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What's Wrong with Quotas' Critics?

By Ken Masugi

Out of Order: Affirmative Action and the Crisis of Doctrinaire Liberalism, by Nicholas Capaldi, Buffalo, N.Y.: Prometheus Books, 201 pages, \$17.95

In judging philosophy professor Nicholas Capaldi's polemical assault on affirmative action, it is proper, following Capaldi's subtitle, to speak of a crisis of affirmative-action criticism.

Consider the views of the allegedly anti-affirmative action Reagan administration, which is a house divided on this policy. Some Republicans look upon affirmative action as a means of attract-

ing votes from women (especially), "Hispanics," and blacks. In their view, it is simply another means of making an ethnic political appeal. The Justice Department has declared its opposition to affirmative action's goals and quotas, at least as prescribed in the employment practices of federal and local governments. Yet Atty. Gen. Edwin Meese has always proclaimed himself a strong sup-

porter of it, even insisting on active recruitment of minority job applicants.

But can quotas be resisted if all the steps preceding quotas (timetables and preferential hiring) are taken? Where is the principled distinction between these positions, or indeed between those of affirmative-action originator Richard Nixon and Rainbow Coalition founder Jesse Jackson?

Avoiding such a muddle, Capaldi places his discussion of affirmative action within its political context, the development of contemporary liberalism. *Out of Order's* eight chapters offer a critique of the concept of affirmative action, its implementation, its practice, and its politics, with special emphasis (three

book hints a selective mention of books received for review

What is life in space like? We all know a little bit from exhaustive media coverage of the various space shots. Now a new book, *Pioneering Space: Living on the Next Frontier*, by James E. Oberg and Alcestis R. Oberg (New York: McGraw-Hill, 298 pp., \$16.95), gives us a vivid feel for spacelife—its surprises and terrors, its pleasures and petty annoyances.

Getting back down to earth, there are several recent public-policy works of note. Readers who follow the debate over regulation of public utilities will be interested to know that economist Walter Primeaux challenges long-held assumptions in *Direct Electric Utility Competition: The Natural Monopoly Myth* (New York: Praeger, 297 pp., \$36.95).

Deregulation that has already occurred is the focus of two political scientists, Martha Derthick and Paul J. Quirk, in *The Politics of Deregulation* (Washington, D.C.: Brookings Institution, 265 pp., \$28.95/\$10.95). The authors show how economic good sense prevailed over the "iron triangle"—the regulated industry, its regulators, and congressional committees.

Meanwhile, the Hoover Institution has collected some of the prolific Thomas Sowell's writings in *Education: Assumptions versus History* (Stanford, Calif., 203 pp., \$8.95 paper).

Turning to broader themes of political economy, Peter Rutland's *The Myth of the Plan* (La Salle, Ill.: Open Court, 286 pp., \$26.95) critically appraises the Soviet economic system and raises important issues in the debate about the proper roles of government and markets

in economic activity.

Capitalism and markets are the subject of two other notable works, both collections of essays by eminent economists, philosophers, and theologians. In *Morality and the Market: Religious and Economic Perspectives*, edited by Walter Block, Geoffrey Brennan, and Kenneth Elzinga (Vancouver, B.C.: Fraser Institute, 626 pp., \$14.95 paper), a number of scholars probe the ethical dimensions of major economic and social issues. In *Is Capitalism Christian?*, edited by Frank Schaeffer (Westchester, Ill.: Crossway Books, 461 pp., \$9.95 paper), eminent thinkers including Thomas Sowell, Jean-François Revel, and P. T. Bauer maintain that capitalism is more efficient, more equitable, and more conducive to the maintenance of freedom and justice than alternative socioeconomic systems.

Market systems have long been challenged on a number of ethical grounds, including claims that (1) employers discriminate against minorities and women in the absence of state intervention; (2) workers are exploited by capitalists; and (3) business leaders ignore moral principles in their pursuit of profits. The first criticism is subjected to cogent refutation in the Fraser Institute's *Focus: On Employment Equity* (Vancouver, B.C., 117 pp., \$5.00 paper), by Walter Block and Michael Walker.

Employee Ownership in America: the Equity Solution, by Corey Rosen, Katherine J. Klein, and Karen M. Young (Lexington, Mass.: Lexington Books, 270 pp., \$19.95), investigates the growing phenomenon of employee-owned com-

panies and shows how employee ownership has provided a mechanism to augment workers' interests within the context of free enterprise.

And in *Beyond the Bottom Line: How Business Leaders Are Turning Principles into Profits* (New York: Facts on File, 228 pp., \$16.95), Tad Tuleja challenges the view that profits and moral principle are incompatible. He describes how many prominent business leaders have assumed substantial ethical responsibilities and made hefty profits by doing so. Tuleja concludes that ethical conduct actually enhances profitability.

On another front, many have argued that individualism breeds alienation. Not so, says psychologist Alan Waterman in *The Psychology of Individualism* (New York: Praeger, 359 pp., \$37.95). Waterman argues that, to the contrary, individualism brings out humans' best potentialities.

Another author, Robert Greenwood, uses fiction to explore the concepts of self-interest and rational individualism. His *Arcadia and Other Stories* (Georgetown, Calif.: Talisman Literary Research, 270 pp., \$17.50/\$9.95) presents a collection of short stories (two of them published in REASON in the '70s) in which individualism fares better than collectivism.

For history buffs, *Tom Paine: The Greatest Exile*, by David Powell (New York: St. Martin's Press, 303 pp., \$22.50), charts the life of one of America's colorful champions of freedom and individualism.

—L. S.

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chapters) on its effect on higher education and with constant reference to its place in the "doctrinaire liberal" program.

These chapters all contribute to the book's "central theme": (1) "that affirmative action was the inevitable consequence of the social philosophy known as doctrinaire liberalism, that doctrinaire liberalism is the entrenched philosophy of academic social science, and that affirmative action very nearly destroyed the university as a viable independent institution." (2) "The heart of doctrinaire liberalism is the belief that man is the victim of circumstances greater than himself." (3) Only an enlightened elite, using the concentrated power of the state, can free the mass of mankind from its chains. And (4) contemporary, or doctrinaire, liberalism is experiencing a crisis among the several varieties of liberals—meritocratic, elitist, and egalitarian—precipitated by obvious problems with affirmative action.

Although Capaldi's book does not adequately treat the political principles involved in affirmative action, it does alert us to the place of that policy in 20th-century political developments: "The politics of affirmative action bears a distinct analogy to the politics of fascism." After all, what would it take to establish quotas in employment and education? Would this not mean tyrannical power, first to classify people and then actually to enforce quotas? Would not the ascendancy of group recognition mean the extinction of individual rights?

Contemporary liberalism, as ex-Marxist, neoconservative political scientist Martin Diamond subtly argued long ago, has an ultimately Leninist view of politics. There is a lot of sense in Capaldi's maintaining that "fascism is not a reactionary or rightist movement but the fruit of liberalism itself," although I would say that the logic of liberalism reflects the drives, the mechanism, and above all the individualist and tyrannical elements in the thought of one of its founders, philosopher Thomas Hobbes (1588-1679).

That said, however, there are problems with Capaldi's book. His often-stilted prose and strained logic do not win his reader over. The polemic stumbles too often, employing too much jargon and erring in emphasis and interpretation. (The *Bakke* court opinion, for example, was not the sharp rebuke to affirmative action that a defense of individual rights would have been; instead,

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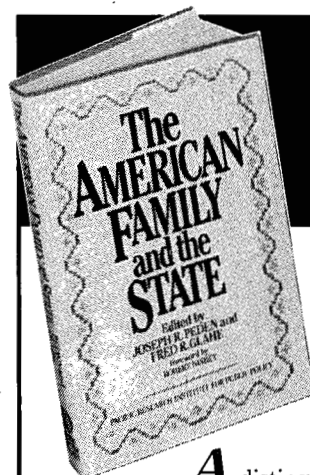
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it made whites yet another eligible group.) He thus fails to stiffen the backbone of those inclined to oppose affirmative action. Moreover, he does not present any new insights, as have Thomas Sowell and a few other affirmative-action critics.

But Capaldi's primary error is more fundamental. He does not root his argument for individualism in political principle but in tradition. "Our tradition is epitomized in Anglo-Saxon jurisprudence," he says. "It is a tradition of individualism, not collectivism." Well and good, but Capaldi suppresses a vital question: Slavery, too, was a tradition. "Ideological liberalism" is becoming a tradition. Which traditions do we keep, which do we eliminate? The purpose of political life is, as Aristotle noted, the securing of the good life—not the ancestral life or just any life.

The one judicial opinion that Capaldi should have paid more attention to is Justice John M. Harlan's famous "color-blind Constitution" dissent in *Plessy v.*

Ferguson (1896). This can be a significant rallying point for intelligent civil-rights policies today, for Harlan made citizenship in a democratic republic, with its duties as well as its rights, the focus of civil rights. Contemporary American defenders of freedom should stress that civil rights deals appropriately with citizenship, with participation in a limited government of laws, and not at all with current pathologies such as proportional representation by ethnic group, expansion of the welfare state, or comparable-worth legislation.

Moreover, Capaldi does not ground his arguments in American political principles (hence he speaks of protecting "parliamentary democracy"). Since his "individualism" is not rooted in the natural-rights views of the Founding Fathers, it is susceptible to being trivialized into whatever one fancies. Such an individualism could not sustain itself as a tradition. To make matters worse, this "individualism" combines with his suspicion of "teleological

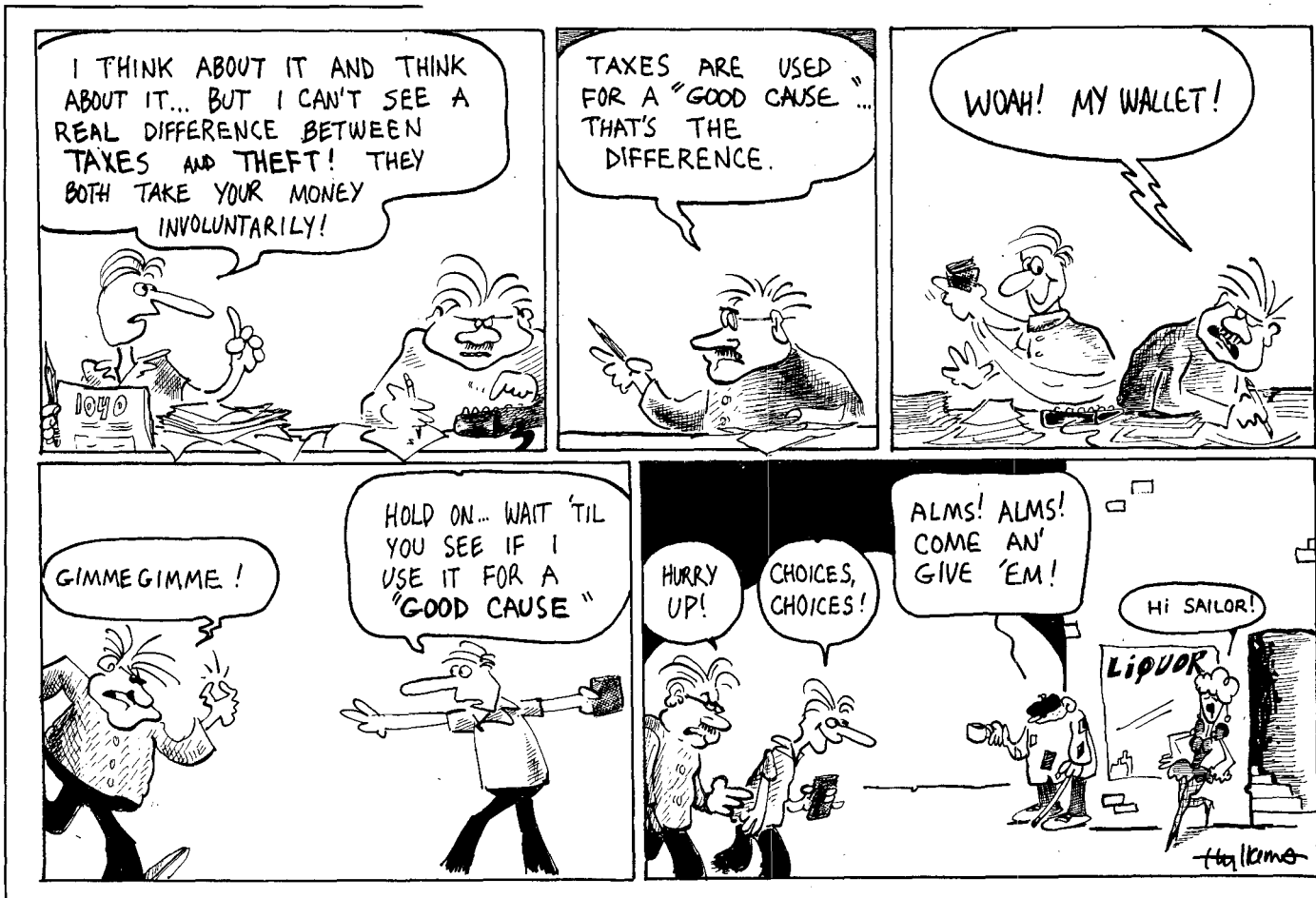
reasoning" to deny the very notion of a national purpose. Though he properly stresses the tyrannical streak in modern liberalism, adopting his understanding of America would weaken its resolve against the imminent danger of Soviet tyranny.

Because Capaldi's spiritedness is not linked to American political principles (as best expressed in that revolutionary founding document, the Declaration of Independence), his critique of affirmative action is ultimately as un-American as that degrading notion itself. Affirmative-action critics have the difficult task of directing Americans away from regarding civil rights as minority rights and toward embracing civil rights as the participation by all in a limited government of laws.

Ken Masugi is editor of the quarterly Claremont Review of Books and director of the Bicentennial of the Constitution Project of the Claremont Institute for the Study of Statesmanship and Political Philosophy.

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By Les Blaser

Ward Cleaver Takes On the Budget

I may be an unreconstructed optimist, but I see real progress being made in Washington in reducing the federal deficit. Last year we saw a dramatic drop in the cost of government toilet seats and coffee pots, and this year Gramm-Rudman will take its first bite out of the budget.

I know, the cynics are already discounting Gramm-Rudman. If the courts don't strike it down, Congress will come up with one of its patented end-runs. So say the doomists and gloomists.

I say Gramm-Rudman represents real evolutionary budgetary progress; we have progressed from trying to decide if the ox is to be gored to whose ox is to be gored. And once Congress gets down to the goring, the process is going to be a lot more fun than anyone supposed, and not nearly as difficult.

To illustrate, let us suppose \$50 billion needs to be cut. That's a nice bit of cash, to be sure; but only about 5 percent of the total federal budget. With resolute public support, such a trifling amount can easily be eliminated. We must, however, steel ourselves to the pathetic and heart-rending spectacle of all those congressmen, eyes bloodshot, hair tousled, and neckties askew, trooping before television cameras saying it just can't be done. Remind yourself that such talk is just more of the self-serving baloney we're accustomed to hearing from the half-wits we elect over and over to represent us. Just think how easily you could trim 5 percent out of your family's budget. And if you can do it, so can they. It's only a matter of scale.

To prove this, let's take a reasonably prosperous family of four and show how easily its budget can be cut. The parents, Ward and June, both work and have a combined income of \$30,000 after taxes. They have two sons, Wally, 16, and Theodore, 10. Like most Americans, their annual savings are represented by their refund check from the IRS each spring, and that's usually gone by the first of May.

It has recently dawned on Ward that Wally is going to be ready for college in three years, and the family Mastercard limit won't be sufficient to cover the cost.



So he decides it's time to start saving. He sets a modest goal of 5 percent of their combined take-home income, which works out to a mere \$1,500 a year. "We won't even miss the money," he confidently tells the assembled family.

Ward's intentions are greeted with noncommittal nods. All agree that the first order of business is to write down all the items in their budget that cannot be cut and are therefore off-limits.

There are the mortgage, the homeowner's insurance, utilities, and property taxes. That works out to about \$12,000 per year. Then there's the grocery bill, which averages \$110 per week. "Wouldn't it be possible," Ward offers tentatively, "to cut out the Cokes and Haagen-Dazs?" "Jeez, Dad!" is the immediate reply from Wally and Theodore. "How about that carton of cigarettes you get every week? No Cokes, no smokes!"

Ward hastily moves on to the subject of automobile expenses. Ward and June each have a car, and Wally got this nifty '81 Camaro for his 16th birthday. He's already received two speeding tickets, and the insurance is now pushing \$100 a month on that car alone. Maybe, Ward pleads, just for a while, until the family finances improve a bit, they could get

along with just two cars? "Jeez, Dad!" is the prompt and predictable response from Wally. "Why'd you get me the car if you weren't going to let me keep it? And I'd get laughed off the block if I drove Mom's car. It's a four-door!" "And who'd drive me to baseball practice?" Theodore chimes in. "Well, I certainly couldn't drive Wally's car," June adds. "It's not an automatic." Case closed.

Three car payments, insurance, and gasoline are added to the untouchable list, meaning another \$10,200 per year. The family's "fixed" budget items are now up to \$27,920 per year. Of the remaining \$2,080, \$1,000 has to be allotted for clothing and \$500 for the orthodontist, leaving only \$580 for discretionary spending, most of which will be used on lawn fertilizer, razor blades, perfume, and acne medicine.

"Now look," Ward declares firmly, assuming an authoritarian tone he dimly remembers his father using, "we're not leaving here until we figure out how to cut \$1,500 out of the budget."

Reluctantly, Wally and Theodore agree to switch to Wranglers instead of designer jeans (\$80 per year). June promises to start doing her own nails (\$120). Ward says he can wear his shirts twice before sending them out to be laundered (\$132). Everyone agrees that \$10 can be saved on groceries each week (\$520). Only \$648 to go. Under considerable badgering, Ward promises to stop smoking, which will save \$468 if he can actually do it. Now they're down to \$180. In desperation, Ward decides to reduce his life-insurance policy from \$150,000 to \$75,000, saving another \$275 a year.

They had done it. With just a little effort the Cleavers cut \$1,595 out of their budget. Ward felt so good that he decided to use the extra \$95 to take the family out to dinner and a movie.

It's going to be just as easy for Congress to cut its budget once it gets the hang of it. And the next time we visit Ward, we'll find out how easy it was to get the family to adopt his line-item veto idea.

Les Blaser is a Dallas businessman and writer.