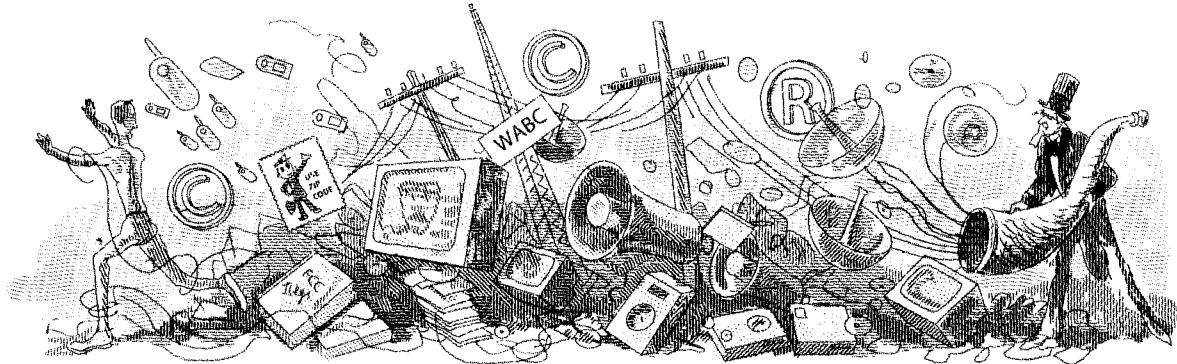


Book Review by Benjamin Ginsberg

## THE REGIME OF FREE SPEECH

*The Creation of the Media: Political Origins of Modern Communications,*  
by Paul Starr. Basic Books, 496 pages, \$27.50



MOST CONTEMPORARY LIBERALS appear to equate political freedom with a state that is weak abroad and strong at home; many conservatives seem to believe that freedom requires a state that is strong abroad but weak at home. But even as liberals need to acknowledge that the world can present dangers requiring the application of national power, conservatives should recognize that without an active and well-constituted government, freedom can become illusory. Indeed, we are often confronted with the apparent paradox that strong government can be a necessary condition for the existence of a free society.

Nowhere is this paradox more apparent than in the realm of freedom of expression and communication. It is tempting to equate such freedom with the absence of state interference. But the freedom of expression found in the United States and the other Western democracies is not the unbridled freedom of some state of nature. It is rather the structured freedom of a public forum, created and sustained by government. The maintenance of this forum, which theorists and jurists have sometimes called the "marketplace of ideas," has entailed more than two centuries of state effort in the areas of education, communication, and jurisprudence. The species of freedom that we enjoy is partly a product of the state's intervention, not merely a function of its benign absence.

In *The Creation of the Media: Political Origins of Modern Communications*, Paul Starr, a professor of sociology at Princeton University, examines the role of the U.S. government, along with the governments of Britain and France, in the construction of such instruments of free expression as the post office, the telegraph, the newspaper, and the radio. He also reviews the development

of a national jurisprudence that has encouraged and protected free expression from efforts by local and parochial forces to limit what could be said or printed in public.

From the beginning the United States government, in particular, played an enormous role in developing and fostering freedom of communication. In the early 1800s, Washington established an extensive system of post offices and post roads. Later, it encouraged the development of the telegraph, the telephone, and the radio. As for newspapers, without a substantial postal subsidy and considerable judicial protection from censorship and libel suits, the American press could never have thrived as it did. In these and many other respects, freedom of expression in the United States owes more to the state's intervention than one might think.

WOULD FREEDOM OF EXPRESSION exist without state intervention? Perhaps, but it would take a different form from the expression and communication that Westerners enjoy today. Without state intervention, local governments and cultural and ethnic groups surely would have maintained distinct languages and frames of reference. Multiculturalism would have been a given. In a similar vein, absent state intervention, regional and local interests almost certainly would have blocked the construction of nation-spanning communications networks. At the very least, different localities would have promulgated different rules.

How did Western countries establish national forums for free expression? Although Starr emphasizes the important differences between the United States and European states, from a broad perspective the similarities are more significant than the differences. First, in

the 19th century, most Western regimes made strenuous efforts to impose a single national language upon their citizens, who often spoke a bewildering array of dialects and tongues. In the U.S., the arrival of successive waves of immigrants during the century meant that, as today, millions of residents spoke no English. In response, national, state, and local governments worked to impose the English language on these newcomers through compulsory school instruction and adult education. Even without significant immigration, other nations had among their residents millions who did not speak the national language. In 19th-century France, for example, most citizens spoke little or no French, communicating, instead, through the Germanic dialects native to Normandy, Brittany, and the other provinces conquered by French kings over the centuries. Successive French governments, like their American counterpart, worked diligently to impose French on the population so that by the 20th century regional dialects remained the primary mode of expression only of elderly individuals in the most isolated areas.

Second, and closely related to the effort to achieve linguistic unity, was the matter of literacy. For ages, widespread illiteracy meant that communication depended upon word of mouth, a situation hardly conducive to the dissemination of ideas. In the last two centuries, however, all Western regimes worked to expand their citizens' ability to read and write. Like the imposition of a common language, the elimination of illiteracy has opened the way for nationwide expression and communication.

The third basic ingredient for the construction of the marketplace of ideas was the reconstitution of perception. Beginning in the 1800s, Western regimes sought, mainly through mass



education, to impose a common map or blueprint of the world upon their citizens. Mass education, of course, functioned as a key instrument of political indoctrination or socialization, helping to disseminate such concepts as love of country and respect for property. But even more important than their contribution to civic training, the schools played a central role in providing citizens with the same reference points and shared understandings of the world.

The central components of this shared perception included (1) a common sense of time and distance—all students were taught to “tell time” as measured by a universal and fixed clock and calendar, rather than the traditional relativistic measures of time linked to local conditions such as “harvest time”; (2) a common sense of geography and demography—all students were imbued (through the ubiquitous school map) with a shared sense of the physical and demographic makeup of the nation; (3) a common understanding of cause and effect—students were taught a scientific or rationalistic view of the world to take the place of various traditional notions, dismissed collectively as “magic” or “superstition”; and (4) a common view of history—citizens were supplied with a shared set of national historic reference points and experiences to supplant or at least coexist with family, local, and parochial histories.

Though creation of a common framework of perceptions by no means ensured agreement among the disparate elements of the populace, it was essential nevertheless, if merely for the achievement of meaningful disagreement. In the mid-19th century, a group of French peasants attacked the surveying equipment used for road and rail construction because they believed the machinery was a Parisian instrument designed to cause drought. These peasants’ descendants might still oppose a road or rail project, but the issue could be understood in similar terms by all parties.

A fourth facet of the construction of national idea markets was the development of major communications mechanisms. This process, ably described by Starr, involved a number of elements. During the early 19th century, governments established national postal services and built hundreds of thousands of miles of roads, opening lines of communication among regions and between cities and countryside. Road build-

ing was followed by governmental promotion of rail and telegraph services, further facilitating the exchange of ideas and information. Such “internal improvements” constituted the most important activity undertaken by America’s central government in the years surrounding the Civil War. During the 20th century, all Western regimes promoted the development of radio, telephone, television, and the new communications networks that link the world today. And though Al Gore’s claim to have invented the Internet was laughable, it is certainly true that national research dollars funded the beginnings of this new communications technology.

A final important component of state intervention to promote freedom of communication was, and is, legal protection for the free expression of ideas. In the U.S., over the past century, the federal courts have greatly limited the scope of official censorship, especially by state and local governments. Ignoring constitutional history, the federal courts held that First Amendment freedoms restrained the actions of state and local governments; then the courts subjected to increasingly strict scrutiny those local efforts to interfere with expression. At the same time, the courts made it virtually impossible to convict a newspaper or news magazine of libel and, of course, the notion of obscenity all but disappeared from the law.

Taken together, state efforts to bring about literacy, linguistic unity, and a common framework of perceptions as well as to develop communications mechanisms and legal protections for speakers, writers, and journalists are the necessary preconditions for modern-day freedom of speech and expression. Without two centuries of active intervention by the state, freedom of expression in the West would hardly be recognizable. Many might speak—but who would be able to understand or listen?

**S**TARR ENDS HIS ACCOUNT IN 1941, AS though no events of significance have taken place during the past six decades. During this period, however, a number of developments have begun to threaten what Starr calls the “public sphere.” One of these is the growing demand for multilingualism and multiculturalism. Carried to a logical conclusion, these forces would undermine two centuries of effort to create a common universe of discourse

and understanding. How can Americans deal with one another compassionately and fairly if they literally do not speak the same language? Another contemporary development that does not figure into Starr’s history is the growing concentration of media ownership. Is this a phenomenon likely to be curbed—or exacerbated—by state action?

Still another emergent threat he omits is political correctness. The bans on so-called hate speech (now common in Europe, too) and the crude speech codes on many American campuses may reflect good intentions, but they are restrictions on freedom of expression that ultimately erode the public sphere.

In the 1980s, when I taught at Cornell University, even then a hotbed of political recititude, I gave a lecture criticizing the lobbying activities of the American Association of Retired Persons in which I referred to AARP members as “greedy and rapacious senior citizens” who would sacrifice the welfare of their children for a few dollars more in social security benefits (full disclosure requires that, in a moment of madness, I referred to the aforementioned senior citizens as “old farts”). A number of students complained to the administration that their professor had engaged in “racist” rhetoric contrary to some speech code, the existence of which I was unaware. I explained to the administrative functionary who contacted me that senior citizens did not exactly constitute a race. Perhaps, I offered helpfully, I might be considered guilty of “ageism.” He seemed unpersuaded but I heard nothing further. Perhaps the matter is still under investigation.

Though this particular episode was amusing, the general phenomenon is not. Most professors are extremely cautious about expressing opinions inconsistent with campus orthodoxy. This is hardly a state of affairs calculated to enlarge or enlighten the public sphere.

Thus Starr brings *The Creation of the Media* to an abrupt end before many of the most interesting parts of the story begin. So the book is by no means the last word on the political origins of modern communications. But it is a good start.

*Benjamin Ginsberg is David Bernstein Professor of Political Science at Johns Hopkins University.*

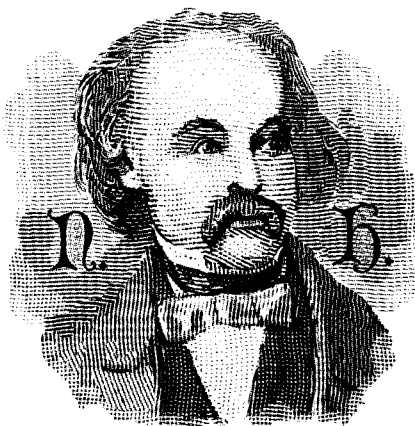




Book Review by Jay Martin

## THE LAST JEFFERSONIAN

*Hawthorne: A Life*, by Brenda Wineapple.  
Alfred A. Knopf, 509 pages, \$30 (cloth), \$16.95 (paper)



IN THE PREFACE TO HIS LAST COMPLETED novel, *The Marble Faun* (1860), Nathaniel Hawthorne spoke of America as that place “where there is no shadow, no antiquity, no mystery, no picturesque and gloomy wrong, nor anything but a common-place prosperity, in broad and simple daylight.” Nearly twenty years later, in 1879, Henry James picked up this thread and, from his own transatlantic point of view, amplified it in his *Hawthorne*. Hawthorne was obliged to write romances, he said, because the “elements of high civilization” were absent in America during Hawthorne’s time: “no state...[no] sovereign, no court, no personal loyalty, no aristocracy, no church, no clergy, no army, no diplomatic service,” James began, and then continued on through a long list of lacunae. When so much of “customs, manners, usages, habits, [and] forms,” were missing, James inquired, what was left for the novelist to draw upon?

James was largely right about Hawthorne’s art. Hawthorne made the necessity of romance into a triumph of art, and his varied investigations of American legends and his rigorous examination of the inmost heart of man made up for the lack of a developed society. What James termed large absences and “destitutions” became, for Hawthorne, the advantages and additions of imagination and minute perceptivity. In her *Hawthorne: A Life*, Brenda Wineapple skillfully delineates Hawthorne’s gain, from his earliest sketches and tales, to his novels, essays, and his works for children.

But another side of Hawthorne is sketched in her book, though not emphasized. James said about Hawthorne and his American contemporaries that though they lacked so much of social life one thing still remained for Americans;

and this was, he ventured obscurely to say, the American’s “secret joke.” It turns out that what Americans decidedly had, and had in abundance to counterbalance all that was missing, was *politics*! Tocqueville, of course, commented perceptively on the superabundance of political activity in America during the decades of Hawthorne’s career. The life that Wineapple sets forth shows Hawthorne enmeshed in politics every bit as much as he was engaged in literature and the literary life.

It would be, to use Hawthorne’s own phrase, a “twice-told tale” to rehearse Hawthorne’s development and accomplishments as a man of letters. Most American high-schoolers or college readers of anthologies know something of his literary career. But Wineapple’s book reminds us that Hawthorne lived in a tumultuous time politically; that he knew many major political figures, profiting from his association with them; that he wrote frequently for political journals; that he sought political offices; that he gained from politics the income that allowed him to write fiction; and finally, that through a political appointment he got hold of the subject about which he wrote his best book, *The Scarlet Letter*. Earlier biographers, of course, have written about Hawthorne’s politics and political associations. But for those readers who have never examined a Hawthorne biography in full, Wineapple offers a healthy and happy corrective to the predominant one-sided image of Hawthorne as a delicate, withdrawn recluse who penned remarkably subtle fictions of the dark dramas of tortured inner lives.

SOME OF HAWTHORNE’S EARLIEST PUBLISHED essays were written in 1836 for the *American Magazine of Useful and*

*Entertaining Knowledge*, which he came to Boston to edit; he himself wrote sketches of George Washington, Alexander Hamilton, and John C. Calhoun. About his personal interest in American politics there was nothing surprising. At Bowdoin College, Hawthorne had been friends with Franklin Pierce, Horatio Bridge, and Jonathan Cilley. Like them, Hawthorne became a committed neo-Jeffersonian Jacksonian Democrat, and remained one all his life. Advocating the political principles of limited government, states’ rights, and individual liberty committed him to a conservative republican view that federal powers must be kept at a minimum. Cilley was soon elected to Congress, where his promise of a brilliant political career was ended fatally by a duel. Hawthorne wrote his memorial. Pierce, like Cilley, rose rapidly into influential positions in the Democratic Party; Bridge, too, had political connections in Maine and Washington, D.C. Hawthorne soon became friends with John O’Sullivan who served in the New York legislature, was a follower of Martin Van Buren, and, in 1837, became editor of the *Democratic Review*, in which, between 1837 and 1845, Hawthorne published twenty stories. The masthead of O’Sullivan’s party organization rang with Jeffersonian and Jacksonian fervor: “The Best Government is that which Governs Least.”

Through these friends Hawthorne had been working as hard to get some political post or preferment as he had labored on his stories. The “spoils system” was in glorious ascendancy, and Hawthorne sought to be its beneficiary. Pierce and Bridge tried to get him taken on as historian for a Congressionally-supported South Seas Expedition eventually led by Charles Wilkes. Just before his death, Cilley was laboring to ob-