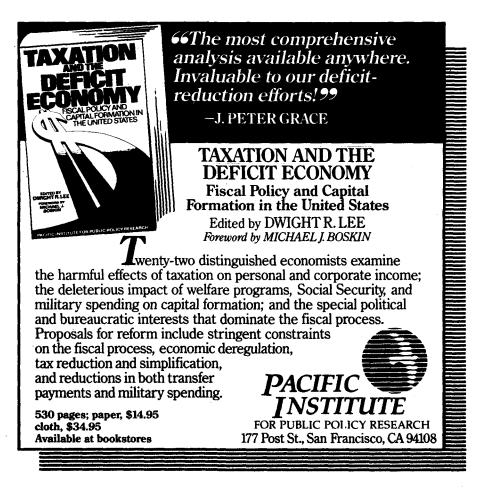
Perhaps most damning of all is the ACLU's shameful record on the issue of civil liberties in the Soviet Union. Then-fellow traveler Roger Baldwin made two friendly visits to the USSR and published two laudatory books, Liberty Under the Soviets (1928) and Soviet Russia Today (1934). It was only after the shock of the 1939 Hitler-Stalin pact and in the face of an imminent congressional investigation into its loyalty that the ACLU came to its senses, expelled Communist party member Elizabeth Gurley Flynn from the board of directors, and passed the well-known 1940 resolution which barred from its governing boards members of any political organization which supports "totalitarian dictatorship in any country" or individuals who publicly do so. But by the midsixties, the ACLU was already apologizing for the 1940 resolution. In the late sixties, the ACLU removed it from its constitution and substituted a watered-down version. Then, in 1974, the strictures of the 1940 resolution were done away with altogether; two years later the Union rescinded the decision that ousted Flynn and praised her as a great champion of labor rights; and, in 1982, Lillian Hellman, perhaps America's leading apologist for Stalinism, was elected to the National Advisory Council of the ACLU.

This backsliding has already had its consequences. The Union's shabby performance in the case of Walter Polovchak, the young émigre who elected to remain in the United States rather than return to the Soviet Union with his parents, is but one example. The ACLU, of course, intervened on the side of Walter's parents. Even on the day when Walter turned eighteen and became' a free man, ACLU lawyer Harvey M. Grossman was whining that in the Soviet Union Walter's parents "are perceived as people who suffered harm at the hands of the United States Government." What is not generally known is that shortly after the Polovchak case emerged, the New Jersey CLU sought to defend a Chilean child in almost identical circumstances to Walter's.

## Т

Just as the ACLU has adopted key elements of "collectivistic liberalism" on matters concerning social equality, Donohue argues they have taken over currents of the nineteenth-century "autonomistic liberalism" which preceded it on the questions of free speech liberalism. This is the other major thrust of Donohue's critique. Here he refers to the enormous influence of John Stuart Mill on the ACLU. In Donohue's view, Mill's philosophy led to anarchism with regard to free expression and a concomitant laissez-faire posture on issues of morality. Donohue sharply distinguishes the ACLU's Millian positions on these matters from the republican philosophy of America's Founding Fathers.

With the radicalization of liberalism in the 1960s and 70s, the ACLU's views on free expression and morality took on an extremist cast. As Donohue points out, the ACLU today holds the



broadest, most radical position on free speech ever posited by serious students of the Constitution. And wherever the ACLU considers moral behavior selfregarding (e.g., prostitution, drugs) the acts are outside the purview of the state. Rock singer Ozzy Osbourne, who had urinated on the Alamo shrine and bitten off the head of a bat while performing, was defended in the name of free expression. Even the sexual exploitation of children for commercial purposes-child pornography-is alleged to be wholly protected by the First Amendment. As Nicholas von Hoffman has aptly put it, "The ACLU has so stretched and distorted the definition of our 'rights' that they are beginning to look to many people like wrongs."

**D**onohue concludes by strongly affirming the American republican tradition. The Constitution guarantees individuals equal protection of the laws-the ACLU's drive for "equal results" is a "political exercise" with no constitutional foundation. Donohue reminds today's autonomistic liberals that the Founding Fathers prized the virtues of moderation, sobriety, and self-discipline in public affairs; he cites Madison's remark in The Federalist that "liberty may be endangered by the abuses of liberty as well as by the abuses of power." And he makes a persuasive case that the Founding Fathers in no way wished to erect the ACLU's iron curtain between Church and State but were seeking assurance through the "establishment clause" that a national religion would not be countenanced. "Ideally," he writes, "an organization dedicated to the Bill of Rights should never be put on the defensive. That the ACLU has is largely its own fault."  $\square$ 

AFRICA: THE PEOPLE AND POLITICS OF AN EMERGING CONTINENT Sanford J. Ungar/Simon and Schuster/\$19.95

Herb Greer

Western liberals are supposed to be kind to the Third World, but they are not, really. They can be stingy almost beyond belief toward the "developing" countries, and if it comes to that, to the rest of the world outside the democratic West. To be fair, though, they may not be able to help this, suffering as they do from a bizarre ailment, especially virulent among the liberal sub-species that inhabits the United States. The affliction is a metaphysical pica, a morbid compulsion to gobble up blame.

This spiritual coprophagia is evident throughout Africa, Sanford J. Ungar's journalistic survey of sub-Saharan countries. The author says he has been paying a lot of attention to this part of Africa for about twenty years. He is upset because, as he sees it, so few in the West have been doing the same thing, and he has written this guide to fill the gap in our consciousness. The goal is honorable, worthy of the most formidable historian or (given the factors of racism and political violence) the most profound moral philosopher. In the event, Africa is routine hack work, riddled with formulae like "it is estimated," "it is felt," "many see,"

Herb Greer is an American writer and playwright living in England.

and the like, usually without specific sources for the estimate, the feeling, or the vision. The book does contain a fair tourist's selection of facts, but the way they are presented is shifty, occasionally to the point of dishonesty, and question-begging. One is constantly reminded of Shakespeare's Duke in the Forest of Arden, praising the toad which is venomous and ugly, but "wears yet a precious jewel in his head."

The short introduction and early chapters do not inspire much confidence. Mr. Ungar labors under the impression that "few Europeans and Americans recognize the African origin of much music and dance that they enjoy." He offers undergraduate approval of the exemplary San or Bushmen, because their "unusually rich and significant human relationships" may have spared them our stress-related ailments. He seems unaware, or prefers not to mention, that these relationships were not forged in the depths of Western industrial civilization, but in the rather different ambiance of the Kalahari Desert. He is comically priggish about the portrayal of "Africans" in the Marx Brothers film Animai Crackers. He even drags out the old wheeze about Helen Bannerman's Lit tle Black Sambo being racist, and adda

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a character that does not appear in the book, plus story elements it does not contain.

These and other such quirks blow the gaff on Mr. Ungar's real purpose, which is propaganda. What he propagates is the standard shallow journalistic (one of his sources is Anthony Lewis) defense of Third World regimes—in this instance black African-that are hostile to the United States. This is ancillary to the book's central theme, which is a long vehement assault on the present government of South Africa. Mr. Ungar's principal criterion throughout is the usual racist double standard applied by American liberals and the European bourgeois Left, turning Big Bill Broonzy's famous chorus inside out like this:

If they're white, give 'em spite;/and if they're brown, man, they're sound,/but if they're black, they're brothers—/get back, and don't you dare attack.

Admittedly Mr. Ungar's strictures do not follow the color line in every case. He is prepared to show contempt for black regimes, say in Zaire or Liberia. They do not qualify for disfavor just by virtue of their tribalism, their ghastly mismanagement of economic affairs, their bloodthirsty treatment of internal opposition, their personality cults, their corruption, or their oneparty tyranny. All these are enjoyed by other black African states, which are described by Mr. Ungar with rueful compassion, backed by this mitigating excuse:

... it is entirely reasonable to press African rulers to respect the right of their people to have control over their own daily lives in a manner consistent with the history, culture, and current needs of their people... [My italics.]

If the political and economic horrors do not necessarily make a black regime despicable, then what will do the trick? The fact that the government which is despised looks to the West, and above all to America, for help, and gets it. The implication is that a pro-Western bias proves subservience and fake independence. Help and troops from the Eastern bloc, including Cuba, connotes a deep longing for *real* independence. Even the hideous accomplishments of Ethiopia's Mengistu are softened by Mr. Ungar with the plea-familiar from another context—that the people are learning to read and getting improved health care. There is no exploration of what this "putatively" (the same qualification is applied to Angola and Mozambique) Marxist-Leninist regime uses for reading matter, or of the peculiar relationship of health care to population growth in a country where massive numbers are starving to

death, while the government spends its money on arms instead of food. Mr. Ungar is quite open about African elites and their skimming of aid, though he does not mention Mengistu's £20-a-ton tax on the landing of aid supplies, and his use of this money to pursue the current civil war.

# T.

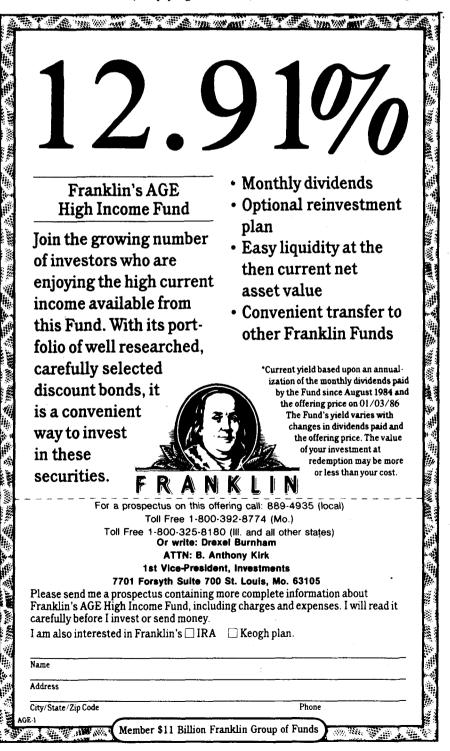
he longest chapter in the book is devoted to a summary of apartheid and its present problems, including Botha's attempts at reform. The tribal complexity of South Africa is mentioned, and so are the conflicts between black leaders there. But would Mr. Ungar apply this "history, culture, and current needs" criterion, this "tolerance of differences," to the white tribe in South Africa, to justify its fears about oneman-one-vote? These days the ritual condemnation of racism takes precedence over all principles including common sense, providing always that the racism is that of Western (and South African) whites against blacks.

In the argument that protesters make to condemn apartheid as worse than the black African political and economic horrors, the sins of both sides are first of all freely admitted. Apartheid exploits blacks economically, denies them a vote, segregates them in a humiliating manner, and is enforced by troops and police who torture political prisoners and will not hesitate to shoot black rioters and demonstrators. On the other hand, tribal or Marxist governments in black Africa bleed their economies white (no pun intended), but they do give people a vote—sometimes, when the votes are coerced in a particular direction as in Zimbabwe. The black tyrants also humiliate and oppress their tribal opponents, starve their people by the hundreds of thousands, torture political prisoners, use police and troops to operate genocidal policies of mass slaughter, and give their elites privileges which are abused in a way never dreamed of by the most verkrampte Afrikaans politician. All this is accompanied by a self-righteous air which makes hypocrisy look like a children's game. And yet apartheid is worse, because, say the protesters, a man cannot change the color of his skin.

But in black Africa he cannot alter his tribal birth either; in most of the continent he is trapped by this as surely as by skin color in South Africa, with fewer hopes of reform and progress than are being offered by Botha's government. The skin-color criterion is a moral cheat, like the tut-tut media coverage of black African massacres, by reporters who then affect a sanctimonious fury over the death of every single *black* South African rioter or protester—like God lamenting the fall of every sparrow. This Uriah Heep piety shines from the pages of Mr. Ungar's book, much as it glows in the faces of simpleminded celebrities who have made anti-Boer protest the latest chic cause in America. The most disgusting aspect of it is not the double standard as such: not the desecration of morality; not even the use of the issue to mount cheap-shot party political attacks on the present government. It is the covert racism which informs the whole proceeding. Liberals' rueful style in regretting black sins implies that the blacks are only doing what comes naturally--considering history, culture, current needs, and color. By contrast Afrikaners, because they are white, are condemned with singular, tailor-made vindictiveness-not for behaving like the African tribe which they are, but for not comporting themselves like good liberal democratic Americans or Britons. The disparity in disapproval is of the essence of racism, implying as

it does the most nauseating condescension toward black Africans whom liberals like Mr. Ungar profess to admire and wish well.

In Africa there also appears a cliché very popular in liberal discussions of the Third World: neo-colonialism. This is generally understood to connote excessive dependence upon countries outside of Africa, especially the United States. The term is used as a form of moral blackmail, to reconcile hostile behavior with demands for more money; this is its real significance. However, there is a genuine neocolonialism in Africa, which works like this: Old colonial borders and structures, abandoned by Europeans after World War II, were taken over by local elites. What changed was the relationship of the elite to the local people. In general it became less benevolent, not to say much bloodier. In some countries, like the Central African Republic



and Uganda, the results were surrealistically lethal. In a few cases the economic forces of the old inertial system provided a temporary period of prosperity, which faded as the distance from the old days lengthened. With the possible exception of Kenya, in no case has the condition of a neo-colonialized people improved over the long term; in a majority of cases it has worsened, often catastrophically. If a despot was benevolent it made no difference to this tendency. The much-loved and respected Julius Nyerere managed to destroy the economy of Tanzania with his "socialist" policies. Here as elsewhere, dependence on extra-African help has not diminished but increased.

The single African exception to this dismal continental condition has been South Africa. The economic difference between this state and the rest of Africa is huge, but Mr. Ungar will have none of that. He prefers his economics to have a moral flavor, and claims that the South African statistics are "skewed by internal disparities." The reader is never told exactly what this means, any more than the author explains his contention that Soviet goals and Cuban goals in black Africa are "not always congruent." He never admits that any such goals exist in South Africa. As elsewhere in the book, the reader is left with nothing but bum-rumble to inform his judgment.

Given the Soviet backing for Oliver Tambo and the African National Congress, it seems obvious that one Soviet goal will be served by the destruction of the present Pretoria government. The area will thus pass violently out of the Western orbit. Our righteous protesters do not like to think much about the implications of this. In fact, like Leon Wieseltier of the New Republic, they rather like the idea of sudden change which would involve a bit of bloodshed. This would be the inevitable result of a black takeover, and to put it bluntly, our anti-Boer crowd would love to see those Afrikaner bigots get it in the neck. Their pleasure at contemplating this result obscures any incidental consequences. Like Mr. Ungar, they are pleased to demand disinvestment and allude to "a number of South African black leaders" (as I say, Mr. Ungar is fond of a vague reference), quoting their claim that "whatever temporary harm blacks may suffer, it is worth the ultimate rewards of freedom."

A great deal of space in *Africa* is given to describing the rewards in question: economic disaster, corrupt elites, intertribal slaughter, utter dependence on outside aid which is skimmed by the elites, a worsening of internal oppression, and starvation, all for the locals. For us, *pace* Mr. Ungar, they include a real danger to our oil-shipping lifeline around the cape; uncertainty of access to mineral supplies in southern Africa, and the necessity of expending our own resources in danegeld (i.e., "aid") payments to hostile regimes in an area where we once traded profitably. If this trade rests now upon the success of a system we dislike, we can note that the system is changing in response to that dislike, if not as quickly as the protesters wish; furthermore, a great part of the profit we take elsewhere in the world comes from equally bad or rather worse systems, none of which are decried by liberals in the emotive terms applied to our relations with South Africa. If this pressure builds and succeeds in cutting us off from Pretoria, and destroys the government there, then our vicarious revolutionaries may indeed get what they lust for; we will all have the harsh experience of watching one more bloody and tragic chapter unfold in the contemporary annals of smug, pious, well-meaning stupidity. 

The Federalist Society for Law and Public Policy Studies presents A Symposium on the First Amendment MARCH 7-9, 1986 Stanford Law School

### **Public Participation**

All persons interested in philosophy and policy applications of the First Amendment are invited to attend.

In addition to a semi-formal banquet Saturday evening, there will be opportunities for outdoor recreation in sunny northern California. Delegations of law students are especially welcome. Travel scholarships will be available to defray student expenses. Where possible, visiting students will be housed in Stanford students' apartments.

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There will be approximately twenty speakers, including prominent judges and academicians. Early commitments to speak have been received from U.S. Court of Appeals Judges Antonin Scalia and Robert Bork; Professors Paul Bator, Richard Epstein, and Lino Graglia; and John Hart Ely, Dean of Stanford Law School.

#### Information

For information about the society or registration for the symposium, call or write: Mr. Brian J. Brille Symposium Director

Stanford Federalist Society Stanford Law School Stanford, CA 94305 (415) 497-1551



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THE OLD GRINGO Carlos Fuentes/Farrar Straus Giroux/\$14.95

Anita Susan Grossman

In a letter to his nephew's wife shortly before he disappeared into Mexico in 1913, Ambrose Bierce wrote prophetically, "Good-bye-if you hear of my being stood up against a Mexican stone wall and shot to rags, please know that I think that a pretty good way to depart this life. It beats old age, disease, or falling down the cellar steps. To be a Gringo in Mexico-ah, that is euthanasia." Bierce was seventy-one, suffering from asthma and perhaps loneliness as well, since his longestranged wife had died in 1905, and his two sons had also died young. If Bierce's literary career had not been entirely disappointing, he had clearly reached some kind of turning point in his life. By 1912 he had seen his twelvevolume Collected Works into print and ended his long association with the Hearst press, for which he had been a columnist and crusading reporter.

The following year, with seeming deliberateness, he took leave of his earlier life, touring the battle sites where he had fought in the Civil War and paying farewell visits to friends and relations. Mexico was in the throes of its own civil war, and Bierce intended to act as an "observer" of Pancho Villa's rebel army. In his last letter, writ-

Anita Susan Grossman is a writer living in Berkeley, California. ten on December 26, 1913 in Chihuahua (then occupied by pro-Villa forces), he announced that he was going to Ojinaga the next day. Most likely he got there, to be killed in a battle which took place on January 11, and was buried in an unmarked grave. At any rate, no one-Mexican or American-has ever claimed to have seen him after that date, although his disappearance caused a sensation and prompted numerous investigations. Ironically, Bierce became better known for the mystery surrounding his death than for any of his published writings-an irony he himself would have been quick to appreciate.

Lt should not be surprising that Mexico's leading novelist, Carlos Fuentes, has taken Bierce's strange disappearance as the subject of his latest book; the wonder is rather that it took so long to inspire a work of serious fiction. In Fuentes's recounting of the story, Bierce's journey into Mexico is the occasion for a larger meditation on U.S.-Mexican history, as reflected in the shifting relationship between the "Old Gringo" and two fictional characters, an American schoolteacher and a Mexican peasant-soldier. Thirty-one-yearold Harriet Winslow finds herself stranded in rural Chihuahua when she

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