

ever, Blake did something. He banned most anonymous sources from stories in the *Enquirer*.

The result, according to Winternitz, editor of *Cincinnati* magazine, has been disaster. The *Enquirer* (circ: 195,000) has been scooped time and again on local stories. Last summer, television's *60 Minutes* broke the story of illegal wiretaps by local policemen and Cincinnati Bell employees; a Columbus, Ohio, television station revealed Representative Donald "Buz" Lukens's (R.-Ohio) alleged sexual misconduct; the gambling charges against Pete Rose, manager of baseball's Cincinnati Reds, surfaced in *Sports Illustrated* and

three Ohio newspapers.

Anonymous sources were vital to the development of all three stories. If every journalist shared Blake's high standards, Winternitz says, these shenanigans would have gone undisclosed.

The *Enquirer's* George Blake insists that keeping anonymous sources to a minimum is essential to maintaining journalistic credibility. But Winternitz argues that a newspaper that misses big stories "will lose the trust of its readers a whole lot faster than a newspaper that relies on unnamed sources on a daily basis." In his opinion, the *Enquirer's* policy is "a noble experiment that has failed."

RELIGION & PHILOSOPHY

Praise and Punishment

"In Praise of Punishment" by Stanley C. Brubaker, in *The Public Interest* (Fall 1989), 1112 16th St. N.W., Suite 530, Washington, D.C. 20036.

Americans were outraged to discover last May that Representative Jim Wright (D.-Texas), then Speaker of the U.S. House of Representatives, had a convicted criminal on his staff. In 1973, before he became Wright's aide, John Mack had assaulted a young woman with a hammer, stabbed her five times, then slit her throat and left her for dead. Miraculously, the woman survived. Mack served only 27 months in jail for his deed.

After the story came out, Mack resigned from his Capitol Hill job. Wright, who had long known of his aide's crime, declared, "I have never regretted giving John an opportunity all these years. I don't suppose anybody is immune from mistakes." Unwittingly, writes Brubaker, a Colgate political scientist, Wright was reflecting the ideas of the contemporary liberal political philosophers grouped around Harvard's John Rawls. These thinkers "cannot take crime seriously."

In his now-classic work, *A Theory of Justice* (1971), Rawls argued that to construct principles of justice we must forget everything that is allegedly morally arbitrary—

genetic endowments, conceptions of the good, personal talents and traits. Rawls reasoned that in this "original position" people would be "risk averse." They would choose two principles: 1) maximum individual liberty that is compatible with the liberty of others and 2) social and economic inequality arranged so that the least advantaged would be most favored and so that offices and positions would be open to all under conditions of equal opportunity.

The problem, Brubaker argues, is the assumption in the "original position" that all differences among people are morally arbitrary, or undeserved. If that is so, one can justify creating rational rewards and penalties to shape behavior in the *future*—that is in everybody's self-interest—but not punishment (or praise) for *past* deeds. Criminal sanctions, in Rawls' words, are not "primarily retributive." Many jurists, notably Justice Thurgood Marshall, take the same position.

But punishment must be given its due, Brubaker insists, "for it reminds us of human responsibility as well as the limits of human choice."