support the free flow of goods, services, and capital. Yet they do not support the free migration of people.

to remaining unemployed citizens. But such common sense is ruled out by the reality of low wages in India and the "logic" of global efficiency. This "logic" is mistakenly held by many free trade advocates to derive from eighteenth century economist David Ricardo's theory of comparative advantage. The purpose of this article is to examine why the view of free trade advocates and some supporters of globalization is mistaken. One can usefully begin by recalling several essential elements of the view of comparative advantage to see the mistaken logic of one aspect of efficiency.

Absolute versus Comparative Advantage

Briefly, a country has an *absolute* advantage in producing a good if it can produce that good with less labor and capital per unit than can other countries. A country has a *comparative* advantage if it can produce that good more cheaply (with less labor and capital) relative to other goods than is the case in other countries. In the first case one compares absolute costs *across* countries; in the second case one compares absolute costs *within* each country and compares ratios of internal national costs between countries. Ricardo showed that countries can mutually benefit from free trade so long as their internal cost ratios differ, regardless of absolute cost differences. This is considered by some to be the "deepest and most beautiful result in all of economics." As a result, according to this view, capital and labor should be devoted in each country to producing those goods that are relatively cheapest for it to

Why constrain labor; that is, why prevent people from moving as free economic actors in the new, global economy?

produce, and a country should trade for those goods that are relatively more expensive to produce internally. However, if capital (and labor) can cross borders to pursue *absolutely* lower cost, then the whole reason-to-be for comparative advantage as a clever adaptation to the constraint of internationally immobile capital and labor completely disappears!

The question thus arises: why constrain labor; that is, why prevent people from moving as free economic actors in the new, global economy? One reason for the restraint on migration has much to do with the fact that placing constraints on the mobility of a factor of production puts that factor at a competitive disadvantage in the distributive struggle. Because capital is more mobile than labor, capital has more options,

increasing its bargaining power in wage negotiations. Companies threaten to move to another country—an easy transfer of capital—and workers relinquish their wage demands because it is impossible for them to move as well. Further, since the WTO, IBRD, and IMF are friendlier to capital than to labor, they promote the international mobility of capital but not of labor. (The *Wall Street Journal*, typically friendly to capital interests, surprisingly yet consistently favors free migration of labor. However, when one looks closer, perhaps what the *Journal* actually favors is free immigration of cheap labor into the US.)

The Free Trader's Misgivings about Open Migration

At a deeper level, free trade advocates perhaps recoil from free migration because they can see that it would lead to massive relocation of people between world regions of vastly differing wealth, creating a tragedy of the open access commons. The strain on local communities, both the sending and the receiving, would be enormous. In the face of unlimited migration, they might ask, how could any national community maintain a minimum wage, a welfare program, subsidized medical care, or a public school system? How could a nation punish its criminals and tax evaders if workers were free to emigrate? Indeed, one wonders, would it not be much cheaper to encourage emigration of a country's poor, sick, or criminals, rather than run welfare programs, charity hospitals, and prisons? (Fidel Castro took precisely this course of action in opening Cuba's jails in 1980. His policy encouraged a mass migration of prisoners and others that became part of

Free trade advocates perhaps recoil from free migration because they can see that it would lead to massive relocation of people between world regions of vastly differing wealth, creating a tragedy of the open access commons.

the wave of "marielito" immigrants to the US.) Further, one might reasonably wonder how a country could reap the benefit of educational investments made in its own citizens if those citizens are free to emigrate. Would nations continue to make such investments in the face of free migration and a continuing "brain drain"? Would a country make investments in education if it experienced massive immigration pressures, which would dilute the educational resources of the nation? Would any country any longer try to limit its birth rate, since children who migrate abroad and send back remittances can be a good investment, a fact that might increase the birth rate? (With unfettered

The New Progressive Era: Toward a Fair and Deliberative Democracy

Peter Levine

A century ago, Americans embarked on a period of civic renewal and political reform. Today, amid deep dissatisfaction with our major institutions, there are signs that a new movement may revive the spirit of the original Progressive Era. Peter Levine draws inspiration from the great Progressive leader Robert M. LaFollette, Sr., and his circle, which included John Dewey, Jane Addams, and Louis Brandeis. He discusses the shortcomings of this group as well as their successes, but he argues that their ideal of a fair and deliberative democracy is right for our time. Bringing their Progressive philosophy to bear on contemporary concerns, Levine advocates campaign finance reform, an entirely different approach to regulation, new styles of journalism and civic education, and fundamental changes in the tax system. Combining philosophical arguments, historical background, empirical data, and concrete proposals, *The New Progressive Era* offers today's most comprehensive plan for civic renewal and political reform.

"Peter Levine's new book represents an important new voice in our national deliberations about how to revitalize American democracy. It is a thorough, thoughtful account of the contemporary relevance of the ideas and innovations of the Progressive Era and a persuasive case for a new progressive agenda in American politics."

—Robert D. Putnam, Kennedy School of Government, Harvard University

"Some books you read and put aside. Others you send to friends; this is one of those books. Peter Levine brings a rich historical and philosophical perspective to an immediate and practical question: What is going to be the effect of all the effort that has gone into civic renewal in the last decade? This book speaks to everyone from journalists to foundation executives to teachers to members of civic organizations—all citizens. Don't miss reading it."

—David Mathews, President, Kettering Foundation

272 pages; \$65.00 (cloth)
\$19.95 (paper)

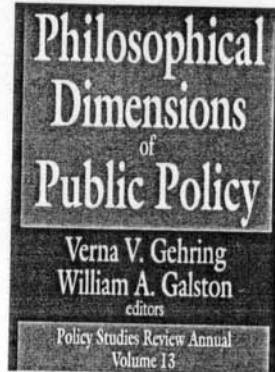
Rowman and Littlefield Publishers, Inc.
<http://www.rowmanlittlefield.com>
Tel.: 800.462.6420; FAX: 800.338.4550
For examination copies, please call
800.273.5720

Philosophical Dimensions of Public Policy

Policy Studies Review Annual, Volume 13

Verna V. Gehring and William A. Galston, editors

Philosophical Dimensions of Public Policy presents thirty-four articles written by research scholars in numerous fields—philosophy, political theory, medicine, law, biology, economics, ecology and sociology—treating a broad range of topics in practical philosophy. The Institute for Philosophy and Public Policy has been home for these ideas, pioneering a distinctive method of conducting inquiry into the moral dimensions of public life, and contriv[ing] pickup summer discussion and deliberation. 2002



Readers will find arguments with philosophical and public policy and public deliberation. *Philosophical Dimensions of Public Policy* is certain to be an essential research tool for scholars as well as graduate and undergraduate students.

0-7658-0100-0 (cloth) 2002 600 pp. \$89.95/£75.50



Rutgers—The State University
of New Jersey
Department AD2002 VGEH
35 Berrue Circle
Piscataway, NJ 08854-8042

Visit Our Website
For Online Specials*
www.transactionpub.com

*individual credit card orders only.

In the U.K. and Europe call:
Transaction Publishers (UK)
3 Henrietta Street
Covent Garden
London WC2E 8LU
Tel: +44 (0) 20 7 240 0856
or fax: +44 (0) 20 7 379 0609

In Australia:
Footprint Books Pty Ltd.
Unit 4 / 92A Mona Vale Rd.
Mona Vale, NSW 2103
Sydney, NSW 2105
Australia
Tel: 61 02 9997 3973
Fax: 61 02 9997 3185

In India:
Viva Books Private Ltd.
4262/3 Ansari Rd.
New Delhi, 110 002
India

Order from your bookstore
or direct from the publisher.

Toll free (US only) 1-888-999-6778 or fax 732-748-9801

migration, a country could never control its numbers anyway.)

Few would deny that some migration is a very good thing—but this discussion concerns *free* migration, where ‘free’ means *deregulated, uncontrolled, unlimited*, as in “free” trade or “free” capital mobility. One must also be mindful that immigrants are people, frequently disadvantaged people. It is a terrible thing to be “anti-immigrant.” Free migration is a policy, and one can be “anti-immigration,” or more accurately “pro-immigration limits” without in the least being *anti-immigrant*. One kind of globalization advocate, the global cosmopolitan, thinks that it is immoral to make any policy distinction between citizen and noncitizen and therefore favors free migration. Global cosmopolitans also suggest that free migration is the shortest route to their vision of the *summum bonum*, equality of wages worldwide. Their point is fair enough—there is some logic in their position, so long as the global cosmopolitan is willing to see wages equalized at a *low* level. But those who support free migration as the shortest route to equality of wages worldwide could only with great difficulty try to contend with problems of an open-access commons, and the worry of the destruction of the existing local culture and economy, and other issues raised in the preceding paragraph.

A more workable moral guide is the recognition that one’s obligation to non-citizens is to do them no harm, while one’s obligation to fellow citizens is *first* to do no harm, and *then* try to do positive good. The many dire

The many dire consequences of globalization . . . amply show that the “do no harm” criterion is still far from being met.

consequences of globalization—such as over-specialization in a few volatile export commodities (petroleum, timber, minerals, and other extractive goods with little value added locally, for instance), crushing debt burdens, exchange rate risks and speculative currency destabilization, foreign corporate control of national markets, unnecessary monopolization of “trade-related intellectual property rights” (typically patents on prescription drugs), and not least, easy immigration in the interests of lower wages and cheaper exports—amply show that the “do no harm” criterion is still far from being met.

The Erasure of Economic Policy?

If globalization and free trade advocates refuse to accept that their own view entails embracing free

migration, then perhaps they might consider whether their reluctance has a solid basis. They might ask themselves if some of their misgivings about the free flow of people might also apply to the free flow of those elements that are vital to people, especially capital, but also goods and services. Markets abhor boundaries, but public policy in the interest of community *requires* boundaries. Markets require policy and laws for their functioning, so indirectly even markets ultimately require boundaries.

Since globalization is the erasure of national borders for economic purposes, it also comes close to being the erasure of national economic policy as well. In addition, globalization even implies the erasure of international economic policy. For example, suppose all nations agreed to the Kyoto Accord on Global Warming. Now try to imagine how these nations could enforce domestically what they had agreed to internationally if they have no control over their borders. Institutions of control would have to be global because the unit being controlled would be global. And 'global' is not to be understood in the federated sense of cooperation among individual nations that control their borders, but in the cosmopolitan sense of formerly separate economies now integrated into a single borderless world economy. The strength of global integration might be expressed in the following analogy: International interdependence is to global integration as friendship is to marriage. All nations must be friends, but they probably should not attempt multilateral marriage.

Opposing *free* trade does not necessarily entail supporting *no* trade at all in a world of self-sufficient

Markets abhor boundaries, but public policy in the interest of community requires boundaries.

nations. The opposite of *free* trade is not *no* trade, it is *regulated* trade. Rather, one reasonably can advocate for *regulated* trade, which is certainly the historical norm. The term "free trade" has become a rhetorically persuasive label for deregulated trade. No one is against freedom, or against trade, but many are against the total deregulation of international commerce. Consider recent examples: Was deregulation of the savings and loan banks such a good idea? Has deregulation of financial markets, stock markets, and energy markets been such a success? Given these fiascos, one wonders why the traditional regulation of international commerce in the national interest has become anathema to most economists. Do they want to abolish the nation and institute a world government? Perhaps they want

to create a global open-access commons for corporations to competitively plunder? Given the arrogance and closed mindedness of the free trade establishment it is understandable that the streets of Seattle, and subsequent venues of WTO meetings, have become battlegrounds.

The recent breakdown of WTO talks in Cancun, Mexico, lamented by many, was nevertheless encouraging to others—people are waking up! One source of the breakdown was the absurd, yet long standing, practice of the US and Europe to insist to developing nations that they should practice free trade policies, while the US and Europe massively subsidize their own agricultural concerns. Such subsidies ruin farmers of the developing world and deny them any hope of even relative food self-sufficiency. Developing nations might reasonably respond by enacting countervailing tariffs on agricultural imports, thereby protecting their own agriculture (i.e., negating the advantage of the US

Since globalization is the erasure of national borders for economic purposes, it also comes close to being the erasure of national economic policy as well.

and European domestic subsidies). Subsequently, developing countries might negotiate reductions in import tariffs for corresponding reductions in export subsidies. But one sees none of these innovations because the developing world too is entranced by the global model of export-led growth rather than import-substitution. They seem to prefer expending their efforts in forcing open the markets of other countries rather than in developing their own internal markets under legitimate protection. Developing internal markets requires a broader distribution of income as well as temporary protection for nascent industries. These are politically difficult measures, and are also often opposed by the IMF. "Protection" is considered a pejorative among trade economists, but when pressed on their inconsistency—why they do not favor the "invigorating competition" of free migration—free trade advocates resort to some form of protectionist argument. Yet historically one sees that all developed countries have resorted to protection, most obviously of infant industries and of agriculture.

Comparative Advantage Misapplied

Advocates of globalization and free trade inconsistently hold that migration of labor should not be free. The inconsistency is important, but there exists a crucial subtlety that requires clarification. Once one

extends the traditional comparative advantage argument for free trade in goods and services to free trade in capital, then one must realize that it is inconsistent not to apply the comparative advantage argument to other factors, such as labor, as well. But here is the question: Was the first extension, from goods to factors such as capital, legitimate in the first place? The answer is no, since within the context of the traditional

Today's free trade advocates base their case on comparative advantage without being willing to accept the necessary premise of capital immobility.

comparative advantage argument for free trade, the argument explicitly accepts as a premise the immobility of capital between countries! Both labor and capital must stay at home for Ricardo's comparative advantage argument for free trade to work. If capital and labor, as well as goods and services, are free to move between trading units then we are in the realm of inter-regional trade, not international trade. For inter-regional trade the operative principle is absolute advantage, not comparative advantage. If different countries are integrated—that is, they allow for the free flow of capital and labor—they essentially become different regions of the same “country” and comparative advantage gives way to absolute advantage.

One may certainly make a reasonable argument for free trade and specialization in a world of capital mobility and absolute advantage. Alternatively, if one wishes to keep the world safe for comparative advantage and free trade in goods, one must also argue for immobile capital and labor. Yet today's free trade advocates base their case on comparative advantage without being willing to accept the necessary premise of capital immobility. They reason that if free trade in goods is beneficial, then adding free trade in capital just makes it all the more beneficial. However, this view is contrary both to Ricardo and, one might add, logical argumentation, since one cannot use the conclusion of an argument to deny one of its premises.

Further, the reason free traders do not make the free trade case in terms of absolute advantage is because they then would lose the theoretical guarantee that *each* nation is better off as a result of free trade. Under absolute advantage, free trade does not necessarily benefit both partners, although it does benefit the world as a whole in net terms; under comparative advantage free trade does benefit both partners, although not equally. Now one can begin to understand the attitude not just of free trade advocates, but of organizations such as the WTO, IMF, and IBRD. The mutual benefit of free trade is a trump card that these

advocates and organizations do not want to give up. Without that trump card they would have to face the political question of distribution of these global gains, and they would have to explicitly acknowledge that some countries could lose from free trade.

Who Benefits?

Unwillingness to face this issue is ultimately what led to the failure of the Cancun talks. The South has come to suspect that it is a net loser under the *de facto* absolute advantage regime of globalization, while the North hides behind the irrelevant theoretical truth that in a comparative advantage regime free trade must necessarily benefit both parties. The theoretical truth is rendered irrelevant by the globalization advocates' insistence on free capital mobility, thereby negating a fundamental premise of comparative advantage. The free trade view chooses to see some aspects of trade and ignore others. They consider only the global sum of individual gains from trade, but they ignore how these gains (and losses) are distributed among individuals or communities, even national communities.

In theory, global gains are even greater under absolute advantage than under comparative advantage because the former removes the constraint of factor immobility. The absolute advantage argument is also considered a very high-minded position, untainted by the sordid vestiges of “nationalism” logically required for comparative advantage. However, if free trade advocates such as the WTO, IMF, and IBRD too explicitly proclaim their globally individualistic

The reason free traders do not make the free trade case in terms of absolute advantage is because they then would lose the theoretical guarantee that each nation is better off as a result of free trade.

cosmopolitan view that only global net gains from trade matter, not *how* gains and losses are distributed among nations—then they are left with an important and problematic consideration.

Consider the IMF, which is a federation of members and which exists to serve the interests of its members. But the IMF's members are *nations*, not individuals, not cosmopolitan, global individuals, and not even transnational corporate “individuals.” By vigorously promoting globalization, the IMF has long subverted the independence of its member countries, serving instead the vision of a cosmopolitan, globalized, integrated world economy, rather than the vision of its charter—a federation of nations cooperating as sovereign units to advance the *national* interests of all members.

Working contrary to its charter, the IMF promotes integration at the global level but at the cost of disintegration at the national level. As the old saying goes: to make an omelet, you have to break some eggs. And to carry the analogy forward, one might say that to integrate the global omelet you have to dis-integrate the national eggs. This is the agenda adopted by the IMF, aided by the WTO and the World Bank. Certainly, the IMF should explain to its member countries that their interests as nations are no longer of concern to the cosmopolitan world citizens who run the IMF. One can reasonably wonder: if the IMF no longer serves the interests of its member nations, then whose interests is it serving? This was the tacit question raised to the IMF's partner, the WTO, in Cancun. The developing South, and many in the developed North, would have preferred an answer rather than the evasions they received. Rest assured that question and others raised in this present discussion will be present at the next WTO meeting, along with protesters in the streets.

Herman E. Daly
Professor
School of Public Affairs
University of Maryland
hdaly@umd.edu

Sources: For another discussion of the problems of globalization, see "Globalization and Its Discontents," *Philosophy and Public Policy Quarterly*, vol. 21, no. 2/3, (Spring/Summer, 2001) pp. 17–21. The description of Ricardo's result as the "deepest and most beautiful result in all of economics" occurs in R. Findlay, *The World of Economics* (The New Palgrave, 1991), p. 99; for further discussion of the economist Ricardo and his insights, see, see: H. Daly and J. Cobb, *For the Common Good* (Beacon Press, 1994), Chapter 11.

Liberal Pluralism

The Implications of Value Pluralism for Political Theory and Practice

William A. Galston

Isaiah Berlin first advanced the moral theory of value pluralism in the 1950s and it subsequently was developed by a number of distinguished scholars, including Galston. In *Liberal Pluralism*, Galston defends a version of value pluralism for political theory and practice. Against the contentions of John Gray and others, Galston argues that value pluralism undergirds a kind of liberal politics that gives great weight to the ability of individuals and groups to live their lives in accordance with their deepest beliefs about what gives meaning and purpose to life. This account of liberal pluralism is shown to have important implications for political deliberation and decision-making, for the design of public institutions, and for the division of legitimate authority among government, religious institutions, civil society, parents and families, and individuals.

Liberal pluralism leads to a vision of a good society in which political institutions are active in a limited sphere and in which, within broad limits, families and civil associations may organize and conduct themselves in ways that are not congruent with the principles that govern the public sphere.

William A. Galston is a distinguished political philosopher whose work is informed by the experience of having served from 1993–1995 as President Clinton's Deputy Assistant for Domestic Policy. He is Saul I. Stern Professor of Civic Engagement at the School of Public Affairs, University of Maryland; Director at the Institute for Philosophy and Public Policy; and Director of the Center for Information and Research on Civic Learning and Engagement (CIRCLE). He is the author of numerous articles and several books, including *Liberal Purposes* (Cambridge, 1991), which won the Spitz Prize. He is also a Senior Advisor to the Democratic Leadership Council and the Progressive Policy Institute.

150 Pages
Cloth, \$55.00
Paper, \$19.00 (available June 2002)

Cambridge University Press
<http://www.cup.org>

For ordering information:
Tel.: 914-937-9600; FAX: 914-937-4712
or write:
110 Midland Avenue
Port Chester, NY 10573-4930

Established in 1976 at the University of Maryland and now part of the School of Public Affairs, the Institute for Philosophy and Public Policy was founded to conduct research into the conceptual and normative questions underlying public policy formation. This research is conducted cooperatively by philosophers, policy makers and analysts, and other experts both within and outside of government.

To make its research readily available to a broad audience, the Institute for Philosophy and Public Policy publishes this quarterly journal. Articles are intended to advance philosophically-informed debate on current policy choices; the views presented are not necessarily those of the Institute or its sponsors.

Editorial Policy: While the principal mission of *Philosophy & Public Policy Quarterly* (ISSN 1067-2478) is to present the work of Institute members, the work of individuals who are not members of the Institute also appears in the *Quarterly* from time to time. Interested individuals should direct submissions to the editor. Articles that appear in the *Quarterly* may be made available in whole or in part to third-party indexing sources.

Correspondence with Contributors: Readers may direct their correspondence to authors, whose mailing addresses and e-mail addresses follow their articles, or in care of the editor.

Subscriptions: A subscription to *Philosophy & Public Policy Quarterly* is free of charge to anyone making a request. Please let us know of changes in address, or whether you are receiving multiple copies of the *Quarterly*.

Electronic Access: The Institute for Philosophy and Public Policy directs interested individuals to its Web site: www.puaf.umd.edu/ippp. Current and past issues of the *Quarterly* are available on the site. Copies of articles may be downloaded for personal use free of charge. Downloading for classroom or other use requires permission.

Permission: All materials are copyrighted by the Institute for Philosophy and Public Policy, unless otherwise acknowledged. Please direct to the editor all requests for permission to reprint articles appearing in this publication.

The Institute for Philosophy and Public Policy

Research Scholars:

William A. Galston, Director
David A. Crocker
Robert K. Fullinwider
Peter Levine
Xiaorong Li
Judith Lichtenberg
Mark Sagoff
Jerome M. Segal
Robert Wachbroit
David Wasserman

The Institute's Scholars constitute the *Philosophy & Public Policy Quarterly* Editorial Board

Verna V. Gehring, Editor
vgehring@umd.edu

Carroll Linkins, Program Management Specialist
Barbara Cronin, Business Manager



Non-Profit Organization
U.S. Postage
PAID
Permit No. 10
College Park, MD

Institute for Philosophy and Public Policy
School of Public Affairs
University of Maryland
College Park, MD 20742

Address Service Requested