

every week to work as "join boys" in the South African gold mines.

Mandela has stated that he opposed the admission of Communists into the African National Congress but was voted down by the membership. However, a document found in his writing indicates that if he did not subsequently join the party himself, he had adopted its ideology. At all events the record of the Rivonia trial leaves no doubt that the Congress and *Umkonto* are heavily infiltrated with black Communists working in close association with white ones. Communists are even more numerous in the several organizations of Europeans which are supporting the cause of African revolution, notably in the South African Students Union. Not all the whites who give open or clandestine support to the cause are Communists, certainly; many are pure idealists who have somehow persuaded themselves that the dream of universal human brotherhood can be made real by agitation, violence, and even terror and civil war. But the Communist interest in South Africa is not difficult to understand. It is the only country in Africa—perhaps the only country in the world—that would repay more than it would cost, if it were to be developed along Communist lines. Its geographical situation is of immense strategic importance; its industrial and agricultural potentials are almost limitless; it produces two-thirds of the free world's gold; it is among the leading producers of diamonds, wool, and that all-important commodity of our nuclear age—uranium. A very rich prize indeed for either Moscow or Peking!

It was by a strange irony that Ahmed Ben Bella, sometime totalitarian dictator of Algeria, was chosen to write the foreword for this collection of Mandela's papers, edited by Mrs. Slovo. Mandela's whereabouts are definitely known: he is in the penitentiary on Robben Island, still hoping perhaps for the African revolution that will release him. But where is Ben Bella? Nobody, at this writing, seems to know or to care.

Reviewed by ALLEN T. BLOUNT

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## *The Unhonored Prophets*

**The Antifederalist Papers;** edited with an introduction by Morton Borden, *East Lansing: Michigan State University Press, 1965. 258 pp. \$6.50.*

THE ERECTION of a new government," wrote Publius in *Federalist* No. LXXXII, "whatever care

or wisdom may distinguish the work, cannot fail to originate questions of intricacy and nicety; and these may, in a particular manner, be expected to flow from the establishment of a constitution founded upon total or partial incorporation of a number of distinct sovereignties. 'Tis time only that can mature and perfect so compound a system, can liquidate the meaning of all the parts, and can adjust them to each other in a harmonious and consistent whole. . . ."

Now in 1966 the "compound of distinct sovereignties" which Publius defended is held to support—among other breath-taking innovations—a Federal apportionment of State legislatures and a Federal cabinet department of cities, with plenary powers over local problems, including the grant of supplemental rent subsidies to private families deemed to require housing better than they can command out of their own resources. There has been a "liquidation" indeed, though not in Publius' quaint eighteenth-century sense, but as moderns use the term—a liquidation of precisely those limits on Federal power in behalf of State sovereignty for which Publius contended.

The acclaim of the Federalist papers and their authors has been so great that Americans are apt to forget how many of Publius' contemporaries resisted the new constitution for reasons now largely demonstrated by history. In this useful volume a historian at the University of California (Santa Barbara) has brought eighty-five antifederalist statements together, well introduced and annotated, and there is rueful if not morbid interest in this hindsight documentation of how right some of their authors were.

There are several familiar names—George Mason, Richard Henry Lee, and Patrick Henry of Virginia, Robert Yates and George Clinton of New York. But it is the very essence of the antifederalist position that some of its ablest advocates are quite unknown to posterity. Like Publius himself they used pen-names in the pamphleteering warfare of the time, but failure sealed their obscurity, whereas all the world knows that Publius was Hamilton, Madison, or Jay—oftenest Hamilton. Of the briefs, exhortations, and manifestoes in Mr. Borden's volume, far and away the most searching and prescient are those signed "Brutus." But the editor is unable to tell us who Brutus was. Robert Yates and Thomas Treadwell, both New Yorkers, have been nominated, and most of the modern authorities lean to Yates. Yet Borden suggests that Yates' known writings were inferior to the Brutus papers, and seems to prefer Treadwell. An ultimate commentary on antifederalism in our history is

that Thomas Treadwell is unknown to the editors of the *Dictionary of American Biography*.

Brutus like other antifederalists feared the new President as only a somewhat paler version of the British king, and almost all suspected that the newly contrived national legislature would impose exactions comparable to the late parliamentary acts of trade, navigation, sugar, stamps, and so on. But many seemed disposed to accept Hamilton's assurance that "the [Federal] judiciary, from the nature of its functions, will always be the least dangerous [branch] to the political rights of the constitution." Indeed those who offer Hamilton as the model of the prudential statesman have never sufficiently explained his bland response to those who feared that Federal judges might substitute private will for the new objective law on which the States were asked to rely.

To Brutus, however, this denouement was inevitable from the outset. The authors of the constitution, he wrote in 1788

have made the [Federal] judges independent [his own emphasis] in the fullest sense of the word. There is no power above them to control any of their decisions. There is no authority that can remove them, and they cannot be controlled by the laws of the legislature. In short, they are independent of the people, of the legislature, of every power under heaven. Men placed in this situation will generally soon find themselves independent of heaven itself. . . .

It followed for Brutus that

the judicial power will operate to effect in the most certain, and yet silent and imperceptible manner, what is evidently the tendency of the constitution. I mean an entire subversion of the legislative, executive and judicial powers of the individual states. . . .

Of course not even Brutus could anticipate the modern philosophies which would speed and intensify the erosions he did foresee. He talked of judges who would "find themselves independent of heaven," but being a man of his own era, he spoke figuratively. He knew that even the deist lawyers were still likely to think, with Blackstone, of a law of nature by which judges as well as kings were bound, which commanded the courts to discover rather than make the law and to subordinate personal predilection. But a newer jurisprudence was to reject such conceptualism. "Let us forget 'right reason'," exclaimed one of these latter-day nominalists; "let us forget the bastard something known as morality; let us acknowledge merely the obvious fact, in law, that law as is is

law. . . ."—and, of course, that constitution is whatever the justices say it is. This new trine of relativism, subjectivity, and anti-reason plains in turn the contemporary view, so we held, that the justices are to legislate where legislatures fail to do so, indeed that an elected, politically irresponsible body can accomplish what Congress was 'powerless' to achieve.

It would of course be uncandid and insensitive to ignore the evil which has provoked much recent judicial legislation. The words quoted just above are from the McCormick Professor of Jurisprudence at Princeton. He is describing the unanimous decision of the Supreme Court in *Brown v. Board of Education*, and he speaks not in reproof but to praise a long overdue suppression of vestigial fallout from human slavery. Brutus knew the original abomination; some of his harshest criticism of the new constitution went to the arrangements apportioning representation among the States according, as he put it, "to the number of freemen and slaves inhabiting them, counting five slaves to three freemen." This, he said, enabled "unfeeling, unprincipled, barbarous and avaricious wretches [to] tear poor, unhappy creatures from their country, friends and tender connections" and so gain added representation in the "general assembly" of the United States. But at least in these passages it is not clear whether it was the added representation or the slavery that irked Brutus most. As Professors Morrison and Commager concede, "slavery interested the members [of the Philadelphia convention] only as an aspect of sectional balance. . . ." Even among northern antifederalists (with some honorable exceptions) there was little reproach of the peculiar institution as such, and some of the southerners were antifederalist just because they were pro-slavery.

Certainly few in either camp foresaw that slavery was to prove the canker in the constitution. It took a civil war to end human bondage in the United States and the amendments which institutionalized the military result ended the original constitution. They were not ratified by any process reasonably described as constitutional, but were imposed, as Bernard Schwartz has said, by the victors on the vanquished. True, it took a century for the full effect to show in areas far beyond the race question, and then to the discomfiture almost as much of the North as of the South. For the states which imposed the fourteenth amendment had not foreseen that it would at length abridge their own sovereignties; just as the original antifederalists did not foresee that the Federal Bill of Rights, a limit on Federal power for which they pleaded as a

consolation prize, would convert by way of the fourteenth amendment into an instrument for diminishing the States.

But the record does show clearly that Brutus about the large outline of subsiding dual-federalism. was more acute (or more candid) than Publius. And it is as true now as when the antifederalists made it their major premise, that plenary government, however good at surface remedies, is prone to try its leviathan crunch on subtler and metaphysical evils that only private or communal conscience can really handle. So old safeguards are jettisoned in the service of enterprises quite unlikely to succeed. Besides, plenary government may fall as easily into the hands of bad men as of good—which is a point too plain to labor, though it is the primary argument for limits on power. In supplying an anthology of these antifederalist themes and sub-themes Mr. Borden has done well by those who have seen how the story turned out but want to know more of its beginnings.

Reviewed by C. P. IVFS

McKAY

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## Adventures in Wonderland

**The Reign of Wonder: Naivety and Reality in American Literature,**  
by Tony Tanner, *Cambridge: Cambridge University Press, 1965. viii + 388 pp. \$8.50.*

A FELLOW of King's College and Assistant Lecturer in English at the University of Cambridge, Tony Tanner has written a very scholarly book. It is neatly organized and meticulously documented; its chapters bear provocative titles like "Emerson: The Unconquered Eye," "Thoreau and the Sauntering Eye," "The Doctors of the Wilderness," and "The Pond of Youth"; it cites works by other scholars and often quotes from them; it is nearly four hundred pages long and high-priced. There can be no doubt that the author is a competent researcher and literary theoretician and that his book is academically respectable and responsible. Unfortunately, it exhibits some of the least desirable characteristics of much contemporary scholarship: pompousness, prolixity, tedium.

Throughout, the author shows a liking for overstatement and overwriting. Donnishly he likes to say the same thing in three or four different ways on the same page. But if he exasperates the reader with verbosity, he also wearies him with monotony. Like many other literary scholars, Tanner is astute in recognizing the weaknesses of an artist's style—though not, it seems, of his own. Although he quotes Mark Twain's advice to a young boy who had sent him a composition, "Don't let fluff and flowers and verbosity creep in," he does not demonstrate the benefits of this advice.

Nonetheless, Tanner's volume is of considerable interest to students of American literature of the nineteenth and twentieth centuries, especially to students of Emerson, Thoreau, Whitman, Mark Twain, Gertrude Stein, Sherwood Anderson, Ernest Hemingway, Henry James, Walker Percy, and J. D. Salinger. His discussions are consistently serious, intelligent, and penetrating. Tanner is a talented critic; his talent is readily seen in his perceptiveness and discrimination. He has read widely and carefully, and there is nothing shoddy in what he has to say. Perhaps it is because he is too serious, too heavy-going, so to speak, that his writing becomes cumbersome.

The aim of this book is to show the importance of the element of wonder in American literature. The interest of American writers in wonder has