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From the Membership Director

Another Torch Convention— Another Renewed Spirit



All annual Torch Conventions bring about a renewal of personal vitality to those that attend. A visitor to Appleton, Wisconsin cannot be but inspired to see the broad streets, the well maintained homes, towering office buildings, and thriving businesses. Every feature of a tour through this town was a delight.

This is all remarkable as you drive along the Fox River and see the restored brick buildings that formerly housed a once thriving paper industry. They are now venues for museums, restaurants, and gift shops. The people—to a person—are friendly and show no sign of defeat that might have overpowered weaker souls as they wrestled with a massive transition to other means of livelihood.

The Convention, under the able leadership of Barbara Kelly and her fine team from the Appleton Torch Club, was

of superb quality. One can only be restored in body and temperament by the impact of fine papers, good food, enriched fellowship, and the renewal of old friendships. There can be no doubt about it: A Torch Convention reenergizes the inner sources of our will to power.

There is a connection between the delights of good conventions and membership. We look forward to these annual torch celebrations and can assure newcomers of an additional pleasure in becoming a member of the Torch family. We who enjoy all of what Torch offers can attract new members by enthusiastically telling others about Torch. What other experience gives so much as Torch?

—Allan Powell, IATC
Director-at-Large, Membership

Gold & Silver Torch Awards

At our annual convention, special Gold and Silver Torch Awards may be given to individual members for truly outstanding service, through nomination by their local clubs, submitted in advance through the Awards Chairman.

Gold Award

The Gold Torch Award honors members who have served Torch at the local, regional, and—most importantly—the International level. To qualify for this award, the nominee must have been a Torch member for at least 10 years. In any one year, the number of Gold Torch Awards may not exceed 0.1% (rounded to the nearest whole number) of the membership of the International Association of Torch Clubs (i.e., three awards for membership of 2,500 to 3,499).

Silver Award

The Silver Torch Award recognizes members who have served in an exemplary manner at the local club level. To qualify for the Silver Torch Award, the nominee must have been a member for at least 5 years. In a given year, the number of Silver Torch Awards nominees by a local club may not exceed one for each 25 members or portion thereof.

Nominations for both Gold and Silver awards should be sent by March 31, 2010 to Edward B. Latimer, c/o IATC, 749 Boush Street, Norfolk, VA 23510-1517, with copies to your regional director.

The Origins of American Involvement in Vietnam

The 2009 Paxton Paper

America's miscalculation in Southeast Asia between World War II and President Kennedy's assassination wove a complex web of accountability for a tragic episode in history.

By Charles W. Darling



About the Author

Charles W. Darling was born in Medford and graduated from Abington High School, both in Massachusetts.

After graduation from Youngstown State University in Youngstown, Ohio, he served in the U.S. Army as medical technician. He received a M.A. in History from Ohio University and later received additional historical training at Pennsylvania State University, where he was a teaching assistant, and Ohio State University. After serving as departmental chair of Social Studies at Springfield Local High School (Ohio), he joined the history department of Youngstown State University, teaching classes in American economic, social, and cultural history; American folk music; and the Vietnam War on both the undergraduate and graduate levels. He retired in 1995 as Professor Emeritus of History.

The author of two science fiction books, Darling also has published two books on American folk music: *The New American Songster* and *Messages of Dissent: Struggle Songs in American History*. His folk program on WYSU-FM, *Folk Festival*, will celebrate its fortieth season this fall. He is a member of the Ohio Academy of History and the history honorary society, Phi Alpha Theta, as well as past president of the Youngstown Torch

Club, where he has been a member since the early 1970s.

Presented to the Youngstown Torch Club on October 20, 2008; repeated at the Akron Torch Club on May 7, 2009; and delivered as the Paxton Award Paper on June 27, 2009 at the IATC Convention in Appleton, Wisconsin.

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I can conceive of no greater tragedy than for the United States to become involved in an all-out war in Indo-China.—Presidential candidate Dwight D. Eisenhower, 1952

We were a world power with a half-world knowledge.—Vice-President Hubert H. Humphrey, 1968

War is politics, only by another means.—Carl von Clausewitz, 18th century

Never again must the president commit American men to combat without first fully defining the nation's aims—Colonel Harry Summers, Infantry officer/military historian, 1984

The Beginning

Bright sunshine illuminated Ba Dinh Square, Hanoi, Tonkin Province, French Indochina. The date: September 2, 1945. A frail-looking man in his mid-fifties, sporting a wispy beard, dressed in baggy trousers, a khaki jacket, and sandals, left a pre-World War II French car and mounted a

makeshift platform. He addressed the crowd of five hundred thousand gathered below. This Vietnamese patriot translated a well-known quotation: "We hold these truths to be self-evident. That all men are created equal." He continued: "Vietnam has the right to be a free and independent country, and in fact is so already."¹ The audience cheered this emotional speech by the Viet Minh's chief architect, Ho Chi Minh.

Joining Ho Chi Minh on the platform was his military commander, General Vo Nguyen Giap, a former history professor. Next to Giap was Major Archimedes Patti of the American OSS—Office of Strategic Services—the CIA's forerunner. Together with other American and Vietnamese officials, they watched an American fighter squadron as it flew overhead dipping wings in salute. Below, the Vietnamese band played their national anthem followed by "The Star Spangled Banner." Relations between the United States and the guerrilla group known as the Viet Minh could not have been better. Both fought against the Japanese forces that occupied Vietnam during World War II. But Ho had been wrong, for Vietnam was not free and independent and would not be so until 10,000 bloody days later.

What went wrong? Who was to blame? American involvement in Vietnam went through a series of miscalculations which resulted in over

British General Gracey freed the Vichy French troops still in Saigon, while French reinforcements arrived on British and American ships. But the 35,000 French soldiers controlled only major towns and highways; their rule in the countryside was nonexistent.

58,000 American deaths and at least 1.5 million Vietnamese deaths in a war that lasted until May 1, 1975. It did not have to be that way. Why? The explanation for American involvement originates in the nineteenth century.

French Indochina contained the colonies of Cambodia, Laos, and the three regions of Vietnam: Annam, Tonkin, and Cochin China. By 1883, France had officially annexed all of present day Vietnam, but it took another fourteen years to gain a semblance of control. Even then, the Vietnamese resisted. Three important national liberation movements created havoc for the French forces. The final movement, The Revolutionary League of the Youth of Viet Nam, was founded by Nguyen Tat Thanh (a.k.a. Ho Chi Minh, or, He Who Enlightens) in 1925. By that time, Ho had joined the Communist party and participated in a 1930 peasant rebellion generated by starvation conditions in Vietnam. French forces reacted violently, killing ten thousand peasants.²

Trouble for the French

The Japanese occupied French Indochina following France's defeat by Germany in 1940, but permitted French colonial authorities to retain nominal

power. Japan wanted the land in order to help cut off Chinese war material shipments and to exploit tin and rubber resources. Fearing reprisals by Vichy French puppet forces once the war ended, the Japanese arrested and disarmed them in 1945. To counter Vietnamese rebellions, the Japanese allowed the last French-appointed emperor, Bao Dai, to proclaim Vietnam independence on March 11, 1945.

Meanwhile, in 1943 Ho Chi Minh founded the Viet Minh, a united front of Communist and non-Communist patriots. This organization under General Giap conducted guerilla operations against the Japanese and rescued downed allied airmen. By early 1943 they controlled large areas of Annam Province and by war's end entered Hanoi. Emperor Bao Dai, from his palace in Hue, abdicated in favor of the Viet Minh and proclaimed that the "mandate of heaven" had transferred to Ho. In the southern province of Cochin China, a mixed group of rebels, including religious sects and Trotskyites, set up operations in Saigon, but they placed themselves under the Hanoi regime. Thus, by September 1945, an independent nation headed and controlled by the Communist-led Viet Minh was in place.

France was furious. Political and military action was essential. With the help of the British, who feared a domino-like reaction in their Malaysian colony, the French sought to regain control of Indochina. As early as March 1945, the French government of General Charles de Gaulle announced it would return to Indochina once the Japanese were defeated. President Franklin Roosevelt opposed such a plan. He knew that colonialism was doomed, especially French rule in Indochina which had impoverished the people. The rising forces of worldwide nationalism made rebuilding empires

unrealistic. Moreover, the 1941 Atlantic Charter agreement between FDR and British Prime Minister Churchill upheld the right of people to choose their own government. This was why the United States was honoring its pledge to grant Philippine independence. Finally, FDR disliked France's egotistical leader, General de Gaulle. What Roosevelt wanted was a United Nations trusteeship until Vietnam was ready for complete independence. At the Yalta Conference, however, Roosevelt yielded to Churchill's insistence by giving France approval rights for the trusteeship.³

French Problems

By April 1945, Roosevelt was dead and Harry Truman was president. HST showed little interest in a trusteeship system or sympathy for the Indochinese people. Truman's administration was more concerned over the growing threat to Europe by Stalin's Soviet Union. The United States needed Western European support to contain the Russian bear. Talk of international trusteeships for European colonies would alienate America's allies. The State Department insisted that close cooperation with France was key to Western Europe's defense. Roosevelt's trusteeship plan was scrapped and de Gaulle received assurances that French sovereignty would be restored in Indochina. Truman attended the 1945 Potsdam Conference and, together with British officials, granted the French a free hand in Indochina.

However, the French had problems. First, in 1945 they were weak militarily; they needed an ally. They found one in the British, who were given the task of disarming the Japanese in Vietnam's southern region. British General Gracey freed the Vichy French troops still in Saigon, while French reinforcements arrived on British and American ships.

But the 35,000 French soldiers controlled only major towns and highways; their rule in the countryside was nonexistent. The American State Department doubted French capability to control Vietnam and urged Truman to pressure France to accept Vietnamese nationalism. Truman refused to do so.

A second French problem was the Chinese. Nationalist China was allowed to disarm the Japanese in northern Vietnam. Chinese leader Chiang Kai-shek opposed the French return. He believed that France was not interested in stopping the spread of communism but only in reestablishing its colonies. In December 1945, Ho Chi Minh announced the holding of elections in Tonkin province. The Viet Minh won a landslide victory. The Nationalist Chinese wisely concluded that the Viet Minh were France's problem and not theirs. Accordingly, the Franco-Chinese Agreement was signed in February 1946. France gave up all its possessions and concessions in China, while Chinese forces in North Vietnam were replaced by French troops.

The third problem was the Viet Minh. France negotiated an agreement with Ho Chi Minh in March 1946. French troops would be stationed in northern cities for up to five years, while a "Free State" would be created within the French Union. The arrangement was a sham. It was only an armistice allowing France time to strengthen its military. Some Vietnamese rejected the agreement and called Ho a traitor for accepting the document, but others saw the compromise as an end to warfare. It was not to be the end, and tensions were compounded by Truman's rejecting Ho's request for American endorsement of a free Vietnam.

It did not take long for France to exhibit its deception. By July, the

French government no longer believed it was necessary to compromise. Their military position was improving with the arrival of British and American ammunition and weapons. In November, the French tried to remove Viet Minh control of Haiphong's customs house. A battle followed and French commander D'Argenlieu issued an ultimatum that Viet Minh troops leave the city. Hanoi refused and, on December 19, the French began a naval bombardment of Haiphong, killing at least six thousand civilians. The French thought they could defeat the "little

The French were feeling Viet Minh heat. In 1951, General Giap inflicted what journalist Bernard Fall called France's "greatest colonial defeat since Montcalm had died at Quebec." They lost over six thousand troops and large quantities of equipment at Cao Bang in northeastern Vietnam. France now turned to the United States for aid.

brown-skinned peasants." But Ho Chi Minh had a clearer vision: "If ever the tiger (Viet Minh) pauses, the elephant (France) will impale him on his mighty tusks. But the tiger will not pause, and the elephant will die of exhaustion and loss of blood."⁴ For the next three and one-half years, the Viet Minh's guerilla tactics controlled most of the countryside after dusk. France had underestimated their enemy.

United States Joins France Against Communist Threat

The year 1950 was not a good year for the United States. Mao Tse-tung completed his control of mainland China, North Korea attacked South Korea, and fears that the Soviets might invade Western Europe rattled the American establishment. Truman and Secretary of State Dean Acheson believed that the Chinese would carry out any orders Stalin might give them, including invading Indochina. Just as France refused to believe in the increasing power of Vietnamese nationalism, the United States was falling into the trap that FDR had clearly foreseen.

That same year, the United States made its first major commitment to support France in Indochina. France received \$133 million for the region's defense, the aid to be spent on American arms, ammunition, trucks, planes, and ships (even a surplus aircraft carrier). Additionally, the United States supplied fifty million dollars for an economic and technical assistance program for South Vietnam. To "win the hearts and minds of the people," Americans distributed seeds and fertilizers, constructed medical facilities, and distributed food and clothing to refugees. The French resented not being able to participate in these generous programs and made sure most aid did not reach the Vietnamese. They believed Americans were "fanning the flames of extreme nationalism" and making France appear to be "a poor cousin in Vietnamese eyes."⁵

The French were feeling Viet Minh heat. In 1951, General Giap inflicted what journalist Bernard Fall called France's "greatest colonial defeat since Montcalm had died at Quebec."⁶ They lost over six thousand troops and large quantities of equipment at Cao Bang in

northeastern Vietnam. France now turned to the United States for aid. America had become “the light at the end of the tunnel.” France even requested American troops if Communist China entered the conflict. Truman and Acheson rejected the last point instantly. Acheson wrote Truman: [It would be] “futile and a mistake to defend Indochina in Indochina. [We] could not have another Korea, we could not put ground forces in Indochina.”⁷

Meanwhile, the threat of Soviet expansion in Europe challenged the Truman administration. One promising answer was the creation of the European Defense Community. France and Germany were keys to this strategy. The plan called for a French-German joint armed force to thwart the Soviets. Collaboration with a former enemy was still politically unrealistic in France, so the French government refused to ratify the EDC. Americans sweetened the pot by offering to send naval and air forces to Vietnam if China intervened. France rejected this proposal, claiming they could not furnish troops for European defense without substantial American involvement in Indochina. Dean Acheson called France’s refusal “blackmail.” Nevertheless, Truman did send military and economic aid to Vietnam. France’s EDC rejection would worsen Franco-American relations during Eisenhower’s presidency.

Historian George Herring summarized the immediate situation in Indochina: “What had begun as a localized rebellion against French colonialism had expanded into an international conflict of major proportions.”⁸ The United States was paying for 40 percent of the war’s cost. China had increased supplies eight times from 1950 and had sent four thousand

President John Kennedy continued and expanded these programs. But South Vietnamese guerilla forces, known as the Viet Cong and supported by the Viet Minh, escalated their attacks.

noncombatant “volunteers.” Meanwhile, the war had spread to Laos and Cambodia, and the French were losing land control in Vietnam. Only small enclaves around Hanoi, Haiphong, and Saigon were secure during daytime.

Defeat of the French

President Eisenhower and Secretary of State John Foster Dulles supported the Acheson policy almost without modification. While Eisenhower was “bitterly opposed” to sending American troops to Indochina, he urged the French to fight the Viet Minh more aggressively.⁹ Dulles believed that France could defeat the Viet Minh by organizing a native army to fight with French regulars and, additionally, establishing a non-Communist nationalist government. French commander General Navarre formulated a plan which accepted Dulles’s demands, but requested additional funding. After the authorization of \$385 million, Dulles announced that the Navarre Plan would “break the organized body of Communist aggression by the end of the 1955 fighting season.”¹⁰

Before American aid was in place, General Giap launched a series of guerilla raids which forced General Navarre to scatter his forces. The frustrated Navarre decided to lure the

Viet Minh into a European-type battle which would eliminate the insurgent’s hit and run tactics. He sent 12,000 crack French troops to Dienbienphu, strategically located at the junction of several roads near the Laotian border. Giap gladly accepted the bait, surrounded the outpost, isolating Dienbienphu from French coastal forces. Eisenhower rejected a French request for American air strikes to aid the embattled defenders, but warned that if Indochina fell, the rest of Southeast Asia would fall like a “row of dominoes.” Admiral Radford, Chairman of the Joint Chiefs, considered using B-29 bombers, and even tactical atomic weapons, as part of Operation Vulture.” In April, the National Security Council endorsed Eisenhower’s decision not “to go in alone or as a partner of France.”¹¹ This action sealed the fate of the French at Dienbienphu. On May 6, 1954, they surrendered. American leaders were convinced that the president’s decision would forestall another Korean-type war which had just ended the year before.

America Intervenes in South Vietnam—A Lost Cause

The Geneva Agreements of 1954 ended the military conflict between the French and Viet Minh in Vietnam, but divided the country in two parts at the seventeenth parallel. Unfortunately, the agreements were never signed, except for the military cease fire. Both sides felt that the provision delaying free elections for two years could compromise their position. At the same time, the United States took steps to prevent communism’s spread in Southeast Asia by establishing the Southeast Asia Treaty Organization, or SEATO. The members only agreed to consult each other in case of armed

aggression from outside forces. A separate protocol added the states of Cambodia, Laos, and the “free territory” of South Vietnam to the document. This provision would become the justification for American intervention in Indochina.

From 1950 to 1954, France received \$2.6 billion in military aid from the United States, all in a lost cause. The Viet Minh controlled all land north of the seventeenth parallel, while Premier Ngo Dinh Diem’s pro-American government occupied the south. Diem was a fervent nationalist, but his Roman Catholic religion hampered his rule in a land overwhelmingly Buddhist. President Eisenhower backed the Diem regime by sending nine hundred American military advisors to train the fledgling South Vietnamese army. Public and private agencies engaged in nation building, supplying food, clothing, and medical supplies to civilians. By 1961, the United States had given an additional one billion dollars in economic and military aid to South Vietnam.

President John Kennedy continued and expanded these programs. But South Vietnamese guerilla forces, known as the Viet Cong and supported by the Viet Minh, escalated their attacks. Accordingly, Kennedy increased the number of military “advisors” to at least 16,000 by 1963. Corruption ran rampant in South Vietnam and the American CIA judged Diem an unstable ally and so encouraged his overthrow. Diem was assassinated and three weeks later President Kennedy died in Dallas. According to Kennedy loyalists, the President had been upset over the Vietnamese quagmire and contemplated reducing troop numbers. Yet, in a speech to be given on the day of his death, JFK seemed to be supporting an increased

adventurism when he warned “we dare not weary of the test.”¹² What Kennedy might have done is unknown, but what President Johnson did *is* known — launched full scale intervention in Vietnam. It would lead to tragic consequences for all participants—except, perhaps, the Viet Minh.

This paper has concentrated on events precipitating the United States’ full scale intervention in Vietnam. What went wrong? Who was to blame? That is for you to decide.

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Asteroids—Our Unruly Cosmic Neighbors

Asteroids must be watched for their potential threat to our civilization.

By Ernst Behrens



About the Author

Ernst Behrens earned his Ph.D. degree in physics in 1961 from the University of Göttingen in Germany. After a fellowship at the Nuclear Research Center in Grenoble, France, he went to work with the Siemens Corporation in Erlangen, Germany, as a nuclear reactor physicist. He came to the US in 1966 as a materials scientist, first working with the Lockheed-Georgia Company and then in 1969 with Armstrong World Industries in Lancaster, Pennsylvania, where he became a group leader and later a Research Fellow. He retired in 1994, pursuing an interest in astronomy and cosmology ever since.

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A Short Inventory of the Solar System

We hardly think of our solar system as an “unruly neighborhood”. After all, it has been around for five billion years and is expected to survive for another five billion years. From our own narrow human perspective, it appears more like an old-fashioned and stable monarchy. The undisputed king is the Sun with an equivalent of 333 thousand Earth masses or 99.9% of all mass in the solar system. Its overwhelming gravity places it almost exactly at the center. Next in the hierarchy is an aristocracy of eight major planets with their satellites, weighing in with 446 Earth masses, 318 of which belong to Jupiter alone and 95 to Saturn. Moving like clockwork around the Sun, they are a model of regularity and predictability.

It is now generally accepted that the Arizona Meteorite Crater was formed only about fifty thousand years ago by an iron meteorite of about 30 meters in diameter travelling at approximately 15 km/s. The released energy corresponded to three million tons of TNT or 150 Hiroshima bombs.

At the bottom of the social scale, we find a proletariat of an estimated 100 billion comets, “dirty ice balls” or “icy dirtballs,” living at the outer fringes of the solar system, with a total mass of less than 25 Earth masses. One to two dozen per century come close enough to Earth to be seen with the naked eye. As of September 18, 2008, there were 103 registered periodic comets with well-known orbits. Many observable comets, however, are unpredictable first timers revolving around the Sun in highly elongated ellipses. The few that put on a “good show” for us are in sharp contrast with the familiar planets and often instill feelings of mystery and danger. Famous examples are the “sword over Jerusalem” that appeared in 66 AD and the comet that frightened King Harold during the Norman conquest of England in 1066. We now know that both were identical with Halley’s Comet, which appears at an average interval of 76 years.

Ranking just above the comets is a broad middle class of billions of asteroids or “minor planets” in the main asteroid

belt between the orbits of Mars and Jupiter. Their size ranges from a few meters to several hundred kilometers in diameter, but their total mass is less than that of the Moon. Jupiter’s enormous gravity kept them from clumping together and forming another planet. Instead, they were sorted into several families that move together, like the “Trojans” which share Jupiter’s orbit.

Of special interest to us are the near-earth objects or NEOs that Jupiter has sent into our neighborhood, in particular the so-called “Apollo” or earth-crossing asteroids (ECAs). As their name implies, their path crosses Earth’s orbit so that their closest approach to the Sun is less than one astronomical unit (1 AU=mean distance between Earth and Sun). Any ECA larger than 100 meters in size that approaches Earth within less than 0.05 AU, or twenty times the distance to the Moon, receives the highest distinction as a “potentially hazardous asteroid” or PHA. Collisions between asteroids and planets are part of an ongoing accretion process that started five billion years ago when the solar system was formed. It has slowed considerably since then, but Earth’s mass still increases at a rate of about 30,000 tons per year as a result of constant bombardment from space dust.¹

Rocks from Space

The phenomenon of meteors or “fireballs” moving through the skies and sometimes falling to the ground has been known since antiquity, but efforts to understand their origin posed a dilemma. Some religions still revere them as “heavenly stones,” but according to Aristotelian philosophy, the heavens were perfect and immutable. They were composed of crystal spheres, but

certainly not of irregular rocks! Therefore, throughout the Middle Ages, meteors were said to be of terrestrial origin, products of thunderstorms somehow forming in clouds from dust particles. The Age of Enlightenment simply relegated stories of meteorite falls into the realm of superstition and folklore.

After studying the 1,600-pound Krasnoyarsk Iron in Russia and other meteorites, the German physicist Ernst Chladni first concluded in 1794 that meteorites could not possibly form in clouds but were celestial bodies from space. As is often the case when someone comes up with a new idea that contradicts an established paradigm, he was at first ridiculed by his colleagues. It so happened that, around the same time, several well-documented meteorite falls occurred in France and Italy, so that finally the respected French Academy of Science reluctantly agreed that rocks, indeed, do fall from space. In 1807, a fireball exploded over Connecticut and dropped 330 pounds of stones near the town of Weston. The event was investigated and confirmed by scientists from Yale University, but even then, Thomas Jefferson supposedly said, "I would more easily believe that two Yankee professors would lie than that stones would fall from heaven." Since then, meteorites weighing many tons were recovered and are displayed in museums all around the world.

Impact Craters

While it was difficult for mankind to accept the idea of rocks falling down from space, it was even harder to come to grips with the existence of impact craters on Earth. It implied that such rocks could be fairly large, causing great destruction due to the cosmic speeds with which they enter the Earth's atmosphere. Typical cosmic speeds are the escape velocity from Earth's gravitational field (11 km/s) and Earth's orbital speed around the Sun (30 km/s). By comparison, the speed of sound in

air is "only" 0.3 km/s and the speed of a rifle bullet is about 0.7 km/s. Fortunately at such speeds, the atmosphere acts like a hard barrier that slows down or stops these intruders. If they weigh 10 tons or less, they lose all their original speed and continue to fall by gravity alone. In addition, the deceleration due to atmospheric drag creates thermal stresses that break up or even vaporize most stone meteors, so that only fragments may reach the ground. However, even if the object disintegrates completely in the upper atmosphere, the associated shock waves can cause great destruction over a large area.²

An event of this kind happened on June 30, 1908, when a stony body of about 30 meters in diameter exploded and disintegrated 8 kilometers above the Tunguska River basin in central Siberia, flattening over 2000 square kilometers of forest. If that asteroid would have struck only six hours later, it could have wiped out a major European city. It took four expeditions into the remote area and 75 years of study to clarify what exactly had happened. No impact crater was found, because the object never reached the ground.

One of the most thoroughly studied and best preserved impact craters lies in Arizona on a plain 40 miles east of the San Francisco Mountains with their four hundred extinct volcanoes. Therefore, it was commonly assumed in the late nineteenth and early twentieth century that the crater was also of volcanic origin, in spite of the numerous iron meteorite fragments found in its vicinity. What followed was again a typical controversy between an official interpretation, represented by G.K. Gilbert, chief geologist of the U.S. Geological Survey, who insisted on a volcanic origin, and the revolutionary cosmic impact hypothesis, maintained by a few educated outsiders, notably Daniel M. Barringer and Harvey H. Nininger. The latter both had commercial interests in the crater. Nininger was a successful

meteorite hunter and dealer, and Barringer was a mining engineer, who tried in vain for almost thirty years to find the main meteorite mass below the crater floor. The controversy was finally resolved in 1957 by Eugene Shoemaker, a graduate student of geology, who found meteoritic droplets embedded in shock-melted glass 600 feet below the crater floor. Only three years later, he applied similar criteria to the Ries Crater in Southern Germany, thereby solving another old mystery by proving that this huge depression was also caused by an asteroid impact. In the spring of 1993, his wife Carolyn discovered the now famous 21 pieces of comet Shoemaker-Levy 9 that smashed into Jupiter in the summer of 1994.³

It is now generally accepted that the Arizona Meteorite Crater was formed only about fifty thousand years ago by an iron meteorite of about 30 meters in diameter travelling at approximately 15 km/s. The released energy corresponded to three million tons of TNT or 150 Hiroshima bombs. This enormous energy was responsible for the total vaporization of the meteorite and for the creation of a 1.2 km wide and 200 m deep crater with elevated rim that formed within a few minutes of impact. Geologists generally think in time spans of millions of years, which is another reason why it took so long for them to accept the idea of terrestrial impact craters that are still visible today and not totally obliterated by erosion. Also, the idea that a relatively small object could create such a large crater seemed farfetched until it could be confirmed in laboratory tests with high-speed projectiles.

Over the past one hundred years geomorphic, petrographic, and geochemical criteria evolved allowing scientists to distinguish an impact crater from similar structures of different origin. A medium-sized impact crater frequently shows a central uplift if it is less than about 10 km in size, and a concentric

ring structure if it is larger. Both are the result of a rebound of the crater floor from the enormous compression under the cosmic impact. An important petrographic feature often found in the vicinity of impact craters is shatter cones. These are mostly limestones that were sheared into a conical shape with radial fractures. Finally, two high-pressure quartz modifications, coesite and stishovite with densities of 2.93 and 4.35 g/cm³, respectively, are sure indicators that ordinary quartz with a density of 2.65 g/cm³ was subjected to a pressure of at least 30,000 and 90,000 atmospheres, respectively. Such high pressures can be generated in the laboratory but in nature, they can result only from a major impact.

Since the middle of the twentieth century, it has become increasingly evident that impact craters can still be found everywhere on Earth, on land as well as on the sea floor.⁴ Due to erosion and tectonic forces, they are not nearly as well preserved as on the Moon, but once it became clear what to look for, they were discovered at an average rate of five per year.⁵

An impact of huge proportions and with truly global consequences occurred 65 million years ago on the Yucatan peninsula in Central America. It was the end of the Cretaceous period, when more than two thirds of all animal and plant life became extinct, including all dinosaur species. Evidence has accumulated since 1980 that the impact of a 10 km-wide asteroid was at least a contributing factor to the mass extinction. Surveys by the national Mexican oil company Pemex uncovered a crater-like multi-ringed structure of 180 km in diameter centered on the coastal village of Puerto Chicxulub. Core samples collected from the crater rim contained shocked quartz and are strongly suggesting an impact origin. The released energy must have been in the neighborhood of 70 trillion tons of TNT, or 3.5 billion Hiroshima bombs, enough for a global catastrophe.

Just recently, an even larger impact

crater 480 km in diameter was discovered under the ice in Wilkes Land, Antarctica. A NASA satellite had identified a circular structure by its higher gravity. Radar profiles showed a well-preserved crater wall several hundred meters above the depression. The age was estimated at 250 million years, coinciding with the end of the Permian period which is characterized by another mass extinction.⁶

The Spaceguard Program

Public awareness of the threat from space rocks had increased by 1990 to an extent that the US Congress asked NASA to look into the matter in more detail. Between May 1991 and January 1992, several international workshops were held on the detection of near-earth objects (NEOs). The results, summarized in a report entitled "Spaceguard Survey," revealed that 90% of all potential impactors are near-earth asteroids (NEAs) or comets with periods of less than 20 years.⁷ Over the next decade, all such objects greater than 1 km in size will be inventoried out to a distance of 200 million kilometers (over one astronomical unit) and their orbital parameters determined. That would give several decades warning time of any threat from these objects. Long-period comets, on the other hand, comprise the other 10% of potential impactors and are more difficult to detect because they spend most of their time on the outer fringes of the solar system. The warning time for them would only be a few months.

During the 1990s, NEOs received more publicity from newspaper and magazine articles, popular books, videos, and movies. *National Geographic*, in cooperation with Eugene Shoemaker, produced the video "Asteroids, Deadly Impact" in 1996. Almost concurrently another video, "Fire from the Sky" appeared. Two Hollywood movies, "Deep Impact" and "Armageddon," were released in the summer of 1998.

In both movies, a courageous band of astronauts sets out to save humanity from annihilation by a killer comet or asteroid — unnecessary theatrics, since in reality an unmanned mission would do just as well or better. The public hype had reached a climax the year before, when Asteroid 1997 XF11 with a diameter of more than one kilometer was predicted to pass Earth on October 26, 2028, within 48,000 km or 1/8th the distance to the Moon. It turned out, however, that the news was announced hastily based on sparse information. The following day, when new data had become available, the minimum encounter distance was raised to a safe 600,000 km or 1½ times the distance to the Moon. That gave rise to articles with sarcastic titles like "Armageddon? Sorry — Just Armakiddin'!"⁸ Since then, NASA has adopted safeguards to avoid such embarrassing false alarms in the future.

In 1998, Congress directed NASA to conduct a Near-Earth Object Observation Program (NEOO) and to identify 1 km or larger NEOs to a confidence level of at least 90%.⁹ Several research organizations are now involved in the search, like "Spacewatch" (NASA with University of Arizona), "Linear" (MIT Lincoln Lab with US Air Force), "Neat" (Jet Propulsion Lab), "Loneos" (Lowell Observatory in Flagstaff, AZ), and the Siding Spring Observatory in Australia. The Minor Planet Center in Cambridge, MA acts as the central clearing house for the incoming data and maintains a website listing all known NEOs and their orbital parameters with almost daily updates. The observations are conducted with highly automated telescopes, increasing significantly the number of NEAs catalogued within the past decade. As of October 1, 2008, the list shows 2758 Apollo Asteroids and 979 Potentially Hazardous Asteroids (PHAs).

The hazard posed by a PHA is now quantified on the "Torino Scale," similar

to the Richter Scale for earthquakes, ranging from 0 (no hazard) to 10 (end of humanity).¹⁰ So far, all known PHAs received a rating of 0 with one notable exception: On June 19, 2004, astronomers on Kitt Peak in Arizona discovered an object 320 meters wide that they originally named 2004 MN4. Preliminary calculations of its orbit predicted an encounter with Earth on 13 April 2029 at a very close distance of 15,000 to 25,000 km, earning the object a rating of 1 on the Torino Scale. It obviously required continued attention and was renamed “Apophis” after the Egyptian personification of evil and chaos. In January 2005, the highly sensitive radio telescope in Arecibo, Puerto Rico, succeeded in bouncing radio waves off the asteroid, thus providing more accurate orbital data. The minimum encounter distance increased to 34,400 km and the probability of striking Earth in 2029 remained at zero. However, this close passage to Earth will change Apophis’ orbit and convert it into an Apollo asteroid. It could even force the asteroid into an unstable 6:7 resonance (six revolutions in seven years). In that case, a 1 in 5000 chance exists that it will strike the Earth in 2036 somewhere on Mexico’s west coast.

Truth and Consequences

What are the chances of Earth’s being struck by a “killer asteroid” with diameter of 1 km or greater or, more accurately, what is the statistical expectation value of the number of such impacts within a given time span? The current estimate stands at 1 in 100,000 years, so the probability of such an event to occur within the lifetime of our civilization is low. On the other hand, the stakes are very high, because there is a real possibility that an asteroid impact will render mankind extinct. This would certainly not be “the end of the world” — only the end of everyone on Earth who could contemplate its past and its

future. Even though it may sound like an unpleasant truth to us, we have no choice but to face it — just as 400 years ago people had to accept the fact that the world did not revolve around them, in spite of all the wishful thinking to the contrary. The Copernican Revolution is still at work, and its ultimate consequence is to acknowledge that our civilization and species occupy only a very small niche in space and a blink in time within the vast expanse of the universe.

Notes

1. Stephen J. Kortenkamp and Stanley F. Dermott, “Accretion of Interplanetary Dust Particles by the Earth,” *Icarus* 135, (1998): 469–495.
2. For a fuller discussion of technical aspects of such impacts, see O. Richard Norton, *Rocks from Space* (Missoula, MT: Mountain Press Publishing Company, 1994).
3. Gisela Pösges and Michael Schieber, *The Ries Crater Museum Nördlingen* (Munich: Dr. Friedrich Pfeil, 1997).
4. Sandra Blakeslee, “Ancient Crash, Epic Wave,” *Science Times*, *New York Times*, November 14, 2006.
5. Rajiv Gupta, ed., *Observer’s Handbook 2002* (Toronto: University of Toronto Press, 2002): 211.
6. “Wilkes Land Crater,” Wikipedia, http://en.wikipedia.org/wiki/Wilkes_Land_crater.
7. David Morrison, “The Spaceguard Survey: Protecting the Earth from Cosmic Impacts,” *Mercury* (May–June 1992): 103–106, 110.
8. Ivan Semeniuk, “Armageddon? Sorry...Just Armakiddin’,” *Mercury* (November–December 1998): 12–16.
9. “Catalina Sky Survey,” Wikipedia, http://en.wikipedia.org/wiki/Catalina_Sky_Survey.
10. Bill Cooke, “Fatal Attraction,” *Astronomy* (May 2006): 46–51.

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Authenticity in Museums

Preserving a museum's historic legacy often conflicts with strategies that assure its fiscal health.

By Christine Cross



About the Author

Christine Cross has worked in the museum field for over 15 years.

After receiving a BA in Museum Studies from Tusculum College, she continued her studies receiving a MA in Historic Administration from Eastern Illinois University. Christine has worked in a variety of museums, including the Knoxville Museum of Art, the Wisconsin Veterans Museum, Ten Chimneys, and the Hearthstone Historic House Museum in Appleton, Wisconsin. She is currently enjoying her new position as the Director of the New London (WI) Public Museum. Outside of work, Christine takes pleasure in doing living history with her husband, going antiquing, watching old movies, and expanding her mind through reading a wide variety of books.

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When Charles Wilson Peale opened his natural history museum, he “imagined a world in which scholarship and entertainment were compatible, in which museums were the great instruments of democratic education.”¹ In 1821, after Peale’s family was unable to attract public funds to keep his museum open, it was incorporated as a joint-stock company. In 1827, stockholders sought to make a profit by featuring live animal shows and exhibitions of oddities. In 1850, the building and Peale’s collection became the property of Moses Kimball and P.T. Barnum. These men brought a new meaning to the word museum, blurring the lines between museum and carnival, between real and contrived. Authenticity took a back seat to

entertainment and sensationalism. Unfortunately, this story has been played out again and again in American museums. Today, as the museum field struggles to survive, we often forget our purpose as we are forced to focus on the chase for the discretionary dollar.

Twenty years ago, a comprehensive study of American museums concluded that “owning, caring for, and interpreting original materials directly related to a museum’s mission is the only thing that makes museums unique. All other museum pursuits also are done by other institutions and sometimes better, be it education, entertainment, real estate development, special event planning, publishing, or tourism.”² It is our collections that make us unique; it is the artifacts that are the heart of the museum field. Yet, today we read of museums firing curatorial staff, selling collection items, and changing their institution to focus on enhancing the visitor experience, rather than preserving our culture’s heritage. We see museums expanding not to be better stewards of their collections, but to incorporate restaurants, rental halls, and gathering areas surrounded by windows — making the space useless for display.

And to make things more confusing, there are “museums” that do not collect artifacts at all, but simply set up displays of reproductions or full-scale dioramas with absolutely no artifacts involved. Now you can argue that these institutions aren’t really museums; in fact the definition of a museum, according to the International Council of Museums, is: “A non-profit making, permanent institution in the service of society and of its development, and open to the public, which acquires, conserves, researches, communicates and exhibits, for purposes

of study, education and enjoyment, material evidence of people and their environment.” However, when the public sees the word museum in the title of an institution, the connotation is that this is a trustworthy place and they can believe what they see and hear as soon as they walk through the doors.

A word of clarification: Although I am an advocate for collections care and stewardship, I do not support a return to the “good old days” of cabinets of curiosity, or museums meant only for the educated and elite. I don’t feel that museums should be mysterious institutions full of old, dusty things that are rarely seen by the uneducated masses. Instead, I am convinced that artifacts not only help to interpret history, science, art, society, and culture, but are also excellent tools of inspiration, of developing common ground, of allowing us to better know ourselves and our future by learning from the past. Museums take us outside the book by providing tangible evidence of history — good and bad — that often makes a stronger impact than the written word. Often, of course, artifacts can’t stand alone, but require that written word to establish context or provide some explanation or interpretation. Ultimately, because of their historical mandate to be places of preservation, museums have a unique opportunity to engage people in discovery through the material world and should exploit that opportunity. My concerns center on our field’s ability to maintain a balance between our obligations to the public trust, given to us every time someone donates an artifact, and our obligations to the fiscal bottom line. I worry that historic sites and museums allow visitor experience to override all other functions. As

funding fails and our sector desperately searches for ways to remain not only viable, but also true to authenticity and neutrality — no easy task for a culture of sponsors and donors promoting their ideas instead of supporting the museum’s mission — my fear is that the artifacts, whether they are objects, archives, structures, or environments, will suffer and be lost either through neglect or sale into the hands of private collectors.

In April 2007, a small group of historic site professionals convened in Kykuit, NY for what was later seen as “several days of thoughtful discussion about issues confronting historic sites. For the most part [they] analyzed and debated how to enhance the sustainability and relevance of historic sites in America’s future.”³ The Kykuit group has started long-needed discussions in the museum field, not only about relevancy, but also about some of the unique challenges that face historic sites as opposed to history museums. The discussions and articles have been fascinating and at times disturbing. Some of the ideas from the group have included changing the standards of collections care at historic sites, transitioning sites from public back to private use, with some even suggesting that historic sites should not collect original material, but should instead focus on visitor experience and leave the collecting to history museums.

This last idea, of forgoing having authentic items at historic sites, is in contrast to what visitors in a recent survey said they wanted out of these museums. I sometimes think that as a field, when we come to the table to discuss the relevancy and sustainability of our institutions, we forget to invite the most important stakeholder — the public. Museum professionals who regard visitor experience as more important than collections don’t seem to understand the visitor’s true desires. We think that we know what is needed to stay relevant — increasing use of high-

tech interactive exhibits to attract the digital generations, bringing in modern ways to interpret the past, using shock value, or bringing in blockbuster exhibits that ignore the treasures in our own collections — in short, focusing on entertaining our visitors. Simple visitor surveys are showing otherwise and, more importantly, they are showing that we don’t know our visitors as well as we think we do.

According to the International Museum and Library Services, 77% of museum visitors indicated that museums are “equal to or higher in trustworthiness than all other sources.” Only libraries performed better with 86%. When our visitors walk through the door, they are ready to believe what they see and hear at a museum. This poll result is a very powerful statement of trust in the museum field. In 2008, *Museum Audience Insight* performed visitor surveys for 13 outdoor history museums and 50 member museums of the Association of Science-Technology Centers. The survey results indicated that if a museum should fail to meet visitor expectations of trustworthiness and authenticity, the museum’s fall from grace would be long and hard, and the road back to regaining the public’s trust would be brutal.

Over 5,000 people responded to the emailed survey from *Museum Audience Insight* on behalf of the 13 historic sites. Of those that responded, over 3,000 answered open-ended questions about authenticity in museums. The overwhelming response was that, in the words of one respondent, “authenticity is essential to the credibility of any outdoor history museum.” Even though this survey focused on historic sites, many of the comments and feelings can be applied to other museums as well. Visitors want museums to be trustworthy, and they’re willing to tell us what that means to them: the presentation of topics in ways that incorporate or acknowledge multiple viewpoints, the

use of primary sources for research and documentation, and the visitors’ ability to feel as if they are “stepping back in time” while seeing actual places and stuff of the past.

The ability to feel as if one is stepping back in time while seeing actual places and stuff of the past: this statement should give pause to every museum that contemplates forgoing collections for experience. No doubt for some, going to a historic site is escapism, yet most visitors want an authentic experience, based on authentic materials. Of respondents to the survey, 62% said they visit historic sites to immerse themselves in the past; they feel that historic sites are important because they preserve our past (85%) and they share the stories of everyday people (82%). That feeling of being in an authentic environment can cross over to traditional history museums as well. For example, being in the same room as the original Constitution is more powerful to many than looking at it on a computer screen or touching a reproduction, or from a more personal experience, seeing the Book of Kells at Trinity College in Dublin — even though the page that day was not highly illuminated — had more of an impact on me than standing at a computer kiosk available in the same space and turning the virtual pages of the book.

The power of authentic artifacts, of being with the real thing, is different for everyone. The reaction of a 12-year-old to seeing the first flag to fly over Iwo Jima is going to be different from a veteran’s reaction. How did you feel when you heard that President-Elect Obama would be using the same Bible for his inauguration as Abraham Lincoln used in 1861? Did you feel a sense of inspiration, of hope? Or when you read about Wal-Mart’s recent plans to build a store within one mile of the Battle of the Wilderness battlefield in Virginia, did you feel indignation? That is the power of the authentic artifact, the authentic

space. In our challenging times, such authenticity is often forgotten by American museums; perhaps the museum field forgets the impact of the “real” because we work with these objects on a daily basis. But authenticity is important to our public and should be of the utmost importance to us.

While researching this paper, I came across an article about the power of original artifacts. The author writes about a story told to him about Black’s Museum, now known as the Scotland Yard Crime Museum. This museum is not open to the public and, in fact, when the author attempted to get a pass from Scotland Yard, he was denied. The story he was told about the museum was from another curator who had visited over twenty years earlier. The curator described the gruesome artifacts preserved by the museum, including the bloody undergarments of Jack the Ripper’s victims, grisly crime scene photos from around London, and vials of blood scraped from the cobblestones after the slaughter of the Queen’s Horse Guards by an IRA bomb. When the curator asked the guard about the purpose of the museum, the guard replied, “Each year Scotland Yard recruits many aspiring cadets and constables from the rural parts of Great Britain. Many are youths from communities of only a few hundred people. Most have no comprehension of man’s inhumanity to man. They are ill-prepared for the horrific scenes that are part and parcel of a London police officer’s life.” So the recruits must tour the museum, some making it halfway through before becoming physically ill. After the tour, some candidates decide being a London Bobby is not for them, while others are hardened in their resolve.⁴ Either way, this museum and its artifacts change the lives of almost every Scotland Yard recruit that goes through. The author of the article continues to discuss his quest to find life-changing museums, institutions that

either through their location and/or their artifacts spoke to him in a very basic yet very powerful way. He compiled a list that included the Mutter Museum in Philadelphia, Pompeii and Herculaneum, and the United States Holocaust Memorial. Some of these touched him because he could stand in the original place or touch an original structure, others because of the *real* artifacts that were on display. Either way, his life was changed by the fact that someone or some committee decided to preserve history. Museums were created to be the stewards of our tangible past; to forget that is to forget our purpose, our collective mission.

Engaging with real artifacts can be life changing when the artifacts are presented correctly in the context of “doing good history” by giving high priority to authenticity — in a museum display, the way a historic site is exhibited, or a re-creation of history through live interpretation. Unfortunately, other priorities sometimes prevail. I can’t tell you how often I have heard, “Oh, don’t worry about that, they won’t know the difference! Authenticity doesn’t matter to the visitor, just make it look good.” This is a gross underestimation of the public and a gross misunderstanding of the purpose of museums.

Having an authentic experience means interacting with and being surrounded by authentic things, whether the public knows they are “real” or not. People know when something is amiss; they might not be able to say, “That early nineteenth century Empire table is totally inappropriate in this 1920s Art Deco room”; or “I don’t remember seeing designer sunglasses in photos of Civil War soldiers,” but I guarantee you they will know something is wrong, and that damages the credibility of the institution. As one of the respondents to the *Museum Audience Insight* survey stated, “Anachronisms take away from the experience, and many museums

make too many concessions to the modern day.” In today’s world there are precious few things that can’t be reproduced accurately and well, from clothing to eyewear to dishes and glassware. So much research has been done that historic sites, museums and living historians can’t blame doing bad history on a lack of available documentary resources.

Museums are here to preserve the past and educate the public. The attention to detail, especially at historic sites, in order to create an authentic space allows the visitor to better understand and learn from the historic environment and the interconnectedness of material culture and society, and of the intangible and the tangible. Walking into an authentic space that is filled with original materials (or properly-identified reproductions) goes a long way toward not only educating the public but also allowing them to discover the past and compare it to their lives, thus making a lasting and possible life-changing impression. I am not saying that a misplaced piece of furniture is going to ruin the entire experience, but it might tarnish the credibility of the institution. Seeing and interacting with “real” artifacts has involved museums in a new activity on the Internet called *Second Life*. Conceived about five years ago, it is described by Joelle Seligson not as a game, but rather a program that “allows its users to design fictional humanlike representations of themselves, or ‘avatars’ that can enter the world to shop, socialize, build houses, or lie on the beach — virtually anything that can be done in real life, and then some.”⁵ In the past few years, over 8 million avatars from 100 different countries have come to *Second Life*, and the number continues to grow. Companies have set up virtual stores, and museums are getting involved as well. “Museums — those keepers of the ‘real’ — are becoming hungrier for a piece of the virtual action.”⁶ There are museums in *Second Life* that have no

physical counterparts in the real world, and there are likewise real world museums that have set up *Second Life* museums. Now this really can invite a variety of discussions, but one of the major concerns in the field is that there is no policing of information in *Second Life*. Some real life museums have seen their museum set up virtually in *Second Life* without their sanction. Often people don't understand that this virtual museum does not represent the real life institution, leading to confusion and potentially damaging the trustworthiness of the actual museum.

Still, *Second Life* allows a virtual "you" to interact with artifacts in ways unheard of in the real world, such as closely examining individual brushstrokes of some masterwork without alarms going off. It is a tantalizing aspect, but does it compare to seeing the real masterwork as a real person? I have no problems with using the virtual world to further the accessibility to museum collections, as long as this doesn't dominate the staff's time. I still feel that the real artifact is more important and has more potential than any virtual image ever could.

Museums must find a balance between visitor experience and collections care. As Edward Alexander wrote in his recent book *Museums in Motion*, "Museum objects, so real and convincing, constitute an important part of the human heritage and give their beholders a feeling of continuity and cultural pride"⁷ We need to look back to the historic objectives of museums — collection, conservation, and research — and find ways to integrate such educational objectives as exhibition, interpretation, conveyance of culture, and contribution to community. If we swing too far either way, we will not remain relevant to our communities and the trustworthiness that has been given to museums will diminish. The power of the real artifact can't be forgotten or underestimated; it is the one thing that

differentiates museums from all other enterprises, making them unique in a world of growing uniformity.

Notes

1. Warren Leon and Roy Rosenzweig, eds., *History Museums in the United States: A Critical Assessment* (Urbana: University of Illinois Press, 1989), 6.
2. Steven Miller, "Museum Storage: Out of Sight, Out of Mind?" *Museum News* (January/February 2006): 58.
3. James Vaughan, "Introduction: The Call for a National Conversation," *Forum Journal* 22, no. 3 (Spring 2008): 5.
4. Andrew E. Masich, "Inside the 'Black Museum': A Quest for Life-Changing Museums," *Museum News* (September/October 2005): 42.
5. Seligson, Joelle. "My Raven-Haired Avatar Flies Through the Museum," *Museum News* (September/October 2007): 55.
6. *Ibid.*, 56.
7. Edward Alexander, *Museums in Motion: An Introduction to the History and Functions of Museums* (Nashville: American Association for State and Local History, 1993), 14.

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Notes from the Outside: Alternatives to a Culture of Having and Getting

Intentional communities provide an antidote to our culture of acquisition.

By Shirley Echelman



About the Author

Shirley Echelman is a retired librarian and association manager with 40 years of experience. She has served as CEO for two international library associations, and has worked in business libraries both here and abroad. President of the Special Libraries Association in 1977–78, she also served on the Council of the American Library Association. She has been a consultant to the George Washington University libraries, the Smithsonian Institution libraries, and the Library of Congress, as well as the Society for Scholarly Publishing. Shirley earned a Bachelor of Science degree from the University of Nebraska at Omaha, magna cum laude, and a Master of Library Science degree from Rutgers. Since 2003, she has worked as a volunteer in the library of the Abbey of Our Lady of the Holy Cross in Berryville, Virginia. She also serves on the boards of directors of the Northwestern Virginia Health Systems Agency and the Winchester Little Theatre.

Presented to the Winchester Torch Club on February 6, 2008.

.....
*The world is too much with us;
late and soon,*

*Getting and spending, we lay
waste our powers:*

*Little we see in Nature that is ours;
We have given our hearts away,
a sordid boon!"*

— William Wordsworth

During the last four years, I've had the extraordinary privilege of working once or twice a week in the library of a community of Trappist monks just west of the Shenandoah River in Clarke County, Virginia. This experience has

given me many unanticipated gifts — books that I would never have otherwise encountered, ideas that are outside the context in which I was raised and educated, and a goodly number of new and caring friends. But the most surprising gifts are a new appreciation for disciplined contemplation and an outsider's inside view of a community that operates on significantly different principles from those that underpin our contemporary secular society. Holy Cross Abbey is an example of an intentional community, a group of people who have come together to live within a set of stated principles and beliefs that transcend those of the individual residents. Such people are generally considered to be outsiders in modern America, and they readily acknowledge this difference.

An anecdote about the Trappist monk and author Thomas Merton may serve to illustrate the nature of the difference. It seems that Merton was on his way from his monastery in Kentucky to a Louisville hospital for a short stay, and stopped at a local drug store to pick up a tube of toothpaste. When asked what brand he preferred, he replied, "I really don't care." The incredulous response of the store clerk revealed to Merton that he was truly an outsider in America. How could a grown man not care about what brand of toothpaste he uses? How could someone be so untouched by marketing? As we all know, there is scarcely any aspect of American life that is not touched by marketing — the art of making us believe that the difference between Colgate and Crest is really worth caring about. Reading this anecdote in the light of my work at the Abbey rekindled my interest in alternative kinds of

communities, an interest that began during an orgy of summer reading, when I happened across Rumer Godden's elegant evocation of life in an English monastery, *In This House of Brede*. As an undergraduate at the University of Wisconsin, I took a course in Utopias. The required reading included Plato, Thomas More, and Samuel Butler, among other writers on the subject. And decades later, I discovered Ursula LeGuin's science fiction masterpiece *The Dispossessed*, a tale that illuminates both the yin and the yang of a Utopian society.

It is becoming ever more evident that modern American society is saturated in the idea that an individual's worthiness can be measured by the quantity and cost of the goods and services at his or her command. **We are living in a culture of having and getting.** But strong evidence suggests we are not altogether happy with the outcome of this cultural commitment. Each December's shopping frenzy is almost always accompanied by protestations, both public and private, that "we need to put Christ back into Christmas," and a rise in incidents of severe depression and suicide attempts. It is clear that something has gone seriously wrong.

The culture of having and getting is a logical though not inevitable consequence of the Enlightenment. Focusing on the individual rather than the community, philosophers such as John Locke, Charles Montesquieu, and Adam Smith extolled the power of individual human reason and the primacy of individual over community rights. Influenced by these writings, the men who wrote the Constitution and the Bill of Rights held a profound commitment

to the rights of the individual (at least for white male property owners), constructing a system that carefully articulated and limited the powers of government. What has happened to these limitations in the two-and-a quarter centuries since then would astonish the founders. America has evolved socially, politically, and economically into a society whose central concerns would surely be unrecognizable to Thomas Jefferson or John Adams. We are the most individualistic, the most rights-oriented, and the most voluntaristic society in the world. (We used to be the most optimistic as well, but I am uncertain about that characterization now.) The centrality of individual rights has given us an exhilarating sense of freedom of action. But it has also been the root cause of many of the problems that plague us, including the comparative devaluation of individual responsibility and of the rights of the community.

Early Alternative Communities

Even though the basic thrust of American society has been to extol the individual, the country has provided fertile soil for people to experiment with alternative ways of organizing communities. Early in our history, even in colonial times, visionary Europeans came here, both individually and in groups, to try other ways of living together. One of the earliest of these was a small group of Trappist monks, precursors to my friends at the Abbey, who arrived sometime before 1650, but who were not able to sustain their community beyond the first generation of brothers. These early experiments appear to have been religious in nature. They include a group of communal settlements, founded by dissident Protestant preachers, such as the Woman in the Wilderness (1694), Irenia (1695), Bohemia Manor (1683), Ephrata Cloister (1732), Bethlehem (1740), Mount Lebanon (1787), and Harmony, Economy, and New Harmonie (established serially between 1803 and 1824 and lasting into the early 1900's).

These communities shared a number of critical features. They were all founded by sects considered apostate or heretical by the established Lutheran or Calvinist churches of Germany and central Europe (with the exception of the Shaker settlement at Mount Lebanon), most of them were located in or near William Penn's "experiment of toleration" in Pennsylvania; and each involved a migrant community following a charismatic European religious leader.

These communities were preponderantly millenarians, believing that the Apocalypse was approaching, that Divine Judgment was imminent, and that they could only be saved from eternal damnation by isolating themselves from the fallen and irredeemable world around them. They "held a common reverence for the Old Testament and were ardent Hebrophiles. They saw themselves as islands of redemption in a world awash with temptation, sin, and avarice."¹ Most importantly, they sought an alternative community organization for which common property, simplicity, hard work, and brotherly love formed the foundations. Most, but not all, were both communal and egalitarian in nature. Many adopted celibacy as a rule, but of course this proved to be a self-limiting obstacle in the long run. The most long-lasting of the religious utopians are the Shakers, a celibate sect founded in 1774 by Mother Ann Lee that spawned nineteen communities during the eighteenth and nineteenth centuries, attracting nearly 200,000 members at its height. The Shaker community at Sabbathday Lake in Maine still housed four elderly female members as late as 2006.

There were other communal experiments as well; so many that it is beyond the limitations of this paper to name them all. In fact, the American landscape provided vast spaces where such efforts could be tried out in comparative isolation from more conventional settlements. These early Christian utopian communities were not

entirely different from more mainstream sectarian movements like the Quakers, Amish, and Mennonites — and later the Mormons — that flourished in the fertile American soil during the next century and a half, a period of religious revival known as the Great Awakening. Some, but not all, offered equal status to women and held property in common, at least for a period; and most of them held eclectic mystical beliefs that contrasted sharply with those of their neighbors. Along with other more separatist communities, they formed an early counterculture in America, providing a counterpoint to the thrifty and industrious individualism that characterized the larger society.

The Secular Utopians

The nineteenth century also brought a new kind of utopian experiment to our shores led by groups inspired by the writings of Francois Fourier, a leading French social theorist of the period, and Claude Henri de Saint-Simon, the founder of French socialism (who once served as an officer in Washington's army). As likely to be secular as religious, they were strongly influenced by a growing distrust of the negative effects of the Industrial Revolution upon the lives of ordinary working people, creating a disconcerting gulf between property owners and property-less workers.

More than 100 of these utopian socialist communities were established between the American Revolution and the Civil War, a period some have called the golden age of community experiments. Among the best known examples are Robert Owen's New Harmony (founded in 1825); Hopedale, which was begun in 1841 by Adin Ballou, a Universalist minister; Brook Farm, a short-lived community of Transcendentalists formed in 1841 by the social reformer George Ripley; and Oneida, founded in New York State in 1848 by John Humphrey Noyes. The Amana communities, which began life in 1842 as religious communes, were originally

located in New York State but later moved to south-central Iowa to avoid harassment from their more individualistic neighbors. Their organizational structure changed from a cooperative communal enterprise to a joint stock company in 1932, when each member was issued shares. Until the early 1970's, dividends were paid yearly to anyone who was born in the five villages that comprised contemporary Amana.

In line with their egalitarian, pacifist, and anti-slavery convictions, as well as their socialist ideals, these groups supplied some of the most prominent leaders of the Abolition movement in the United States. Unfortunately or fortunately, depending on one's point of view, most of the utopian socialist experiments did not survive much beyond the beginning of the twentieth century. The majority of them succumbed within a relatively short period to a combination of the temptations of mainstream society and/or their own quixotic arrangements for leadership after the first generation had passed away.

The Twentieth Century

Aside from the tragically flawed large-scale hoaxes perpetrated in the name of socialism in the Soviet Union and China, the most notable sizeable communal experiment of the last century has been the Israeli *kibbutz* movement. It is not within the scope of this paper to offer more than a brief mention of this movement. Conceived at the end of the nineteenth century by a handful of Jewish intellectuals as a defense against resurgent European anti-Semitism, the *Kibbutz* or "gathering together" movement combined socialism and agrarianism with Zionism, a political movement whose goal was to establish a safe Jewish homeland in Palestine. The first *kibbutz*, Degania, was founded in 1909 on the shores of the Sea of Galilee, where twenty centuries earlier Jesus had preached his vision of the good community. *Kibbutz* members

developed a purely communal mode of living, attracting interest from around the world. The movement involved an agrarian base, common ownership of all property, common division of manual labor, communal responsibility for child care, equality among all members of the community, and community self-sufficiency. In the early decades, even personal items such as clothing were considered to be common property. While the movement has lasted for several generations, most of today's two hundred and eighty-five remaining *kibbutzim* are scarcely different from the capitalist enterprises and regular towns to which they were originally supposed to be alternatives. Today, farming has been partially or wholly abandoned in most of them and replaced by high-tech industrial enterprises. The *kibbutzim* never accounted for more than 7% of the Israeli population, although their influence on Israeli political life has been very important. The movement has succumbed in many ways to the same mainstream pressures as its counterparts in this country.

Present and Future

Failures of the past, however, have not prevented more recent efforts to form communities outside the mainstream. Attempts at cooperative or communal living revived around the middle of the twentieth century, both in the United States and in Europe. Unsurprisingly enough, there are significant parallels between earlier communities and the countercultural communes of the 1960's. Literally hundreds of these sprang up, flourished, and mostly withered away during the last decades of the twentieth century. However, some communities are still viable and thriving. In the U.S., one of the most enduring examples is called simply "The Farm," founded near Summertown, Tennessee in 1971 by Stephen Gaskin, epitomizing the countercultural impulse. Currently boasting 1,750 acres and some 200 member families, its members rely on agreement and mutual respect to

generate what they call "a friendly working environment" through "agreement and mutual respect," recognizing "many paths toward realizing personal ideals" consistent with individual social values. They reject violence, anger, or intimidation as problem-solving strategies, creating a community fabric of "friendship and respect for one another and for our land." Acknowledging change over the years in their patterns of organization, Farm members point out that "the Farm is not really what we are doing — it is how we are currently doing it. It is a process, rather than an end-result."²

The Farm is just one of hundreds of communities that are part of an impulse away from individualism and toward "communitarianism," as it is called by one of its chief theorists, sociologist Amatai Etzioni. According to Etzioni, communitarianism is concerned with rebalancing societal rights and responsibilities, so that both the individual and the community can thrive more equitably. Communitarians believe that decisions made locally and by consensus are more likely to lead to results that benefit community members individually and collectively. The Fellowship for Intentional Community, a nonprofit educational organization that acts as a clearinghouse of information about the movement, publishes the *Communities Directory*, which appears to be both comprehensive and international in scope. The 2007 edition describes more than 1,250 communities, 900 of them in North America. These modern-day intentional communities form a parallel development in American society; small but not insignificant. Entries range from monasteries to rural communal farming settlements to urban cooperatives of various kinds. A listing in the directory is initiated by the community itself, so there is no way of knowing how many intentional communities are not included, either because they have been missed or because they choose to remain unlisted. A number of monastic communities, both Catholic and

Buddhist, are listed, while Holy Cross Abbey is not.

In addition to the monastic communities, the new urban “cohousing” movement offers cooperative living arrangements in which members individually own their own living spaces, be they homes or apartments. Property transfers, however, whether by sale or inheritance, must be approved by the whole community. Operational and governance decisions are made by consensus. Common outdoor and indoor spaces, where residents meet on a regular basis to share meals and social activities, are an integral feature of cohousing. Typically, the original development of a cohousing community is a cooperative rather than commercial effort. The basic concept, developed in Denmark, was brought here by two American architects, Katey McCamant and Chuck Durrett, in the late 1980’s. More than 200 cohousing communities have been formed since then across the country, and many more exist in other countries, especially in Northern Europe. The Blue Ridge Cohousing Community in Charlottesville is near my home, and I have visited a similar community in Cambridge, MA. Some of the many retirement communities springing up in our midst might be called “intentional communities,” providing a caring communal experience that is deeper than a commonly-owned golf course, but I must leave this intriguing possibility for another study.

Conclusion

Sharing of property, renunciation of consumerism, disaffection with the individualistic trends of mainstream society, deep concern for the physical environment, commitment to consensus-based decision-making, and a stated renunciation of violence as a mechanism for resolving political and societal differences are the main features of intentional communities. They provide an antidote to the common culture of having and getting that is worthy of

consideration as we approach the serious environmental and societal issues of our time. In a recent study, Kathlyn Gay concludes, “The historical common thread is Utopianism, a belief that a kind of Paradise can be created in miniature and in this world; that human beings can approach perfection if we can construct an environment that simulates perfection.”³ This belief has survived through centuries of disagreement with mainstream concerns of American society. It has been at the heart of countless attempts to form truly caring communities.

Despite social and economic problems that continue to threaten the viability of communal living, there will, in all likelihood, continue to be people who yearn for an alternative community experience. They may do so because they have a religious vocation. They may do so for personal reasons. They may do so because they seek actively to live in an environment that promotes equality, cooperation, protection of natural resources, and other qualities that they find lacking or only given lip service in the wider world. However, for those who search for community — indeed, for all who seek a better world — whether motivated by religious belief or socio-economic concerns, the challenge continues to be to find ways to apply the humanitarian ideals exemplified by America’s intentional communities to the real, pluralistic society that we all share.

Notes

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2. Kathlyn Gay, *Communes and Cults* (New York: Henry Holt & Co, 1997), 71–72.
3. Holloway, Mark, *Heavens on Earth* (Mineola, NY: Dover, 1966), 223.

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Alfred E. Smith and the Reorganization of Modern New York State Government

The current budget conflict between New York's legislature and its governor goes back 90 years to the efforts of one of the state's most colorful politicians.

By John T. Evers



About the Author

John T. Evers holds a BA in Philosophy from Siena College, Loudonville, NY;

an MA in History from the State University of NY at Albany; and is pursuing his Ph.D. in Public Policy History from the State University of NY Albany. Mr. Evers has worked in state and local government and as a professional lobbyist for a number of interests, including The Business Council of NYS. As former Historian of the NYS Assembly, he worked on numerous projects researching the history of the Legislature, its members, and the Capitol. Mr. Evers also served as Assistant to the Clerk of the NYS Assembly. He is currently the Executive Director of the Food Bank Association of NYS.

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Recently there has been a renewed interest in Governor Alfred E. Smith (1919–20, 1923–28), which in turn has resulted in more research into his pivotal role in reshaping New York government. Two full-length Smith biographies appeared in the early 2000s, thus catapulting the “Happy Warrior” into the twenty-first century.¹ In addition, he was recently resurrected by many seeking to defeat a constitutional amendment greatly altering one of Smith’s greatest accomplishments—the executive budget. In that case, Smith triumphed

again and New York State’s budget system remains largely as Smith intended—with the executive. Smith’s reforming zeal has also become a rallying point for eager politicians hoping to compare themselves to him. On August 12, 2006, *Newsday* ran an article entitled “Most popular man in governor’s race: A.E. Smith.” The columnist reported quotes from all of the gubernatorial candidates comparing themselves to Smith:

Eliot Spitzer (D) says he’ll be a reformer, like Al Smith.

John Faso (R) says he’ll restrain the Legislature’s spending, like Al Smith.

Tom Suozzi (D) says he’ll be the voice of the little guy, like Al Smith.

Bill Weld (R) calls himself a happy warrior, like Al Smith.²

Incidentally, the winner, Eliot Spitzer, appointed none other than Alfred E. Smith IV to be the master of ceremonies for his inauguration. However, Spitzer resigned after less than a year-and-a-half and his hope to be another Al Smith went unrealized.

But who was Al Smith, and why does everyone want to be like him? What exactly did Smith do and how did he do it? Smith is alive today in three overarching ways:

Legislative Review of Executive Budget—Smith’s 1927 budget provided for a governor’s budget to be presented to the legislature.

Executive Branch Reform—When Smith held the first executive cabinet meeting 80 years ago, he consolidated almost 200 offices.

Increase in Governor’s Term—

A four-year term, with odd year election to avoid presidential elections, was adopted after Smith left office, but was largely his doing.³

Smith also helped pass or sponsored essential social legislation: workers’ compensation; the modern labor code; industrial safety regulations; minimum wage; child labor laws; a modern insurance code; a reformed New York City charter; a state park system; prison reform; a slew of bond acts to build roads, public buildings, parks, eliminate rail crossings at grade; and for good measure, Columbus Day. Yes, that was his. Besides all that, Smith called for greater home rule for localities, the power of executive agencies to make rules, consolidation and joint services at the local level, a longer term for legislators, a biennial session to cut down on useless laws, and initiative/referendum. Now I grant that Smith did not enact all of these on his own, and the 1920s was a turning point in many states when it came to modernization. Nonetheless, **all** of these major initiatives were spearheaded by Smith. Clearly, if it had not been for Smith our government would look very different today.

Smith’s Education in the Art of Governance

One must understand Smith as a person to understand his driven nature. Al Smith exemplified the “American Dream,” rising from poverty to come within just 6,411,659 votes of being elected President of the United States in 1928. Born December 30, 1873 in obscurity on the bustling lower east side of New York, he was educated in a Catholic grammar school, living a

sheltered life centered on family and the Church. After his father's early death, Smith's family was left destitute. On the very day of the funeral, Smith's mother secured an umbrella factory job. Smith left school to help support the family in a number of jobs, including the Fulton Fish Market and as a subpoena server.⁴ Smith became active in Tammany politics in the 1890s and was befriended by Tom Foley, an Irish immigrant who had made his fortune in the saloon business. Think here of Albany's Dan O'Connell.⁵ Foley successfully ran Smith for Assembly in 1904. After one year as an Assemblyman, Smith confided to Foley his embarrassment that he was paid to be called a state legislator when he did little work, had no understanding of law making, and was essentially casting votes as he was told on things he didn't comprehend. Foley talked him out of leaving, and Smith returned to Albany with the mission to prove to **himself** he belonged.

Smith's plan was simple: he read every bill placed on his desk and every section of law referenced in every bill, becoming an expert debater with an encyclopedic knowledge of law. All this with just an eighth grade education. And Smith's good study habits were further strengthened by the fact that he had nothing else to do in Albany. He was too poor to commute home often, he could not afford to bring his family to Albany, and he lacked the funds to enjoy Albany like other legislators. He also had no second income and lived on his \$1500-a-year salary to support a wife and eventually five children.

One Smith biography devoted a chapter entitled "Awakenings" to these years of learning.⁶ James Wadsworth, a Republican chosen as Assembly Speaker in 1906, liked Smith, a Democrat, and helped him with appointments to several important committees where he knew Smith would thrive. In 1906 Smith served on the Insurance Committee, in the midst of revamping the state code. An appointment to the Cities Committee in

1907 and the revision of the New York City charter followed. As a member of the Ways and Means Committee, Smith set his sights on the budget process as he studied every department and state function.⁷ In 1911 he added labor to his expertise, assuming the vice-chairmanship of the Factory Investigation Committee. These committees gave Smith reason to come to Albany and provided activity for his mind. Soon he was one of the few who really knew state government — and how dysfunctional it was.

From 1911 to 1915, he was a leader in the Assembly (Speaker in 1913) and, in 1915, was elected to the State Constitutional Convention, serving as Democratic minority leader. By now known in political circles, at the convention he stood opposite a Republican majority, which included men of stature such as Elihu Root, Henry Stimson, John Lord O'Brian, and George Wickersham—members of the so-called "federal crowd." In the opening sessions to organize the convention, Smith chimed in with his opinions. When questioned in a mocking way by the Republican leadership, some of whom had been at the previous convention in 1894, as to what he knew about that convention, Smith rattled off almost verbatim the organizational and operational procedures of the 1894 convention. **He had read and retained the entire record.** He was listened to after that.

Smith's interests in the convention included, among other items, administrative reform and the executive budget. Smith knew by now that the state had too many departments and wasted millions. And to make matters worse, the Republican **legislative** leadership **wanted** it that way. They formed a strong reactionary and conservative block that battled Smith, attempting to roll back any reforms, especially those that decreased their power. But the "federal crowd" knew it was wrong. In many of these areas, Smith was supported by these men and the progressive branch of the Republican Party. When the convention

ended, the resulting document proved, ironically, very forward looking. It contained many items Smith wanted very badly, such as reorganization and executive budgeting—the latter receiving only 4 "no" votes at the convention.⁸ But the exclusion of fair reapportionment forced Smith (and the Democrats) to oppose the document when it was presented as a whole, furthering its defeat by the voters that fall.

Without the new constitution, New York's budget and its executive branch lumbered ahead, each like a watertight ship at sea without a mast, with no threat of immediate sinking, yet blown by the wind and carried by the tides on no rational course. While this ship of state was at sea, Smith was elected sheriff of New York City in 1915 and left Albany, many thought for good. Meanwhile, the legislature continued to enjoy having a vast and unruly executive branch, one that depended on them as much (if not more) than on the governor. In the 1910s, New York had 187 various offices, boards, and commissions, many of whose leaders could not be removed by the governor and had terms that overlapped administrations.⁹ Why would the legislature sever its hold over executive branch influence and allow the governor, of whatever party, to take the reins?

The appropriation power of the legislature went hand in glove with executive department chaos. With fiscal chairs having budgetary power, whom did the various executive officers run to? Not the governor. He hadn't appointed them; or if he had, he could hardly remove them. That is, not without great pain.¹⁰ Legislative control fostered insubordination in New York's bureaucracy. Officials depended on the legislature for their budgets — and often their jobs — and thus negotiated directly with the fiscal chairs. Smith himself noted an example: "When the Superintendent of Public Buildings denies an increase in salaries to a group of employees, I want that denial to stand.

I do not want a condition whereby a small committee of that group can go up the back stairs and see the speaker...and get the increase in salary over the head of the Superintendent.”¹¹ But that’s often what happened. Why would the legislature give up having not only the purse strings, but also arguably more influence than the executive himself with his “**own people?**”¹² Besides, the governor had only a two-year term; they came and went, usually in a single term. A two-term governor was an exception—and that meant only four years of power anyway! Major figures like Teddy Roosevelt, Tilden, and Cleveland had only one term. Even Charles E. Hughes resigned after three years, frustrated by this legislative supremacy. The legislature simply outlasted these men, and would surely never have agreed to grant the governor a four-year term. Then came Smith’s election to the governorship in 1918.

Smith: The Governor as Agent of Reform

It would be wrong to say that Smith had much reforming impact in his first term. The very first week of his tenure he realized being governor meant very little if he did not have the power to control his branch of government. Smith suffered public humiliation over a strike by the milk industry that went unchecked by various state regulators. The legislature had created the Council of Markets, patterned on the Board of Regents, to regulate agriculture and “food and markets,” whose members were appointed for ten-year terms and could only be removed by vote of the Senate. The Council then appointed its own staff. The law completely cut out any role or **responsibility** for the governor. When this convoluted state agency set the price for milk too low for the Dairymen’s League to tolerate, they went on strike in January 1919. Smith could do nothing to halt the strike, force the board to change rates, negotiate a new course of action, or fire executive branch employees responsible for the

problems. He was roasted in the press, most viciously by William Randolph Hearst. The strike lasted a few weeks, but the lesson never left Smith: despite his being governor, the legislature was acting as executive.¹³

Later that year, Smith produced a blueprint for government reform authored by Robert Moses, designed to reverse such legislative manipulation as was seen in the milk strike. *The Report of the Reconstruction Commission* borrowed liberally from the 1915 convention. Throughout 1920, Smith spoke all over the state attempting to force the Republicans to pass the necessary constitutional amendments. Then, in 1920, Smith lost the governorship. Reform halted.

Elected again in 1922, Smith reignited his reform. In each endeavor, he firmly stood by the provision that every change be ensconced in the constitution; where it could not be statutorily changed at the whim of the Republican legislature. How did Smith achieve such a dramatic reform, essentially wresting control of the state’s budget from the Republican-dominated legislature while simultaneously revamping the entire shape of the executive branch? He did it through a relentless campaign of direct appeals, through expert help from his staff (particularly Robert Moses), through his own cunning, and through an unprecedented dependence on friendships with leaders of the opposite party that has long since been eclipsed by history.

Executive reorganization served as the low-hanging fruit that provided his first victory. Smith appealed both to the people directly and to the civic leaders of the day, campaigning every year from 1923 until 1927. His popular appeals were understandable, even funny: “Why should you strain your conscience every election day trying to pick a good state engineer? Is there a difference between a Democrat or Republican engineer?” Smith gained public support from the great minds of the 1915 Constitutional

Convention (Root, Stimson, Hughes, Nicholas Murray Butler) and government reformers, including Richard S. Childs.¹⁴ During the 1923–24–25 sessions, Smith continually pushed the Republicans into admitting that the system of state government was an embarrassment. To battle the chaos, Smith empanelled ten *Moreland Act* commissions to investigate departments he wanted more power over, but lacked under the current law.¹⁵ Smith even appointed himself a commissioner twice in 1924—something never done before or since.

The legislature finally yielded to the pressure in 1925, passing an executive reorganization bill—the less damaging of the two in the opinion of some leading Republican legislators. Not to be outfoxed, Smith immediately went to work on a plan to guarantee favorable legislation once the constitutional amendment was ratified. He promised that if leading citizens would gather together to work on enacting legislation, he would back their product **in advance of the report**. The legislature initially balked, but then attempted to have the intransigent Speaker of the Assembly, Edmund MacHold, appointed chair. Smith visited Charles Evans Hughes and asked him to step in. Hughes agreed and left the legislature no choice—Hughes chaired the committee. The report mirrored every one of Smith’s objectives. In fact, the report went even further by suggesting the enactment of executive budgeting.¹⁶

While reorganization brought Smith greater control, it did not place restrictions on the budget. As former Assembly Speaker and chair of Ways and Means, he knew all about the pork the legislature added to the budget. Smith stated that each loyal legislator was being rewarded by the leadership in each house through appropriations for pet projects which loaded down the original bill. The initial budget looked nothing like the adopted budget.¹⁷ To make matters worse, Smith recalled his first budget as governor in 1919, merely

an outline of expenditures because most of the previous governor's budget staff had **simply left**. The appropriation bill delivered to the governor ran 640 pages, covering 12,000 personnel items, thousands of major allocations, and millions in construction and capital improvements. Under the law, Smith had only ten days to review it.¹⁸ It is easy to discern the underpinning theme: the governor had little power to suggest a budget to the legislature and have it acted upon without massive changes, and was likewise handcuffed by the lack of any planning or central staff within the executive branch. Despite seven different budgetary experiments between 1910 and 1925, no steps towards a coordinated executive budget prepared by permanent staff had been successfully implemented.¹⁹

In explaining why the executive budget was needed, especially under reorganization, Smith stated it in simple terms. A cabinet of twenty department heads could discuss their needs with the governor, who in turn could draft a bill for government expenses, present accurate figures to the legislature, and even appear before them to explain the bill.²⁰ When the Republican legislators balked, Smith read to them their own words of praise for the 1921 executive budgeting system created by the national **Republican** administration. Good enough for them, but not for us back home? When the Republicans stated they could live with the current statutory budget system, Smith said a firm no—even vetoing it in 1925. He reasoned that legislators who had agreed to amend the constitution should get on with it, particularly the section on budgeting. Smith railed against the Republican leadership—on the radio, in the press, at public events—reveling in the fight. He mocked them for spending hours debating the size of a fish you can take out of a river, or the season you can shoot wild duck, yet rushing through budget legislation quickly and without a peep. They were protecting their power and wasting millions. The budget belonged

with the governor, who could look at the state as a whole.²¹

After eight years of battle and much public embarrassment at the hands of Governor Smith, the legislature relented; in November 1927, executive budgeting became part of the constitution (scheduled for 1929). Smith jumped the gun and submitted a first attempt in 1928. It ran only 410 pages, covering \$229,269,065.73, with a surplus of \$15 million that Smith wanted reduced by returning it to the people in the form of tax reductions.²²

Smith's Legacy: New York State's Modern Government

The story does not end there. In 1928 everyone knew Smith would leave office and there would be a new governor, thus inaugurating a period of transition. The new governor, Franklin D. Roosevelt, sent up a budget with lump sums, anticipating the ability to disperse funds **after** he organized his branch. The legislature passed bills allotting them joint power to allocate these funds. A court battle ensued, and FDR's win cemented Smith's budgeting prerogative under *People v. Tremaine*. In addition to a court-tested budget process and a Governor's cabinet, a 4-year gubernatorial term also became reality. After the 1938 Constitutional Convention and, in no small part, eight years of Smith's labors, the provision was adopted. Neither Smith nor Roosevelt enjoyed this change, but their handpicked successor, Herbert Lehman, did.

"Until the long incumbency of Nelson Rockefeller," wrote one observer, "the state government remained essentially as Smith had reconstructed it."²³ Indeed, it would be hard to imagine New York governance without Alfred E. Smith.

Notes

1. Robert Slayton, *Empire Statesman* (New York: The Free Press, 2001); Christopher Finan, *Alfred E. Smith: The Happy Warrior* (New York:

Hill and Wang, 2002).

2. Michael Gormley, "Most Popular Man in Governor's Race: A.E. Smith," *Newsday*, August 12, 2006.
3. The NYS Constitutional Convention of 1938 proposed a four-year term for the governor; the voters ratified the amendment on November 8, 1938.
4. Slayton, 35–41.
5. Dan O'Connell served as Albany's Democratic boss from the early 1920s until his death in 1977. He came from a saloon-owning family.
6. Norman Hapgood and Henry Moskowitz, *Up From the City Streets* (New York: Grosset & Dunlop, 1927), 56.
7. *Ibid.*, 58.
8. *The Executive Budget in New York State: A Half-Century Perspective* (Albany: NYS Division of the Budget, 1981), 11, 17. Edgar Brackett, a leading Republican State Senator long lost to history, summed up the mocking contempt for modernization by many reactionary Republican state legislators when he stated at the Convention, "Oh efficiency, what crimes are committed in thy name." Paula Eldot, *Governor Alfred E. Smith: The Politician as Reformer* (New York: Garland Publishing, 1983), 8–10.
9. *Report of the Reconstruction Commission to Governor Alfred E. Smith on Retrenchment and Reorganization in the State Government, October 10, 1919* (Albany: J. B. Lyons, 1919), 6. New York State currently has over 1,000 public authorities.
10. Robert Wesser, *Charles Evans Hughes: Politics and Reform in New York State, 1905–1910* (Ithaca: Cornell University Press, 1967), 124–142. The inability of Governor Hughes to remove Otto Kelsey as Superintendent of Insurance in 1907 exhibited the power of the legislature over the executive branch. The Senate

refused to remove the superintendent even though the Governor asked for a resignation. The result of such actions confirmed in Hughes the need for greater control over his departments. It also resulted in the passage of the Moreland Act, providing for the empanelment of gubernatorial investigations into state government affairs supported with the power to subpoena.

11. *The Executive Budget in New York State*, 31–32.
12. While this paper does not focus exclusively on executive budgeting, it should be noted that two recent court cases addressed jointly under *Pataki v. New York State Assembly* (2004) appeared to strengthen the governor's budget-making power by denying the Legislature the right to alter the "non-appropriation bills" that accompany appropriation bills and supply necessary guidance for expenditures. Smith may well have been pleased; however, the dissenting opinions in this case held that modern executive budgeting may go too far, thus hampering the ability of the Legislature to legislate—a role Smith would also defend almost as passionately as he would for proper budgeting. Smith himself was a long-tenured legislator (12 years in Albany, 1 year presiding over the NYC Council) and thus appreciated the separation of powers ensconced in the New York State Constitution.
13. Hapgood and Moskowitz, 236.
14. Robert A. Caro, *The Power Broker: Robert Moses and the Fall of New York* (New York: Alfred A. Knopf, 1974), 185; Hapgood and Moskowitz, 100, 227. All the while Smith was depending on aid from key Republicans such as Hughes and Stimson, Robert Moses was attempting to condemn, through eminent domain, hundreds of estates on overwhelmingly Republican Long Island—Stimson's

included. Caro's account of the Long Island park system describes the angst and anger Moses stirred up during Smith's tenure. Nevertheless, Smith's plans survived, and so did Moses'.

15. John Missall, *The Moreland Act: Executive Inquiry in New York* (New York: King's Crown Press, 1946), 139. These commissions investigated the State Industrial Commission; the State Fair Commission; the State Police; the Department of Farms and Markets (Milk); the Soldiers/ Sailors Home; the Public Works and Labor departments; and the Barge Canal, Transit, and Arsenal commissions. Three more came after the 1925 passage of the amendments to reorganize state government: Parole Board (1926), Department of State (1927), and Bureau of Workmen's Compensation (1928).
16. *Report of the State Reorganization Commission, February 26, 1926* (Albany: J. B. Lyons, 1926), Appendix A, 69–70.
17. *The Executive Budget in New York State*, 13.
18. *Ibid.*, 26–27.
19. *Report of the State Reorganization Commission, February 26, 1926*, 9–10.
20. *Public Papers of Alfred E. Smith, 47th Governor of the State of New York*. Albany: J. B. Lyons Company, 1924), 537.
21. *Ibid.*, 536; Hapgood and Moskowitz, 81.
22. *Message from the Governor and the Executive Budget Containing Financial Reports and Recommendations for Appropriations to Be Made to the Legislature during the Session of 1928* (Albany: J. B. Lyons Company, 1928), iii, 410.
23. Eldot, 26.

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The Importance of End-of-Life Decisions in a Patient's Health Care Plan

End-of-life Negotiations between Doctor and Patient Are the Key to a Good Death.

By Dale Ertzinger



About the Author

Dale Ertzinger retired after 17 years as Health Education Consultant for the Muskegon, MI Area Intermediate School District, preceded by 18 years as a Health Educator in the Public Health sector. A Hospital Corpsman in the U.S Air Force from 1962–66, he received his B.S. degree from Western Illinois University (Macomb) in School Health Education (1970), and a Master of Science in Public Health from the University of Missouri (Columbia) with a Community Health Education emphasis (1972). Upon retirement in May 2008, he received a Lifetime Achievement Award from the State of Michigan in recognition of his commitment and contributions to the health of the state's school children. Dale has been an active member of Torch, as well as a 35-year member of Lions Clubs International and a member of other community service organizations.

Presented to the Muskegon Torch Club on May 19, 2008.



Thinking about death sometimes invites consideration of “assisted suicide,” a topic that usually stimulates spirited discussion across a wide range of values. The process of dying is a very emotional issue for the patient, and suffering a loss involves the survivor in trauma, regardless of how prepared one is for the inevitable. In discussing this sensitive topic, one must respect and value life. The term “assisted suicide” can have a tragic connotation, yet the process I am proposing of helping people

The medical community may decide that a particular medical procedure is inappropriate, or that available resources are inadequate to treat the illness. The insurance company may deny coverage for an expensive intervention. Politicians may reduce allocations to Medicaid...

plan their death should not be considered tragic. The alternative terms “end-of-life choices” or “ending one’s life on one’s own terms” may be gentler and more useful. My main point is that people should be allowed to end their life with dignity, without causing trauma for the surviving family members. Although as of 2008 Oregon is the only state where assisted suicide is legal, I think in the near future we will be seeing many other states adopt variations of legalized “end-of-life choices.” We will be better off with a system that allows people to make choices about ending their life without confronting a lot of legal entanglement or violating established church rules.

This presentation will focus on two major problems. First of all, some people are having their lives terminated as a result of decisions being made by someone else. The medical community may decide that a particular medical procedure is inappropriate, or that

available resources are inadequate to treat the illness. The insurance company may deny coverage for an expensive intervention. Politicians may reduce allocations to Medicaid, as in a bill proposed by the Bush administration (and thankfully put on hold by Congress) to make a cut in Medicaid services that would jeopardize health care for one out of seven Michigan residents in 2009. The second problem is that an undetermined percentage of people, if given the choice to end their lives, would opt for that as an alternative to prolonged suffering, to prevent financial ruin of the remaining family members, or, in some cases, where a person has had enough and is just ready to give up.

We need a system in which individuals could express their true wishes, receiving counseling as needed to be sure they understand all options. Then, if the final choice was still to terminate their life, they would be able to accept the outcome with dignity and without the trauma and guilt currently associated with the end-of-life issues. Such an approach would help people have a “quality end of life” just as I have advocated for people to “live a healthy lifestyle” in my career as a Health Educator. In other words, have a quality life and then have a quality death.

A Question of Control

The paramount issue with end-of-life decisions is **who is in control** of how a person lives or dies. Currently it is the medical system that makes most of the decisions, in many cases without presenting all the options or consulting the patient or family members about their wishes. The medical care system assumes everyone wants every medical

intervention tried to prolong one's life, regardless of the pain it causes, the financial costs, or the patient's wishes—either to have a specific treatment or to suspend treatment and die naturally.

Having end-of-life options is a small step beyond what we already have available. It is already legal for a person or family to declare when medical interventions are to cease. We have “power of attorney,” “Do Not Resuscitate” orders, “living wills,” and “advance directives” available as a way for people to express some of their end-of-life desires. We also have “Hospice” care available, which is defined as a shelter or place of rest for those approaching the end of life. The problem is, people do not adequately utilize these processes to help with end-of-life decisions and, in some cases, either the medical or legal system will challenge these directives for self-serving reasons. Our hesitation to talk about death or dying is one of the reasons there is usually so much trauma connected when one's life ends. Many times important decisions are made under extreme duress. We need to have better communication and have advance dialogue about the inevitable at times when it is not a traumatic or sensitive issue.

Three Criteria for Making the Final Choice

Making an end-of-life decision should be guided by three principles. The first criterion is **PAIN**. This includes the physical, mental, and emotional pain suffered either by the person dying or by the family members. Pain is a great fear of most people. Admittedly it is nearly impossible for anyone, including a veteran clinician, to guess or project “how much pain might be involved” in a medical procedure. On the other hand, many doctors neglect—inadvertently or intentionally—to mention that pain often results from the procedure. The relief of pain is a specialty of the Hospice program, whose staff strive to keep a patient's pain under control. Whereas a

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hospital's staff might be unable to administer available pain medication that was not in the doctor's written orders, a patient qualifies for the pain management care of Hospice when a physician believes the patient is within six months of the end of life. In all cases, the role of Hospice is to neither hasten nor to prolong life, but to make the patient comfortable and allow the natural processes to evolve.

A 2003 *Torch* article by oncologist Virginia Stark-Vance illustrates a more traditional approach to pain management. In it she told how she dealt with the fatal brain cancer of the young Oklahoma Congressman, Mike Synar, famous for sponsoring the legislation that limited tobacco advertising and required tobacco products to bear warning labels. In the six months following his diagnosis in 1994, he not only suffered pain and constant headaches, but ended up losing the use of his legs as he was paralyzed from the waist down. Obviously, the doctors were frustrated that their best efforts at treatment did not work; the pain was virtually uncontrollable the entire time. Mike asked about assisted suicide as an option as a way to relieve the pain, but of course the medical staff would not support that decision and his friends were not about to be involved. He had more than enough chemicals at his disposal, actually only a short distance from his bed, that could have ended his life, but being paralyzed, he was not able to get them himself. After Mike died, Dr. Stark-Vance reviewed the treatment she had recommended for him and was satisfied that even though he suffered

greatly during the treatment, they did the right thing in extending his life for that short amount of time. The Hospice approach was not offered.¹

In a 2007 conference at Muskegon Community College on “Ethics at the End of Life,” Dr. Farr A. Curlin, from the University of Chicago, identified three avenues open to a doctor to end a patient's life: 1) physician-assisted suicide; 2) withdrawal of life support; and 3) terminal sedation. He stated that the doctor's religious upbringing might be a factor in choosing which of those three choices was most ethical. In a survey of physicians he conducted in 2003, 69% of responses objected to assisted suicide for religious reasons while only 5% objected to withdrawal of life support. Dr. Curlin felt that a physician was obligated to explain the negative arguments of assisted suicide to a patient who inquired about it. He was concerned moral values might limit one's choices concerning end-of-life issues, asserting that doctors too frequently make decisions on patient care without engaging in open dialogue, disclosing all options, and allowing the patient to make the choice. He concluded that negotiation between the patient and doctor was the best course of action for the patient. Unfortunately, doctors are not used to asking what their patients want; they just assume the patient wants to be treated and forge ahead. Patients should ask the doctor for a prognosis of their condition, and about alternative treatments. A follow-up panel discussion on “futile resuscitation” again raised the question of whether the doctor, the patient, or the family should control the decision of whether to prolong life or to end it.²

The second criterion in making a “final choice” is the **financial cost**. I'm sure we have all heard and maybe know of families that have been bankrupted by medical and health care costs. Insurance coverage is becoming more expensive and restrictive, while the cost of care continues to go up. For three decades, health care reform has been a

top priority for our government, provoking some of the most heated debates among legislators and citizens in modern times. In some instances, a person has been known to make the choice not to have a medical intervention because it would be too expensive, instead choosing to allow the disease process to run its course without intervention. I see nothing wrong with a decision of this kind.

The third criterion for terminating one's life under one's own conditions I simply call **having lived long enough and wanting to end it all**. In my Catholic up-bringing, I thought the pursuit of happiness and eternal life was what all this time on earth was supposed to be about, and that there was a better place waiting for us in eternity. Yet the Catholic Church is dead set against any form of assisted suicide, presumably because it violates the "sanctity of life." Ending one's life under one's own terms can be seen as honoring the sanctity of one's own life, but it paradoxically violates the abstract idea of life itself. As one in the faith, I can only trust a loving and all-knowing God will understand and forgive the person with a sincere and educated desire for assisted suicide. We all have heard about people who fight to live until the final moment. Yet we also have seen or heard of situations where someone has lain in a nursing home bed, in a pathetic state that can hardly be called living. In many cases it is a family member who provides the encouragement for the patient to keep on fighting and never give up. A positive mental attitude can indeed have an effect on whether one survives or perishes, but for some people there comes a point in their lives when they are "just done living," tired of the fight, with no desire to go on. Such people should establish realistic end-of-life goals such as an upcoming family wedding, as opposed to simply living forever, and ultimately be able to decide to bring their life to an end.

These three criteria—pain, financial costs, and the decline of the will to live—

offer ample justification for the termination of life as a choice.

These criteria can be applied to the case of my father-in-law who died of a bone marrow disease in July of 2007 after a two-year battle. When asked by his physician if he wanted to undergo treatment, the only question my father-in-law asked was whether it was covered by insurance; finding that it was covered by Medicare, he decided to have the treatment, not knowing how painful the procedure might be or what the prognosis was. In the beginning, the treatment consisted of painful shots at least once a month and included chemotherapy which made him nauseous for several days after each treatment and the occasional blood transfusions. So in terms of the criteria, he experienced two years of pain from the treatment regimen. Cost-wise it was very expensive, but paid for by Medicare. If he would have had to pay for the treatment himself, I believe he would have chosen not to be treated. Although he believed in God, he did not subscribe to a particular religion, and thus felt he was not violating any church laws by making that choice. With the encouragement of his wife, he held out hope until the very end; wanting to try everything that might help him get better, even at the age of 84. After all, he had had major health problems for the last 30 years and survived. At the end, the only thing keeping him alive were the blood transfusions that were now needed about every three days, but were also causing severe pain.

Ultimately, his only wish was to end the pain. He ended up signing the papers himself that stopped the blood transfusions, and died within two days. This case illustrates a pathetic abuse of the health care system. My in-laws, like many people, did not want to even mention the word dying while going through this ordeal. His death ended up being traumatic for everyone because the end-of-life preparations had not been discussed with any of the immediate family.

Ways to Plan for a Better Death

In summary, I suggest six things people can do to have less trauma in the end-of-life experience for you and family members.

1. Decide in your own mind what you want your end of life to be like.

2. Write down what you want and let others know where these papers are housed. Any written statement declaring "advance directives" is legal.

3. Talk to all family members, your attorney, and your family physician ahead of time so they all know what your wishes are in dealing with any issues.

4. Make sure your will is up to date.

5. Plan your funeral ceremony ahead of time so the family does not have to guess what you may have wanted.

6. Finally, plan to have a quality death, just as hopefully you have tried to live a quality life.

Notes

1. Virginia Stark-Vance, "Why the Congressman Stopped Running," *Torch* 77, no. 1: 26–31.
2. The author relies on his notes of this two-day conference, in which Dr. Curlin discussed "Religious Commitments, the Clinician's Conscience, and Controversial Medical Practices at the End of Life." The second day included a presentation by Tom Tomlinson, Ph.D., of Michigan State University, entitled "The Ethics of Futile Resuscitation." Following his presentation, a panel made up of MCC staff, local clergy, and the Director of Hospice reacted to both presentations.

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Language: A New Endangered Species

We should regret, if not mourn, the passing of minority languages that carry cultures to their grave.

By **Glenna Odom**



About the Author

A native Texan, Glenna Odom received a B.A. from Texas Christian University and an M.S. from the University of Wisconsin, where she was awarded a Knapp Fellowship. A period of teaching at a residential cleft palate clinic in Rockford, Illinois followed. As an Assistant Professor of Speech at Oklahoma State University, she initiated the first classes in speech pathology at that University and eventually developed a major in that field. For the past forty years, she has been in the private practice of speech pathology in Fort Worth, Texas, specializing in stuttering and language development. At the present time she still teaches one day a week at the Key School, a private school for children with learning disabilities.

Presented to the Fort Worth Torch Club on May 27, 2008.

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On February 3, 2008, a filler article appeared in the *Fort Worth Star-Telegram* under the byline of Kurt Ulrich. It was really an obituary—two obituaries, in point of fact. It reported the death of Marie Smith Jones, a tribal leader of the Eyak tribe in Alaska. Mr. Ulrich mused, “Jones’ death brought an entire culture to an end. Jones was not only the last full-blooded member of the tribe—she was also the last person who spoke its language. It ended with her, an old lady picking salmonberries on a nearby mountain, speaking a lost language out loud to herself, doing her best to keep the memory of it.”¹

I added this article to my collection of language obituaries. They include Tefvic Esenc, whose death on October 8, 1992, brought an end to the West Caucasian language of Ubykh. Similarly, the death of Ned Mandrell in 1974 ended Manx, the Celtic language of the Isle of Mann. The recorded examples of these so-called “last speakers” are legion.

This paper does not address the gradual changes that occur in languages over time and distance. The language found in Chaucer, though difficult for us to read, is still English. Similarly, the sometimes confusing differences in British and American English do not change the fact that these are still the same language. These are both forms of language shift. The concern of this paper, however, is a shift between two languages that ultimately results in the total loss of one of the languages.

How Extensive is the Problem of Language Death?

Animals and plants are not the only endangered species on this planet. A majority of the world’s languages are similarly endangered and are dying at an increasingly rapid rate—one every two weeks is the usual estimate. Linguists now believe that half of the languages existing 500 years ago have died. It is also believed that half of those that still survive will become extinct during the twenty-first century. Between 5000 and 6700 languages are spoken in the world at the present time. If half of them are lost, then only approximately 3000 will remain in the year 2099.

Ninety percent of the world’s people speak ten percent of these languages, majority ones such as English, Spanish,

and Mandarin Chinese. This leaves somewhere in the vicinity of six thousand languages to be spoken by the remaining ten percent of the world’s population. Hawaiian, Basque, and Aramaic are three such lesser tongues. It frequently has been estimated that it takes a minimum of 100,000 speakers for a language to survive, which suggests that less than 600 of the existing languages are “safe.” By this calculation, the vast majority of languages spoken in the world today are in danger of extinction.

Looking at the United States, 175 of the original 300 Amerindian languages have disappeared, including Mohican, Huron, and Miami. Several of those surviving have only 50,000 speakers; Cherokee has fewer than 10,000; Lipan Apache had only ten speakers fifteen years ago. Only Navaho has the requisite 100,000 for survival, and its number of speakers is steadily dropping. Unfortunately for the future of these languages, many people think that it does not matter if a few thousand obscure tongues, spoken by unknown peoples in out of the way corners of the world, have disappeared. Their loss does help solve some of the problems created by the tower of Babel. And many would say that these are not any of the great oral traditions of the world—only the languages of primitive cultures whose children would be much better off speaking French, or German, or English. Viewed in terms of human culture, however, the loss of any language means the inevitable loss of knowledge. As a recent reporter noted, “When we lose a language, we lose centuries of human thinking about the time, seasons, sea creatures, reindeer, edible flowers,

mathematics, landscapes, myths, music, the unknown and the everyday.”²

Are Endangered Languages Really Primitive Languages?

Primitive languages...? A linguist will argue that there is no such thing as a primitive language, and that no language is inherently more sophisticated than another. Take the matter of phonetics—the sounds of a language. Compare Ubeyk, for example, with its eighty-one consonants and three vowels with Hawaiian with its eight consonants and twenty-five vowels. The pops and clicks of the incomparable “click” tongues of the Bushmen of Africa are almost impossible for speakers of other languages to reproduce. If you have never heard these unusual click tongues, listen to the recordings of the African folk singer Miriam Makeba. No matter how odd the combination of sounds seems to us, each language is equally able to communicate its knowledge, its culture, its history, its spiritual beliefs, and its love and affection to its children.

Syntax and grammar should also be looked at when considering these “primitive” tongues. A number of the world’s languages have a verb conjugation used for “evidentiality,” a way of looking at the world which is not seen in many Western languages, certainly not in English. An example taken from Tuyucan, a Colombian language, is often cited for its five evidentials. The English translation given here is adapted from David Crystal’s *Language Death*. By changing the verb endings in a two-word, object-verb phrase, Tuyucan speakers create these variations:

I saw him play soccer. [visual]

I heard the game and him on the radio, but didn’t see it or him. [non-visual]

I have seen evidence, such as his clothes in the changing room, but didn’t actually see him play. [apparent]

I heard that he played from someone else. [hearsay]

It is reasonable to assume that he played. [assumption]³

All would have to be translated into English as “He played soccer.” To capture the meaning of the Tuyucan, additional explanatory words have to be added. Yet every sentence in Tuyucan identifies one of these dimensions of evidence, displaying a rather sophisticated world view. As R.M.W. Dixon observed, “Wouldn’t it be wonderful if there was obligatory specification of evidence in English? Think how much easier the job of a policeman would be. And how it would

*...the language dies because
all the members of the
society have been killed...*

make politicians be more honest about the state of the national budget.”⁴

Vocabulary is another major aspect of language that might be called “primitive.” Students of speech often note that the Inuit of Alaska have many words for snow. The words can show such distinctions as whether the snow will hold up a small child, or an adult, or a large man carrying a heavy backpack—possibly a matter of life and death in the Arctic. Scientists have become interested in these native vocabularies in recent decades as environmental change has been recognized as a problem. Such native taxonomies are being studied with great interest in the equatorial regions, the areas of greatest biodiversity remaining on the planet. This is also the region where many of the world’s endangered languages are found. If estimates are correct that fewer than eighty percent of the plants and animals of this region have been catalogued, and that it will take decades for the cataloguing to be completed, then the loss of the knowledge encoded in native tongues could be a major setback to science. Most of these plant and animal species are known only to older individuals from

native tribes. They are not known to Western scientists, or to the youth of these indigenous people.

This equatorial region is one of five areas on the planet where languages are believed to be alarmingly endangered, with serious implications for ecology. For example, the twelve thousand Haunoo people on Mindanao in the Philippines have named 450 animals and 1,500 plants. They have cultivated over 400 plants successfully for centuries, and yet their cultivation techniques have been called primitive. In an extremely delicate tropical ecosystem, the introduction of modern techniques could be disastrous. If their language is lost, then the knowledge of cultivation techniques encoded in its vocabulary could also be lost.⁵ The naming of animals and plants did not stop with Adam; every culture and language has developed classifications of what is important for survival in their particular environment. As languages die, the knowledge of these inventories dies with them.

What Factors Have Contributed to Language Death?

Traditionally it has been held that the ability to transmit a language to the following generation has been lost in one of three ways. First and most dramatically, the language dies because all the members of the society have been killed, as in the loss of all speakers of Tamboran following the eruption of a volcano in Indonesia. More commonly, language loss has come about with the deaths of whole tribes through the introduction of diseases to which the tribe members had no immunity. And unfortunately, there are examples of the deliberate elimination of a people, as in the genocide of the speakers of Ubeyk, who were forcibly driven from the Caucasus by the Russians in the 1860’s. Fortunately, language death usually occurs in a less dramatic manner—in a shift from one language to another. In this second type of death, the language

will be maintained for use in governmental, civil, literary, or religious activities, but will no longer be used in the home or in social discourse. The two major examples of this type of language loss are Latin and Sanskrit. Hebrew was at one time dying in this fashion, being relegated to largely ceremonial and religious functions, but the formation of the state of Israel led to Hebrew being introduced as the national language. At the present time, it is the single example of a language that has come back from a near-death experience to become a viable language again.

The third way in which a language can be lost is a shift away from its usage when another language system becomes more valuable to its speakers. This shift can be accomplished either willingly or unwillingly. Although the use of force has had mixed success in killing a language, it is a method that has been tried frequently. Children have been severely punished for speaking their native tongue in the Indian schools here in the United States and in the schools for the Aborigines in Australia. In Ireland, Wales, and Scotland, speakers of the native Celtic languages were refused an education. In Wales, children heard speaking Welsh at school in the nineteenth century were forced to wear the Welsh Not sign—a heavy wooden board with WN carved on it. The only way to remove the sign was to catch another child speaking Welsh. At the end of the week, the child left wearing the sign received a flogging. Eventually, if the penalties for use of a native language become too oppressive, families will begin to shift to the majority language, especially the children, who want to secure their future by fitting in better with their community. An extreme and perhaps uncharacteristic example of this occurred with the child captives of the Comanche in Texas, most of whom had lost their native language—English or German—by the time they were returned to their families.

Apart from such external forces, economic and status issues have led families to shift voluntarily to a more “desirable” way of speaking. The Lapps, whose native tongue is Sami, made the shift to one of the Scandinavian languages in order to be able to find work to support their families. As the herding of reindeer became economically unfeasible due to losses of their traditional grazing lands, and to the loss of herds in the Chernobyl disaster, the Lapps found it impossible to find work without learning a majority language which in turn discouraged their children from speaking Sami.

Such voluntary language shift usually takes a total of three generations to complete. The grandparent generation encourages the use of the majority language for their children, and though this older generation does not become fluent, they do make some attempt to speak the new language. The second generation still speaks their native tongue, but they usually never learn to read and write in it, as they are taught only in the majority language. The grandchildren speak the dominant language fluently, knowing only a few words and phrases in their grandparents’ tongue. I saw an example of this shift while I was in high school. I was typing one day for my father, a small town attorney, when an elderly client from a nearby Italian community rushed into the office. As my Dad’s limited Italian wasn’t working, I was sent to find the daughter. On the way I met the granddaughter and sent her back to the office, thinking she could help. When I arrived with the daughter things were not going well, as the granddaughter knew even less Italian than my Dad. The daughter, who spoke both English and Italian, calmed her father and sorted everything out. In three generations Italian had been lost in that family, as it had been for the most part in the whole little community. It was not transmitted to the fourth generation. Although Italian, a major world language,

did not die as a result of its loss in this community, my experience illustrates how quickly immigrants abandon their native language in their new country.

Awareness of the usual three generational shift from minority to majority language could be of value in the current national debate over illegal immigration. The failure to learn English is often cited as a major problem with illegal aliens. While there are still areas with dense populations of minority speakers showing little language change, considerable evidence shows that this generational language shift is continuing.

Can Endangered Languages Be Saved?

There have been efforts in many parts of the world to reestablish dying languages. In 1978, Hawaiian was made an official language in the Islands, along with English. Many schools adopted an immersion technique and also required parents to enroll in language courses. Although there have been graduates from these programs, there is little evidence that Hawaiian is being spoken in homes, and the number of fluent speakers remains low. Another example is the effort to save the Celtic languages. English first earned its reputation as a killer language with the Celts. Thanks to strenuous efforts to revive at least Scottish and Irish Gaelic, and Welsh, the teaching of the Celtic languages, once forbidden in the schools, is now mandated. Again, however, the carryover to language use in the home and community is not taking place except in a few remote areas. The one exception to this trend among the Celtic languages is Welsh. As Wales has brought in new industries, economic opportunity has increased, and it is becoming socially desirable to speak the native tongue. It is still too early to know if this effort will be successful, but Welsh tentatively joins Hebrew as one of the few languages that possibly may be reborn.

Generally linguists are pessimistic about the chances of saving many, if any, of the minority languages, but they believe it is important to study them before they are gone forever. In 1992, the International Linguistics Congress passed a resolution mandating intensified efforts to record indigenous language. In 1993, UNESCO adopted the “Endangered Languages Project.” Another such effort is that of the National Geographic Society and its ‘Enduring Tongues Project,’ which has launched a major undertaking to record the spoken language and write dictionaries of as many moribund languages as possible. Going beyond merely recording such dying languages, David Crystal’s book *Language Death* presents a unique proposal for saving many of these dying tongues. Acknowledging that learning to speak the majority language allows the speakers of the minority tongue to have opportunities in the wider world, he nevertheless holds that the minority language maintains the link with home and ethnic culture. Crystal argues for a bilingualism in which the two languages would be complementary rather than competitive. And, what is unusual, he would mandate this bilingualism not just for minority speakers but also for majority speakers.⁶ Unfortunately, few of us who speak majority languages have shown any interest in acquiring fluency in any second language, much less a minority one.

Two recent works of fiction bring the issue into sharper focus. The first is a short story, “The Only Speaker of His Tongue,” by Australian novelist/playwright David Malouf, portraying a boy who saw the last of his people massacred. “The language, one of hundreds (why make a fuss?) died with them. Only not quite. For all his lifetime this man has spoken it, if only to himself... When I think of *my* [italics mine] tongue being no longer alive in the mouths of men, a chill goes over me that

is deeper than that of my own death, since it is the gathered deaths of all my kind.”⁷ Similarly, Alexander McCall Smith’s mystery novel, *The Full Cupboard of Life*, expresses the theme in the thoughts of Mma Ramotswe, as she runs the Number 1 Ladies’ Detective Agency in Botswana: “Mma Ramotswe had once come across somebody who had forgotten his Setswana, and she had been astonished, and shocked. This person had gone to live in Mozambique as a young man and had spoken Tsonga there, and had learned Portuguese too. When he came back to Botswana, thirty years later, it seemed as if he were a foreigner, and she had seen him look puzzled when people used quite simple, everyday Setswana words. To lose your own language was like forgetting your mother, and as sad, in a way. We must not lose Setswana, she thought, even if we do speak a great deal of English these days, because that would be like losing a part of one’s soul.”⁸

The death of many of the world’s languages seems inevitable today, but we should at least record as many of them as possible—and perhaps we should thoughtfully mourn all that their loss implies. The loss of any language diminishes our knowledge of its speaker’s culture and world view. With the loss of its vocabulary, we have lost access to the scientific inventory its people have made of the environment, and the knowledge of how best to live in that environment. We have lost access to a culture’s religious beliefs and literature, though some would not consider it literature if it is not written down. These losses are irreplaceable and diminish us all.

Notes

1. Kurt Ulrich. “A Woman and a Tribe’s World Pass into the Beyond,” *Fort Worth Star-Telegram*, February 3, 2008.
2. K. David Harrison. “Researchers Say Many Languages Are Dying.” *The*

- Huffington Post*, March 11, 2008.
3. David Crystal. *Language Death*. (Cambridge: Cambridge University Press, 2000), 58–59.
 4. R.M.W. Dixon. *The Rise and Fall of Languages*. (Cambridge: Cambridge University Press, 1997), 120.
 5. Daniel Nettle and Suzanne Romaine. *Vanishing Voices: The Extinction of the World’s Languages*. (New York: Oxford University Press, 2000), 166–167.
 6. Crystal, 80–90.
 7. David Malouf. “The Only Speaker of His Tongue.” in *Antipodes: Stories* (London: Chatto & Windus, 1985), 71.
 8. Alexander McCall Smith. *The Full Cupboard of Life*. (London: An Abacus Book: an imprint of Time Warner Books, 2004), 163.

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The Twilight's Last Gleaming?

Are we now living in the twilight of our nation's Constitution?

By Charles W. Margolf



About the Author

A native of State College, PA, Charles Margolf enlisted in the U.S.

Navy Air Corps in August 1944 and was honorably discharged December 30, 1946. He earned a B.S. degree in Industrial Engineering from Penn State, and a Juris Doctor degree from the University of Pittsburgh School of Law, where he was a member of the Law Review. He combined his engineering and legal training for a successful career in the mining industry. He became a consultant after retiring in 1990. Married, with three children, he lives in Boulder, CO, where he is a member of the Torch Club.

Presented to the Boulder Torch Club on January 15, 2009.

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Many people are unaware the first stanza of our national anthem ends with a question mark: "...Oh, say, does that Star-Spangled Banner yet wave, o'er the land of the free, and the home of the brave?" With our military forces now fighting terrorism worldwide, and composed entirely of volunteers, our nation is still "the home of the brave." Are we still "the land of the free?" The answer is "yes," with a qualification. As the late William F. Buckley, speaking in Richmond, VA over forty years ago, told his audience, "Because we are still free does not mean we are as free as we once were."

Our nation's Declaration of Independence states: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable

rights: that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed."

Two words in the last sentence are especially important. First, the Declaration does not say "obtain" these rights, but rather "to **secure** these rights, governments are instituted among men." The distinction is important because it acknowledges that without government, we would have either tyranny or anarchy. The second word, "**just**," signifies that while all governments, by definition, have "powers," our national government's powers, to be just, must be derived "from the consent of the governed." Thus, if our government exercises powers not derived from the consent of the governed, it is exercising unjust powers.

While our nation has several systems of laws, my remarks relate to our nation's supreme law, the Constitution of the United States of America, and address the question: Are we living in the twilight of our nation's Constitution? That document's preamble declares that "We the people of the United States...do ordain and establish this Constitution for the United States of America." While it says, "We the people," that is not the way the Constitution was "ordained and established." It was not submitted to the thirteen sovereign states for a vote by the people. (Even if it had been, in 1787 women did not have the right to vote.) Rather, it was submitted to the legislatures of the thirteen sovereign states for ratification.

The Constitutional Convention convened in Philadelphia, PA in late May 1787. George Washington was

chosen as the presiding officer. It completed its work on September 17, and Washington sent the Constitution to the Continental Congress. On September 28, 1787, the Continental Congress sent the Constitution to the state legislatures "in order to be submitted to a convention of delegates chosen in each state by the people thereof." For example, New York's constitutional committee had fifty-seven delegates, and the vote for ratification was thirty to twenty-seven.)¹

The Constitution created a national government of limited powers, a **constitutional republic** rather than a democracy. In Article I, the Constitution declares, "**All legislative powers herein granted** shall be vested in a Congress of the United States which shall consist of a Senate and a House of Representatives." As for powers **not** granted to the Federal government by the Constitution, the Tenth Amendment declares, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." I offer several examples representing the exercise of powers not granted by the Constitution to the Congress.

During the Great Depression of the 1930's, Congress created the Tennessee Valley Authority (TVA), with authority to construct large dams on several navigable rivers. The constitutionality of those dams is not in question because they were on navigable interstate rivers. That legislation made reference to the fact that these large dams would impound water with potential kinetic energy, whose release through turbines would "incidentally" generate electricity. (The word in the legislation actually was "incidentally.") Today, TVA is the largest

electric power company in the United States, and over 90% of the electricity it generates comes from coal-fired, and nuclear, power plants. Its transmission lines for the distribution and sale of the generated power cover a number of states. The TVA's power to build plants to generate, distribute, and sell electricity is not a power delegated to the federal government by the Constitution. By definition, therefore, the federal government is exercising an unjust power.

TVA is a very large purchaser of coal for its coal-fired plants. Suppose TVA decided to acquire coal reserves and produce its own coal requirements. Going further, land reclamation is a requirement for surface mine operations and, in reclaiming surface lands, TVA could grow crops for food or to feed cattle. Then, rather than sell the feed to cattle ranchers, it might buy its own cattle. From there, TVA could become a large beef producer, skin the cattle and go into making leather goods, etc. Some would claim TVA would never do that. I ask, what will prevent them?

I am reminded of the assignment my Constitutional Law professor gave the class to prepare a report citing the Constitutional changes needed for our country to become a socialist economic nation. There was only one paper with the correct answer: "nothing." I have never forgotten that assignment. There are those today who say we are moving steadily in the direction of becoming a socialist economic nation without having added or changed a single word of the Constitution.

Another example is the Carter administration's creation of the Department of Education. The word "education" is not in the Constitution and yet Congress established a Department of Education headed by a Secretary of cabinet rank, and the federal government is now deeply involved in both financing and directing the education of our children.

Shifting from legislative to judicial examples, the First Amendment declares with respect to religion, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..." These words provide a judge with a simple opening question for the plaintiff's attorney filing suit against a city alleging a violation of the First Amendment because the city seal includes a small cross, among other historically significant items; or filing suit against a religious organization whose members are standing on public sidewalks distributing free bibles, and the plaintiff's attorney alleges these actions violate the First Amendment. The judge should ask the plaintiff's attorney what law has Congress passed regarding items that can or cannot be part of a city seal; or, what law has Congress enacted prohibiting or authorizing distribution of bibles on public sidewalks? If the plaintiff's attorney can cite no law, the judge should dismiss the suit with prejudice. If the plaintiff's attorney does cite a law specific to the case, the judge should then require the attorney to explain how such law either "respects the establishment of religion," or "prohibits the free exercise thereof." If the attorney cannot do so, the judge should dismiss the case with prejudice. Furthermore, if the plaintiff's attorney should argue that the activity involved violates "separation of church and state," the judge should admonish the attorney to base his or her argument on the words of the First Amendment. The words "separation of church and state" are not in the Constitution. They were written by Thomas Jefferson in a letter to the Danbury Baptists in 1802.

Justice, by definition, is that which is defined by law. Justice depends in large measure on judges who adhere to the rule of law in making decisions. Unfortunately, judges sometimes decide cases to reflect what they think the law should be, rather than what the law is.

"Subjective law is not law, but the whim of the majority, whether it be a majority of a population or a majority of a court. The United States was founded on the rule of law, with the government limited by the highest part of the law, the Constitution."² This is most serious when it involves decisions of the U.S. Supreme Court from which there is no appeal.

For example, consider the case of the man who stood on the steps of the Texas capitol building and set fire to our nation's flag. At that time, Texas, like forty-seven other states, had laws prohibiting such acts. The young man was arrested, tried, and convicted by the Texas courts. His conviction was appealed to the U.S. Supreme Court which, by a 5-4 decision, decided that burning our nation's flag is "expression" protected by the First Amendment as "freedom of speech." In addition, the Court's decision declared unconstitutional similar laws of the forty-seven other states.³

The applicable words of the First Amendment are: "Congress shall make no law...abridging the freedom of speech..." While "speech" is a form of "expression," the word "expression" is much broader and covers many forms of behavior, such as burning crosses; graffiti; defecating in public, perhaps on the mayor's lawn, to express disgust. Are these forms of "expression" now protected as "speech?" The word "expression" is not in the Constitution. Did five Supreme Court Justices think men such as Benjamin Franklin and James Madison, in drafting the First Amendment, did not know the difference in meaning between "speech" and "expression?" The Court's decision can only be changed in one of two ways. The Court may reverse its decision, which has occasionally happened, or the States can amend the Constitution to grant Congress the power to enact legislation to protect the flag from physical desecration.⁴

That effort has been underway for

twenty years. Thus far, the House of Representatives has approved the submission of an amendment to the States at least five times by a vote of over 80% when only a two-thirds vote is required. The Senate has voted four or five times but each time the vote has fallen one or two votes short of the sixty-seven needed to send the proposed amendment to the States. Also, each time Congress has considered the proposed amendment, public opinion polls show over 80% of the American people favor the amendment. In addition, the legislatures of all fifty states have already passed resolutions in favor of the amendment. Whether or not one thinks that Supreme Court decision is an example of judicial tyranny, this case demonstrates the awesome power of judges. It also demonstrates how important it is that persons appointed to the Supreme Court be carefully vetted to be certain they not only understand the meaning and importance of the rule of law, but will honor their oath to uphold and defend the Constitution.

Today, proponents of legislation involving powers not delegated to Congress by the Constitution generally justify their position by noting modern life is too complex and our problems too large to let an eighteenth century philosophy determine solutions to twenty-first century problems. They assert that, while the political philosophy of the men who wrote the Constitution was a good philosophy for an agricultural nation with a small and widely scattered population, now we are faced with a complex industrial economy, a population explosion, and an urbanized society. Unfortunately, those who read Thomas Jefferson's philosophy as something expounded for an agricultural economy in a sparsely populated nation have rationalized and not read or understood Jefferson's philosophy at all. He proclaimed a philosophy which understood human nature for what it was in his day and still is now. While the

economic and social life of America has changed drastically since the eighteenth century, human nature is little different than when the nation's founders met in Philadelphia over two centuries ago.

Have we forgotten the eighteenth century political philosophy of the men who drafted our Constitution dealt with liberty for individuals? Have we forgotten their political philosophy was founded on the historically proven principle that to secure the unalienable rights of individuals, the individual must be protected from government? The stated purpose of those men who met in Philadelphia was "union," but their guiding principle throughout that Constitutional Convention was the preservation of liberty from the very government they met to create. It was to secure liberty that limited powers were granted to the central government created under the Constitution. It was to secure liberty that all powers not delegated to the central government were reserved to the States respectively, or to the people.

They recognized this first great bulwark of our liberty, the "Division of Powers" doctrine, was not enough to secure the liberty of the people from the central government's potential usurpation of powers not granted. They knew even the limited powers delegated to the central government were, in themselves, powers that could be abused to the detriment of liberty. Accordingly, they took the limited powers delegated and separated those powers, distributing them among the three branches of the central government. They reasoned the members of each separate branch of the national government would jealously guard its own authority under the Constitution against usurpation of power by another branch. And to assist each branch in discharging this responsibility, they provided checks and balances so that each branch had the means available to discharge its duty should another branch exceed its authority.

Men and women of honor will always discharge their duty but there is no assurance, nor can there ever be, that individuals elected to public office will be men and women of honor. Therefore, having established this second great bulwark of liberty, the "Separation of Powers" doctrine, there was one more step which our nation's founders took to protect the liberty of the people from the national government they were creating. The final bulwark of liberty that was within their power to establish was to provide for periodic and free elections by the people, voting by states. Liberty, in the final analysis, is entrusted to the people.

Beyond this our nation's founders could not go. Then, as now, the preservation of liberty as a way of life depended upon the people themselves. The people had to accept the responsibility of educating themselves "to determine that which would secure or endanger their freedom" and to pass that responsibility on to their children.⁵ Liberty's price is unrelenting vigilance. Have we grown weary paying that price? We long for peace but peace is a reward which liberty has never promised. We wish to enjoy our abundance, a danger liberty has ever warned against. We have weighed liberty in a scale opposite security, and security has become our obsession. We have weighed liberty in a scale opposite equality, and equality has all but transformed our once great society of individuals into a conforming collective mass. We have ignored Alexander Hamilton's observation that "Inequality will exist as long as liberty exists. It unavoidably results from that very liberty itself."⁶

Liberty is not measured by Gross National Product nor is liberty to be found in a comparison of how abundant life is now compared to an earlier day. These material things are but the by-products of liberty and will disappear when liberty has disappeared. Many are deceived into

believing liberty's by-products are the measure of liberty itself. People, thus deceived, fail to observe liberty's decline because the material manifestations of liberty continue for a time after liberty's twilight has begun.

Who, today, is the final and exclusive judge of the powers of the national government? There can be but one honest answer — the national government itself. As Jefferson feared, "...its discretion, and not the Constitution, [is] the measure of its powers."⁷

Therefore, the only assurance today that our liberty is secure is to have confidence in the discretion of those who govern us. But confidence in men and women was not intended to be the foundation securing our liberty. As Jefferson warned: "Confidence is everywhere the parent of despotism: free government is founded in jealousy and not confidence; it is jealousy and not confidence which prescribes limited Constitutions to bind down those whom we are obliged to trust with power... In questions of power then, let no more be heard of confidence in men, but bind men down from mischief by the chains of the Constitution..."⁸

Legislation is enacted by men and women; laws are executed by men and women; government must act through men and women. To those who say we have good men and women in government, I ask, is there any power on earth that can assure that we shall always have good men and women in government? Where shall we find the assurance that even good men and women will always have good motives? To whom shall we delegate the power to determine what is "good?"

There are people today who believe that the principle "government by consent of the governed" means that we elect representatives in free elections and these elected representatives are elected to make our laws for us and, because we have elected them, we have

consented to be governed by them. But the election of representatives is not an end; only a means chosen to carry out an end!

The true meaning of the principle "government by the consent of the governed" is that all power derives from the people! This refers not to periodic free elections of representatives to make our laws. Rather, it refers to the fact that the people, voting by states, shall have the exclusive right to determine what the powers shall be of the legislature to which they elect representatives. If the people, voting by states, have not granted the power in the Constitution to the national government as to some piece of legislation, the Congress does not lawfully possess the power it asserts. This deficiency is not remedied by any belief of the Congress, or the people, that the legislation is for the "public good" because "the question is not one of motive but of Constitutional authority for which the best of motives is not a substitute."⁹

It does not matter how gallant our flag, how noble our laws, how strong our political parties, or how proud and honorable our heritage. There is no assurance, nor can there ever be, that our homeland shall forever be "the land of the free." Freedom is responsibility, self-discipline, and the risk and insecurity of opportunity. The security of the welfare state removes responsibility and risk. Often advertised as free, it has its price; a price we refuse to recognize we are paying. The chains of security are real. The reality of our chains may, too late, force us to truthfully examine ourselves and re-examine our premises. Only then will we learn the lessons we should have learned from free men and women who lost their freedom before us.

I submit we are now living in the twilight of our nation's Constitution, and the twilight is deepening. When the chill winds of the New World dawning around us wake us from our careless

watch, we shall discover liberty has gone. I close with Frank Barnett's epitaph for America, written over forty years ago:

Here lies the only civilization that perished at the peak of its power with its power unused.

Here lies a decent people who wanted love, not empire, and got neither; who tried to trade power for popularity, and lost both.

Here lies a Nation of advertisers who knew how to change consumer tastes in cigarettes, but were themselves manipulated on all the issues that really mattered to their salvation and survival.

Here died a sort of Lancelot in the Court of Nations who, granting all his grievous flaws, was still somehow the noblest knight of all. Except this Lancelot, crippled with an undeserved guilt complex, let his weapons and ideals fall unused. And so condemned all mankind to the thousand year night of the Russian Bear and the Chinese Dragon.¹⁰

Notes

1. *The World Almanac and Book of Facts 2003* (New York: St. Martin's Press), 543.
2. Christian H. F. Riley, Letter to the Editor, *Wall Street Journal*, November 11, 2004.
3. *Texas v. Johnson*, 491 U.S. 397 (1989); see also *United States v. Eichman*, 496 U.S. 310 (1990).
4. The words of the proposed Constitutional amendment are: "**Congress shall have the power to prohibit the physical desecration of the flag of the United States.**"
5. Thomas Jefferson to John Tyler, 1810, in *The Writings of Thomas Jefferson*, Memorial Edition, ed. Lipscomb and Bergh (Washington, [n.pub.]: 1903-04), [n.p.].
6. Alexander Hamilton, Constitutional Convention, Philadelphia,

- Pennsylvania, June 26, 1787.
7. Thomas Jefferson: Kentucky Resolutions of 1798 — Virginia Commission on Constitutional Government, *We the States — An Anthology of Historic Documents and Commentaries thereon, Expounding the State and Federal Relationship* (Richmond: William Byrd Press, 1964), 144.
8. *Ibid.*, 150.
9. *Panama Refining Company v. Ryan*,

- 293 U.S. 388, 55 S.Ct. 241 (1935).
10. Frank R. Barnett, *Lenin, Pavlov and the Rule of Law* ([n.p.]: American Bar Association — Standing Committee on Education Against Communism, [1960?]), [n.p.].

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- Communism, [1960?].
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2010 Paxton Lectureship Award

The Paxton Award, created in honor and memory of W. Norris Paxton, past president of the International Association of Torch Clubs and editor emeritus of *The Torch*, is given to the author of an outstanding paper presented by a Torch member at a Torch club meeting during the calendar year 2009. The winning author will receive an appropriate trophy, a \$250 honorarium, and paid registration to the 2010 IATC convention in Youngstown, OH. The winner will be introduced at the convention banquet where he or she (or a designated representative) delivers the paper on June 26, 2010.

Eligibility: The author must be a member of a Torch club and the paper must have been delivered to a Torch club meeting or a regional Torch meeting between January 1, 2009 and December 31, 2009 (inclusive). Current officers and directors of IATC are ineligible for this award during their terms of office.

Procedure: Entries are to be typed (double or triple spaced, one side of paper only). Include a cover sheet with the author's name, address, daytime telephone number, and the date and place of presentation of the paper. All other identification, including identifying references, should be removed prior to submission. Entries may be submitted at any time, but the deadline is March 1, 2010. Send to: Paxton Award, c/o Editor, International Association of Torch Clubs, 749 Boush Street, Norfolk, VA 23510-1517.

Judging: The reading and judging panel comprises five people: a member of the Board of Directors of the IATC, one of the last five winners of the Paxton Award, a member of the Editorial Advisory Committee, and two members selected by the IATC Board of Directors. Judging is based on the principles set forth in the IATC brochure, "The Torch Paper." The winner of the Paxton Award and other contestants will be notified approximately May 1, 2010.

Additional Information:

- There is no limit to the number of papers which may be submitted from any one Torch club for this award.
- Papers should not exceed 3,000 words in length.
- A paper may be submitted by the author, by a Torch club colleague, or by a Torch Club officer. It is preferred that, however the paper is submitted, it receive the endorsement of the club as a Paxton Lectureship Award submission through its officers, secretary, or the executive or program committee.
- The winning paper is to be presented at the 2010 annual convention by the author or an author-designated representative from the author's Torch club.
- The Paxton Lectureship Award paper will be published in the Fall 2010 issue of *The Torch* magazine. Other entries will be forwarded to the Editorial Advisory Committee for possible publication in later issues of the magazine.

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Call to Annual Business Meeting and Torch Convention—Youngstown, OH—June 24-27, 2010

Thursday, June 24: 3:00pm Officers' Exchange; 4:00pm Business Session I; 5:30pm Dinner & Torch Paper #1
Friday, June 25: 8:45am Business Session II; 10:00am Torch Paper #2; 11:30pm Box Lunch & Tours; 5:00pm Bus to Dinner, Silver Awards, and Cabaret Performance at Powers Auditorium
Saturday, June 26: 8:15am Meet the Editor; 9:00am Membership Development; 9:15 Torch Foundation Bd. Mtg.; 10:00am Torch Paper #3; 11:30pm Lunch & Tours; 6:00 Banquet, Gold Awards, Paxton Paper
Sunday, June 27: 7:30am Breakfast; 8:00am Interfaith Service; 9:00am Torch Paper #4; 10:30am Business Session III

2010 Torch Convention Highlights

Youngstown is experiencing a second renaissance as it recalls the proud past of "Steeltown USA" in a series of outstanding papers. Youngstown Mayor Jay Williams, recognized for his urban recovery program by the *New York Times*, will present Torch Paper #1 discussing "Youngstown Renaissance," the city's innovative vision for "Youngstown 2010," in partnership with Youngstown State University, that seeks to help a steel town once dominated by steel barons recover from decades of industrial and social decline.

In Torch Paper # 2, Dr. Rick Shale, English Professor at Youngstown State and former park commissioner, will explore "The History of Mill Creek Park," based on his book on this 118-year-old park, named to the National Register of Historic Places in 2005. Encompassing more than 4,300 acres in Mahoning County, the park includes a 36-hole golf course designed in 1928 by American golf course architect Donald Ross; a magnificent formal garden and visitor center; a working grist mill; and three lakes.

On Saturday Morning, John Russo and Sherry Linkon will present Torch Paper #3 on "The History of Labor Relations in the Mahoning Valley." Co-directors of the Center for Working Class Studies, they have co-written two books: "Steeltown USA: Work and Memory in Youngstown" and "New Working-Class Studies."

Torch Paper #4 will feature 2008 Paxton Award winner Charles Darling on "Messages of Dissent: Struggle Songs of American Workers!" Charles Darling is a retired Professor of History at Youngstown State University, a member of the Youngstown Torch Club and the author of two books: "The New American Songster" and "Messages of Dissent: Struggle Songs in American History." He hosts "Folk Festival" on WYSU-FM, 88.5, Sundays from 8:00 p.m. to 9:30 p.m.

From Rust Belt to Renaissance

2010 Int'l Torch Convention Youngstown OH June 24-27

Registration Form

Paid by February 1, 2010 \$320/person
 Paid by May 1, 2010 \$330/person
 Paid **After** May 1 \$350/person

Partial Registration upon request:

contact David Dates

Make check payable to:

Youngstown Torch Club

Mail check to: David Dates

2135 Birch Trace Dr.

Youngstown, OH 44515

Tel: (330) 793-3885

Please use one form per person

Full Name & Title: _____

Profession: _____

Address: _____

City, State, Zip _____

Telephone: () _____

Email: _____

Torch Club: _____

Special Needs: _____

Hotel Reservations are not included in registration fee.

Make Reservations directly with

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(330) 726-1611

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Room Rate \$112.74 (tax incl.):

king, queen, or double

Block of rooms held until

May 23, 2010

Please mention Youngstown Torch Convention

TOUR CHOICES

Indicate 1=top 2=2nd 3=3rd

FRIDAY JUNE 25: Box Lunch & TOUR

o Museums – Circle two choices

1. Butler Institute of American Art—Only museum in the U.S. devoted entirely to American Art with presentation by Director Dr. Lou Zona. www.butlerart.com

2. Arms Family Museum of Local History—Exhibits of local history plus private furnishings of the family; family member perished on the Titanic. www.mahoninghistory.org

3. McDonough Museum of Art—Modern Art www.mcdonoughmuseum.ysu.edu

4. Youngstown Historical Center for Industry and Labor—"The Steel Museum." Exhibits chronicle all aspects of local steel making.

5. Youngstown State University Planetarium. Show and exhibit.

o Bus Tour of Youngstown & Mahoning County.

A narrated tour of our community's treasures beginning with a ride through historic Mill Creek Park (including a leisurely walk through magnificent formal gardens and tour of a historic grist mill and covered bridge)—downtown landmarks—museums—the historic north side neighborhood—past a working steel mill, the "renaissance" of a new neighborhood, plus more. Two stops during this ride.

o **Church Tour.** Visit five churches of architectural interest, built by ethnic groups who worked in the steel mills, early 1900's.

SATURDAY JUNE 26: Afternoon Box Lunch & TOUR

o Museum Tours (Circle two choices)

1. Butler 2. Arms 3. McDonough 4. Steel 5. Planetarium

o **Bus Tour of Youngstown & Mahoning County**

o **Church Tour**

(see Friday's tours above for descriptions)

The International Association of Torch Clubs, Inc.
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Reflections

The use of persuasive
speech is to lead to
decisions.

— Aristotle,
from *Poetics*,
c. 340 B.C.
