

The Wolf and the Neighborly Community

Patricia Lines

. . . Power into will, will into appetite;
And appetite, an universal wolf,
So doubly seconded with will and power,
Must make perforce an universal prey,
And last eat up himself.

—Shakespeare, *Troilus and Cressida*, I, iii

THE WOLF is always at the door. I refer to man's baser appetites and a propensity to prey upon one's fellow. Christians call it original sin; Peter Viereck, preferring a nontheological term, calls it "the inherent residue of perpetual evil in man and history."¹ When serious thinkers consider it, they come inevitably to the conclusion that restraint is necessary. Most of them believe that government will provide that restraint. Machiavelli implores the prince to exercise all his stately power to this end: "Men are always wicked at bottom, unless they are made good by some compulsion."² Hobbes grounds his political theory on a mutual fear of one's fellow man and the necessity to secure an agreement among men to subordinate their predatory impulses. The need to protect property from such predatory impulses drove the political theory of Locke. This view of human nature permeated the political philosophy of the founders of the American republic. Alexander Hamilton, for example, asks, "Why has government been instituted at all? Because the passions of men will not conform to the dictates of reason and justice, without constraint."³

Governments, however, are composed of humans and,

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therefore, are as corruptible. Worse, a well-organized state in the hands of unscrupulous rulers infinitely increases their capacity to prey on others. This is true whether government is composed of one, few, or many. Government by one can be called tyranny, with all the negative connotations that term has acquired over time. Government by the few places a check on the tyrant but not on the few. While Edmund Burke, John Adams and many others were willing to trust in tradition to check rule by an aristocracy, others feared the transformation of aristocracy into plutocracy. Thomas Jefferson, in his *Notes on Virginia*, expressed much unhappiness over the failure of his own commonwealth to achieve a true balance of power, and the resulting concentration of power in the hands of the legislature:

One hundred and seventy-three despots would surely be as oppressive as one. . . . As little will it avail us, that they are chosen by ourselves. An *elective despotism* was not the government we fought for; but one which should not only be founded on free principles, but in which the

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powers of government should be so divided and balanced among several bodies of magistracy, as that no one could transcend their legal limits, without being effectually checked and restrained by the others. . . . The judiciary and executive members were left dependent on the legislative for their subsistence in office, and some of them for their continuance in it. If, therefore, the legislature assumes executive and judiciary powers, no opposition is likely to be made; nor, if made, can be effectual

Jefferson's words comprise the heart of the *Federalist Papers*, no. 48, and the next several papers. James Madison quotes his mentor extensively, to launch his proposal for a division of governmental powers. Madison saw the task as

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guarding not only against predatory individuals but predatory factions. A stronger faction can gather in the reins of power and oppress others, producing "a state of nature where the weaker individual is not secured against the violence of the stronger; And . . . even the stronger individuals are prompted by the uncertainty of their condition, to submit to a government, which may protect the weak as well as themselves . . ." ⁴ Viereck casts the issue in modern coinage and asks what can be done when "*noblesse does not oblige.*" Significantly, he notes that here is the point where conservatism is vulnerable to liberal and egalitarian attacks on privilege. ⁵

Government by the many may check both tyrant and plutocrat, but the problem remains: how to check the governing many? Plato thought it impossible. The democratic man was an indecisive character: ". . . he spends his days indulging the pleasure of the moment Every now and then he takes a part in politics, leaping to his feet to say or do whatever comes into his head." ⁶ The essential flaw in the democratic character was that it was "subject to no order or restraint . . ." This left democratic man vulnerable to the first strong man to appear. Plato, also evoking the image of the wolf, feared not only the leaderless mob, but the tyrant bound to emerge:

How does the transformation of the people's champion into a despot begin? You have heard the legend they tell of the shrine of Lycaean Zeus in Arcadia: how one who tastes of a single piece of human flesh mixed in with the flesh of the sacrificial victims is fated to be changed into a wolf. In the same way the people's champion, finding himself in full control of the mob, may not scruple to shed a brother's blood Is it not henceforth his inevitable fate either to be destroyed by his enemies or to seize absolute power and be transformed from a human being into a wolf? ⁷

Once one turns to popular control to tame tyrants and plutocrats, one must deal with how to control the populace. There is hope for success: the history of man illustrates not only the presence of perpetual evil but also, in Viereck's words, an "accompanying presence and effectiveness of good." To be sure, this goodness is not "natural." Rousseau's idyllic plan for the education of the child Emile offers little to anyone seeking to construct a working, stable democracy. Nor is it achieved through reshuffling "external institutions." ⁸ Aristotle saw the need for a certain character to go with a form of government. The check is found, according to Viereck, in the "maintenance of ethical restraints inside the individual and the maintenance of unbroken, continuous social patterns inside the given culture as a whole."

What creates and nurtures these ethical restraints? Many conservatives pin their hopes on religion. True, over the centuries traditional religious institutions have inspired and nurtured the checks needed to govern both men and the

collective political power wielded by men. But religious movements can also arouse the wolf—the fanatical leader who spews dogma and intolerance. The United States, moreover, has given religion a special, private place. The separation of the spiritual and the secular, political world of the new federal government was a key point in the bill of rights. It also soon became a key point in state constitutions.⁹ Elsewhere I have argued that the current Supreme Court has carried the principle of disestablishment of religion to absurd lengths,¹⁰ but for the purposes of this paper I shall concede that the constitutions, tradition and history of this country restrict the role of religion in the affairs of state. Federal and state constitutions, with few exceptions, do not give religion a role as a check on individual appetites.¹¹ Finally, although organized religion

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seems to be undergoing a strong revival, it does not reach into every corner nor is there universal agreement on doctrine. None of this argues against nurturing religion as a check against predatory man, but it does suggest that this cannot be the only source of restraint.

Law represents another popular form of control. Ironically, laws are more abundant than ever, and more than ever they fail to defend society against social decay. Even Plato, with his high hopes for laws to make men and government good, saw the futility of too much legislation, and the superiority of “good breeding.”¹² Law requires an enforcer, and so places power in the hands of a selected number of men, and once again poses the question of who governs the enforcer?

This suggests that law and religion cannot stand alone. Society cannot afford to ignore any traditional source of restraint. Growing disorder, criminal activity, poverty, decay and a familiar litany of discouraging symptoms affect all living in the late twentieth century. If Aristotle is right to link a certain character with a certain government, one would expect that in a democracy widespread social disorder will ultimately affect government. It will grow corrupt, short-sighted, exploitative. Some might argue that that day is already here.

Some, but by no means all, conservative thinkers see community as a source of restraint. For a country that has placed religion in a special, private sphere, and that has discovered that a library full of law books does not make

people obey the laws, any suggestion for additional genuine sources of control from within should be welcome. If it is traditional society that they wish to conserve, conservatives need to pay more attention to this particular aspect of the structure of neighborly communities.

The community is, among other things, a small group. The framers of the American constitution were divided over the constitutional role of small groups as a general matter. Some believed the federal government should deal only with citizens as individuals; others believed the federal government should accept the pluralism of American society and, further, should rely on groups for its own continued stability.

Hamilton favored a federal government with a direct relation to the individual. Citing the propensity of individuals to go astray, he argued that “bodies of men” will be even less constrained. He reasoned that “when the infamy of a bad action is to be divided among a number” the group is ready to commit “improprieties and excesses, for which they would blush in a private capacity.” Hamilton concluded that the “great, and radical vice” of government under the Articles of Confederation was the “LEGISLATION for STATES OR GOVERNMENTS, in their CORPORATE or COLLECTIVE CAPACITIES, and as contradistinguished from the INDIVIDUALS of whom they consist.”¹³ Hamilton sees states as “little, jealous, clashing, tumultuous commonwealths, the wretched nurseries of unceasing discord”¹⁴ Thus, ironically, Hamilton had much in common with the “Democracy Boosters,” as Claes Ryn calls those who urge “plebiscitary, majoritarian democracy.” Both want to remove the old, inconvenient mediating institutions.¹⁵

Madison, in contrast, viewed groups of individuals as desirable, at least in part. To be sure, he saw a danger in small groups with political power: “The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plan of oppression.” However, he believed that the larger and more populous state “renders factious combinations less to be dreaded.”¹⁶

Thus, Madison urged a share of political power for small groups as an essential part of his system of checks and balances. This would assure a stable government: “the society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority.” As Madison envisioned it, a “multiplicity of interests” will secure civil rights; and a “multiplicity of sects” will secure religious freedom. Madi-

son argued for a larger territory and a larger population to assure this multiplicity of groups.¹⁷

Despite Madison's view that small groups played a part in keeping political power in balance, the Constitution itself says nothing of the role of groups smaller than a state. Perhaps it should. What kind of small group could best play the role Madison envisioned? It would have a broad base. It would be available everywhere, able to embrace each individual within its sphere. It would be a group that could stand as a secular body in its relation to a state but would have the potential of privately seeing itself as a spiritual community when and where its members wish to do so. The group would be small enough that each individual could see his own critical role in subduing the impulse to gratify individual appetites at the expense of his neighbor. This describes a neighborly community.

Consider some aspects of neighborly communities. The scale is right. Plato in *The Laws* sets the size of the ideal state at 5,040 "farmers and protectors" and their holdings.¹⁸ Aristotle provided the rationale: The state should be no larger than that size which permits a web of human relationships; not everyone will know the elected representatives, but they will know someone who does. Montesquieu also finds a small territory necessary for republics, but he envisioned the possibility of a "confederate Republic" to gain the advantage of larger size. This idea impressed Madison, who viewed direct democracy as possible and

desirable but only on a small scale.¹⁹

This sense of community exists where a group of people come together to live in an intricately woven fabric of rich and meaningful interpersonal bonds. It exists where people join together, either formally or informally, in the performance of a broad scope of public duties and functions relating to their life and environment. The community structure gives its members a sense of belonging, a sense of place, an identity. It serves not only its present constituency, but future members as well. It provides a context for the otherwise fragmentary and specialized roles that every individual assumes in the modern world.

As observed by Baker Brownell:

Functionally the community is both the agency through which the human being realizes most of the varied interests of his life and the area in which he finds the consummation of most of his values. . . .

The human being, to be sure, may find expression of his interests—such as his interest in communication, in making and manipulating things, in competition, conflict, cooperation, in dancing, in love, in play and in sport—in other groups than the true community. He will not find in them, however, the coordination of experience that he will find in the community. His productive life will be narrow. His expressive life will be centrifugal, scattering. His course through the world will be disintegrative in its total consequences.²⁰

Brownell and Arthur Morgan both believed that the small community is the "basic source of the underlying culture of a people."²¹ They believed that the basic beliefs, the culture, and the art of a nation endured best—were preserved best—by the small town and rural people of a nation.

The small community can give a man an identity and a sense of place and purpose. The genius of the craftsman is not normally recognized beyond the circle of his community. Centralization and its concomitant specialization leave little room for the cabinet maker, the craftsman, the country fiddler, the hometown Thespian, the local sheriff, the school master, the familiar magistrate, the town wit, and the town fool; it replaces them all with factories, mass-produced art and music, Hollywood spectacles, a police force of a thousand strangers, a bureaucratic government, and politicians known only by their images projected through public relations experts.

The cohesive community doubtless can do much to hold antisocial behavior in check. Social sanctions, concern for one's reputation, personal bonds—all are more effective deterrents to criminal behavior than yet another law, or even another policeman on the corner. In small towns and rural America political and social integration thrive, and major crime is low. This can be true regardless of poverty, the frequently cited cause of crime.

The value and contribution of communal living may go still further. If a man needs a community experience to

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provide an integrated context to his life, and if it cannot be found, he may seek purpose or identification in artificial, self-destructive ways. Robert A. Nisbet believes every man needs unity, a sense of belonging, a close identification with other human beings—rubrics in life that are best supplied through a cohesive community. Without it, Nisbet argues, man's "quest for community" may lead him into irrational, dogmatic mass movements. For example, the willingness of otherwise rational and well-educated Germans to be drawn into Nazism, the temporary disappearance of individual unrest and alienation in the allied countries during World War II, and the appeal of most great mass movements in religion and politics—all represent the twisted product of man's need for a place in community.²²

A large democratic state without neighborly communities does not present a pleasant prospect. Indeed, the most

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telling criticism of democracies assumes democratic decision making in the absence of the filter of communities. Walter Lippmann, for example, in his later writings, exhibited an increasing disillusionment with the progress of democracy in the twentieth century. In *The Public Philosophy* Lippmann found that “public opinion has been destructively wrong at critical junctures.”²³ In the very same year—1955—Lord Percy of Newcastle was saying much the same thing in his book *The Heresy of Democracy*, finding the ultimate arbiter of policy—the public—irrational, subject to manipulation by party machinery, and corrupted by patronage systems.²⁴ William Ernest Hocking observed that the potential for crowd mentality was an ever present danger to democracies.²⁵ Lord Bryce particularly feared the press—commercially motivated, often an instrument of one party or another, subject to manipulation by narrow interests, free from constraint to publish all sides of a story, and, for the large newspaper, able to eliminate smaller competitors through harsh business practices.²⁶

These men were appalled at the behavior and opinions of the “mass man”—the bastard child of the mass media and the pollsters. This individual often permits the media, a centralized political party, a giant labor union, or some other strongly centralized and powerful group to preempt

his individual judgment, much as the ancient mob yielded to the demagogue.

This malady, this “mass” mind, operates differently in small communities. The potential for wrong is still present, but its impact is likewise small. One faces lynching rather than genocide: given a choice, better to be lynched than to lose one's posterity in the bargain. Facing a mob of fellow townsmen, rather than a Gestapo, also means a second chance. Interpersonal relationships among the actors may help to mollify vigilante action. One can conclude with Jefferson “that the evils flowing from the duperies of the people are less injurious than those from the egoism of their agents.” In other words, it is easier to turn overly centralized power into tyranny than it is to subvert decentralized popular control into mob action of any comparable consequence. Evaluated on a full historical record, neighborly communities offer greater hope for civilizing men than for corrupting them.

This potential is often overlooked by those who distrust democracy. Lippmann in *The Public Philosophy* never once considered the political behavior of neighbors. John Dewey—bête noire to many conservatives who condemn him based on a fraction of his thought—offers much to think about on this score. Dewey distrusted democracy only on the large scale. He found the strength of democracy in small local governments. “Democracy must begin at home,” Dewey declared, “and its home is the neighborly community.”²⁷ Likewise, Lord Bryce, on completing his monumental survey of modern democracies, concluded simply, “Smaller areas are better than large areas, because in the former men can know one another, learn to trust one another, reach a sound judgment on the affairs that directly concern them, fix responsibility and enforce it.”²⁸

If Madison was right, and if the nation was depending on a multi-tiered structure to share power, one must worry about every tier. Family, community, town, city, county, state, and federal government all have a role to play. Power, however, has shifted away from the smaller groups to the most centralized point. Since 1776 the balance of political power has shifted radically. Consolidation of local governments has proceeded apace. These efforts are advocated as “progressive.” They help, for example, to redistribute tax resources, increase specialization and professionalization of services, and promote efficiency. Few examine the corresponding inefficiencies and hidden costs of the greater size—the loss of community, for example.

Other significant changes are affecting the balance of power. The number of federal and state elected officials has increased hardly at all (the only increase has been due to the annexation of new states and a relatively small expansion in the lower houses of our legislatures). The size of the judiciary has increased somewhat. The most significant

growth in our government's size, and power, is found in the executive branch—in the administrative agencies. From a beginning where the post office and the army were seen as the only necessary agencies (shortly to be followed in 1863 by a federal banking system), the federal government now has expanded to over 400 independent regulatory agencies alone. There are still more agencies charged with the responsibility of providing benefits to citizens—the Department of Education, the Department of Health and Human Services, the Department of Housing and Urban Development, the Environmental Protection Agency, to name a few.

Some say local government is dead. One observer, writing in the late sixties, called the idea of federalism “no more than a legal fiction,” with the central government becoming all there is.²⁹ This was an especially popular view before the shift to conservative presidents and a renewed emphasis on state government. The past several years confirms that the government of the United States has remained a multi-tiered government, but the relative stature of the federal government has gradually become far greater than that of state and local governments. Moreover, local government has changed in scale. Approximately a tenth of the population lives in cities of over a million; a fifth lives in cities of over 500,000. Here, effective community-level government is threatened. Legislators have not been blind to the crisis. In the sixties, in particular, Congress passed at least one hundred laws designed to create or reinvigorate community level government. The prototype, Kennedy's Community Action Program (CAP), required “maximum feasible participation” in programs for the poor by the persons in the community to be served. For the most part, these new laws contained little or no provisions for enforcement of the vague requirements of participation. Worse, they held out high hopes of community self-determination, but withheld the essential resources to do it—that is, they did not decentralize essential governmental powers to the inner-city communities which were the recipients of the federal largesse. Funds poured in, but Congress had already decided their use. At the same time, experimentation with school “decentralization” went forward in New York, but it was administrative decentralization, not *political* decentralization. There was no real redistribution of power. Yet, the school decentralization movement came as close as any of the programs of that era to approaching true decentralization. Even though it only approached it, many—perhaps most famously, Patrick Moynihan—declared the efforts of the sixties a failure. In his book *Maximum Feasible Misunderstanding*³⁰ Moynihan argued in particular that the Community Action Program had failed.

What failed? This was not a failure of community. What failed was a hastily erected grant program, packaged by the

central government for a combination of sentimental and crass political purposes—to win voters for its sponsors. (This is not to denigrate the idealistic motives of some who worked on the program, but only to point out its public-relations appeal to most legislators.) Needless to say the antipathy of a new president (Johnson) did not help much. The Community Action Program was in no sense of the word true political decentralization. Indeed, it was quite the opposite: the federal government was essentially bypassing valid, existing, elected structures and organizing its own local contacts. Sophisticated bureaucrats laughed condescendingly at the confusion of small town councils who wished to designate themselves as CAP boards. In reality, the view from the town council revealed the basic problem with the CAPs. Here was the embodiment of the Hamiltonian notion of a direct federal-individual contact. While it made sense to improve the political participation of the urban poor, it made no sense to plop down federally funded

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enclaves without regard to traditional social structures.

As soon as he could, President Johnson set about organizing his own version of the community-federal relationship—the Model Cities program. He did not quite abolish the earlier program. He layered on his new program over it, and shifted funds to it. Model Cities was placed under the thumb of city government, but the idea of community control had been born in the inner city and permeated the Model Cities structure. In some ways, it achieved even higher marks in achieving participation.

Nixon would have none of it, and replaced both programs with revenue sharing. This moved federal support back to the traditional governmental structure. Revenue sharing retained some vague requirements for broader citizen participation, which state and local governments met through open budget hearings—a boring occasion.

None of these efforts was truly an experiment in the revival of genuine organic communities as a first tier in government and as a first link between families and government. All were top-down mandates to create communities for those with the least resources for undertaking the task. It is surprising that they had any success at all.

So what should legislators do? They should at least consider the impact of new remedies on every tier of government. From time to time it is said that neighborly

communities are dead. This, like the claim that the family is dead or the state is dead, is usually part of the argument for a federal solution to some problem with the family, community, or state. Legislators should resist the temptation to fix these problems and consider ways instead of enabling smaller groups to function better. A community (or a family) cannot be expected to survive if it has no purpose or function. All too often, the response to disorder in society has been to enact another federal regulation or another federal subsidy. It is submitted here that this only adds to the decay in the long run. An opposite strategy must be pursued: the country must lay some of the burden on the shoulders of groups of individuals who are committed to each other.

The federal government to some extent and state governments to a large extent are now taking up responsibility in two areas that strike at the heart of the function of family and community: the care of pre-school children and the education of all children. Backers urge a federal role in these areas because they see a national crisis in both. They rarely consider the effects of a federal solution.

It is true that families and communities have voluntarily delegated their primary educative functions. At first parents delegated this task to the immediate, neighborly community, a group that shared the values the families held. The earliest schools were operated by churches. With the advent of public schooling, the one-room school house emerged—often merely an extension of the family. Economic and social pressures, along with increased communication and transportation capabilities, allowed parents to leave the family farm or the family shop, and take up productive activity elsewhere. Fathers did this first, and a generation later, mothers followed. Naturally, the business of creating the next generation also moved away from the home and the neighborly community.

Towns, cities, consolidated rural districts, then the state, and most recently the federal government assumed major responsibility as parents and communities relinquished it. A longer school year, a longer school day, and more years in school incrementally allocated more responsibility to the state and less to the families and communities. The trend continues. Today many families are voluntarily delegating the care of preschool children for a large part of the day. As a result, that level of government designed to wage war and maintain the peace, to coin money, and to run the post office, now is also stepping into the nursery. Self-proclaimed advocates for children think this is a good thing.

What are the long-term effects? Economists have argued that, by building highways from city to suburbs, cities exacerbate their problems. Once the new roads are in place, more people move to the suburbs, the roads become clogged again, and still another lane is needed. We are now

building a more efficient highway system from the home and the community to a fragmented world of specialized work.

In the rush to do something, we must not forget that *how* this task is to be done is another matter, and an equally important one. If our effort to raise the academic performance of our children means suppression of all eccentricity, all controversy in their intellectual development, we lose the battle. We run the danger of killing the creative genius of both teachers and children participating in the process.

THE IDEA OF a national curriculum serves as an example. It rests on the notion that a nation can accomplish its most sensitive and important educational responsibilities by centralizing and nationalizing the task. This in turn assumes that parents, teachers and others in our towns and cities and states are not adequate to the task. It assumes that there is some greater expertise that arises in a national assemblage of such experts and that this greater capacity can overcome the inherent inefficiency, bureaucratization, and loss of contact with communities that occur in such efforts. There is no real evidence for such assumptions. The national entertainment industry, for example, does not produce our best in drama, poetry, or music. It produces Hollywood movies, TV sitcoms, and rock videos. Educators, bearing much deeper responsibilities to our cultural heritage than the entertainment industry, should take note.

There is, moreover, a nagging worry that the insinuation of a federal role would further diminish the role of the community in deciding how to respond to the crisis in education. In the end, if Robert Nisbet is right, this loss of function will further diminish the very existence of the community. The time may come when it will be true that communities are dead.

Only time will tell what kind of nurse and school master the federal government can become. The United States Department of Education has existed as a cabinet-level department for more than a decade. Many resisted its promotion, and others hoped to demote it again, but they failed and are now silent. The agency now is busy with talk of a national curriculum, national teaching standards, more federal intervention—all to provide a national response to the crisis in education.

The effective solution, if one is forthcoming, will lie in communities themselves. In many cities real communities still exist. One way of knowing: ask a city resident where he lives. In my city, Seattle, the answer is likely to be Capitol Hill, Queen Ann Hill, Ballard, Montlake, the University District, Franklin, the Central Area, or some other identification of a bounded neighborhood. Self-identification is a beginning. Then, if community councils, churches, and other community-based organizations accept responsibility

for the peace and order of the community, one can hope for more. Like Eastern European nations, these groups must themselves reclaim their identity, their traditions, and their most essential functions. Education is the most essential function. Claes Ryn reminds us: "It is largely through life in groups, especially such intimate associations as the family and the church, that the individual is thought to learn the habits of responsibility, discipline, and tolerance that prepare him for wide citizenship. . . ." ³¹

The world is large and complex. The arrogance of those who think they can fix it, the egoism of our "agents," is a dangerous thing. Making a neighborhood work well is task enough. Perhaps, if this effort succeeds, the world will take care of itself.

Notes

1. *The Unadjusted Man: A New Hero for Americans: Reflections on the Distinction Between Conforming and Conserving* (Boston: Beacon Press, 1956), 35.

2. *The Prince*, XXV.

3. *Federalist Papers*, no. 15.

4. *Ibid.*, no. 51.

5. Viereck, *Conservatism from John Adams to Churchill* (Princeton: D. Van Nostrand Co., Inc., 1956), 21.

6. *The Republic of Plato*, VIII, 561.

7. *Ibid.*

8. Viereck, *Unadjusted Man*, 35.

9. In 1783 six of the thirteen states (New Hampshire, Massachusetts, Connecticut, Maryland, Virginia, South Carolina) continued to publicly fund churches primarily to permit or require collection of taxes to support "public" teachers of the Christian religion. While the pressures of pluralism threatened such arrangements, many localities preferred an establishment of multiple churches, so long as they were old and acceptable Protestant denominations, rather than disestablishment. Remnants of Church establishment persisted until 1833, when Massachusetts became the last state to adopt constitutional guarantees against it.

10. "Three Criteria for Constitutional Interpretation: Predictability, Flexibility and Intelligibility," *Notre Dame Journal of Law, Ethics & Public Policy*, forthcoming, and "The Entanglement Prong of the Establishment Clause and the Needy Child in the Private School: Is Distributive Justice Possible?," *Journal of Law and Education*, vol. 17, no. 1, 1-33, 1988.

11. The drafters of a few state constitutions chose stronger language than the drafters of the first amendment to the federal constitution in

recognizing the importance of religion. The first amendment recognized, without adornment, a right to free exercise of religion. In contrast, Delaware's constitution declared that "the duty of all men frequently to assemble together for the public worship of Almighty God; and piety and morality, on which the prosperity of communities depends, are hereby promoted . . ." Del. Const. art. I, sec. 1. The Virginia constitution declared that "it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other." Virginia Const., Art. 1, sec. 16.

12. *The Republic*, XI, 425.

13. *Federalist Papers*, no. 15.

14. *Ibid.*, no. 9.

15. "The Democracy Boosters," *National Review*, March 24, 1989.

16. *Federalist Papers*, no. 10.

17. *Ibid.*, no. 51.

18. Plato, laboring under mystical Pythagorean influences, said he chose this number because it can be divided by every number from 2 to 10. I prefer to think he chose intuitively.

19. "[T]he natural limit of a democracy is that distance from the central point, which will just permit the most remote citizens to assemble as often as their public functions demand, and will include no greater number than can join in those functions . . ." *Federalist Papers*, no. 14.

20. Baker Brownell, *The Human Community* (New York: Harper and Bros., 1950), 32-33.

21. Arthur Ernest Morgan, *The Small Community, Foundation of Democratic Life* (New York: Harper and Bros., 1942), 58. See also Brownell, *ibid.*, at 33.

22. Robert A. Nisbet, *The Quest for Community* (1953), revised as *Community and Power* (New York: Oxford University Press, 1962), xv.

23. Walter Lippmann, *The Public Philosophy* (Boston: Little Brown, 1955), 20.

24. Lord Percy of Newcastle, *The Heresy of Democracy* (Chicago: Henry Regnery Co., 1955), 64.

25. William Ernest Hocking, *Man and the State* (New Haven: Yale University Press, 1962), 269-280.

26. James Bryce, *Modern Democracies* (New York: Macmillan Co., 1921), vol. II at 92-128.

27. John Dewey, *The Public and Its Problems*, (Denver: Alan Swallow, 1927), 218.

28. Bryce, *Modern Democracies*, vol. I, 506.

29. William H. Riker, "Six Books in Search of a Subject or Does Federalism Exist and Does It Matter," *Comparative Politics*, II(1): (October 1969).

30. Free Press, New York, 1969.

31. "Universality or Uniformity?," *Modern Age*, 32(1): 45 (Winter 1988), at 48.

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