

Well over six feet tall, handsome, charming, and brilliant, Holmes (1841–1935) was the product of the best breeding and education New England offered: His father was the much anthologized poet and author of *Autocrat of the Breakfast-Table* (1858). Young Holmes grew up knowing Emerson and the Jameses, and he was educated at Harvard, where he subsequently taught law. Novick, a scholar in residence at Vermont Law School and the first to write a biography based on the enormous Holmes papers, has succeeded in making one person out of Holmes the complicated individual and Holmes the jurist and legal philosopher. Novick is no hagiographer. Underlying much of Holmes's Social Darwinism—such as his defense of Virginia's law permitting mental defectives to be sterilized—was, Novick says, "a kind of fascist ideology."

Holmes, however, developed a defense of human rights that usually checked his own individual biases. His *Common Law* (1881) altered the course of judicial and legal practice in the U.S., Novick shows. Its opening words have echoed through the minds of generations of law school students: "The life of the law has not been logic; it has been experience." Before Holmes, judges believed themselves administering impersonal right though pure reasoning. Holmes argued that judges made the law as they interpreted it, and they interpreted it in terms of their own limited, conditioned experience. Venerable jurists at the time railed that *that* was not the Common Law they knew and applied, but so, eventually, we have come to understand it.

Holmes would not have sympathized with the politicized courts of today; judges, he said, should actively counter their tendency to shape decisions to their own personal, social, or economic views. Holmes's concept of "judicial restraint" held that, unless the Constitution was clearly violated, the Court should stand back and let governments legislate what they deemed best. Holmes combined this judicial restraint, however, with an unparalleled defense of individual rights. During the 1919 Red Scare, the Bolsheviks in America, he said, "had as much right to publish as the Government has to publish the Constitution." "The principle of free thought [means] not free thought for those who agree with us but freedom for the thought

that we hate."

Holmes is the only judge to serve on the Supreme Court past his 90th birthday, and Novick paints an endearing portrait of a man active, passionate, and playful till the end. The newly inaugurated President Franklin Roosevelt paid a visit to Holmes and found him reading Plato. "Why do you read Plato, Mr. Justice?" "To improve my mind, Mr. President," replied the 92-year-old Holmes.

Contemporary Affairs

ONE STEP AHEAD IN CHINA: Guangdong Under Reform. By Ezra F. Vogel. Harvard. 510 pp. \$29.95

In China, as in France, 1989 was a year of commemorations: It marked the 70th anniversary of the May Fourth Movement (the intellectuals' pro-democracy movement in 1919), the 40th anniversary of the communist victory of 1949, and not least, the 10th anniversary of the post-Mao reforms that introduced a qualified capitalism into the land of communist fundamentalism. Vogel, a professor of international relations at Harvard and author of *Japan as Number One*, studies this past decade in Guangdong, the province where reform was the most daring and the most successful. Written before but published after the tragic events in Tiananmen Square, Vogel's book serves as a sad farewell to a decade of unbridled optimism.

A specialist on Guangdong, Vogel was the first Western scholar ever invited by provincial authorities for an extended visit to study reforms. The result, *One Step Ahead*, examines reform on every front: from the economy, where Guangdong began controlling its own foreign trade, to village decollectivization, where households leased land as quasi-private property. The successful Chinese diaspora in nearby Taiwan, Singapore, and Hong Kong influenced reformist ideas in Guangdong. Indeed, neighboring Hong Kong, which furnished the capital and technology, and Guangdong, supplying the entrepreneurs and laborers, together formed a zone which Vogel describes as one of the world's most dynamic economic regions.

But what about the other side of this growth?

New investments led to a loose money supply that created inflation (up to 30 percent in 1989); also, under "capitalism," state bureaucrats who controlled limited supplies enjoyed unprecedented opportunities for corruption. Corruption and inflation together spawned the massive unrest that eventually led to Tiananmen Square. Vogel barely deals with these vexing issues. (He does mention that in one year there were a thousand executions in Guangdong alone for economic crimes.) An optimist himself, Vogel skirts basic structural problems, such as Beijing's growing inability to exercise control over Guangdong. Yet despite this limitation, Vogel is—and will likely remain—the authoritative guide to that first decade of reforms not only in Guangdong but in the People's Republic as a whole.

LOSING GROUND: Agricultural Policy and the Decline of the American Farm. *By Hugh Ulrich. Chicago Review Press. 278 pp. \$18.95*

This informal history of U.S. farm policy begins in the early 20th century, when one out of three Americans were employed on farms. It concludes in the present, when less than two percent of U.S. citizens still work the soil. As it unfolds, one learns about massive soil erosion as well as bureaucratic inertia and the farm lobby's shortsightedness.

"The story of how we got into the current farm mess," writes Ulrich, a grains analyst and former member of the Chicago Board of Trade, "is a sort of 'How the West Was Won' in reverse." By 1910, American farmers ranked as the most productive in the world, even though

their numbers were already beginning to decline. Through the 1960s, American farming remained at the pinnacle of world agriculture. "The United States was number one in productivity, in the size of its food surplus, in its export market share, available farm capital, applied technology, transportation, processing and refining, storage capacity," says Ulrich.

What happened? The shift from smaller to bigger farms brought in larger equipment and practices which, though profitable in the short run, eroded topsoil faster than it could be naturally replaced. U.S. government policies were also, at best, contradictory: Pork-barrel irrigation projects, for example, increased corn production at the same time the Department of Agriculture was jumping through hoops to reduce it. And mounting competition abroad—millions of acres of soybeans planted in Brazil, the "green revolution" in India—reduced demand for U.S. crop surpluses.

Things have only gotten worse in recent years, Ulrich shows. During the 1980s, world demand for U.S. farm exports dropped from a 1981 high of nearly \$44 billion down to \$26 billion five years later. Plunging sales abroad meant increased commodity surpluses and lower crop prices at home. Farmers who had gone deeply into debt during the 1970s to expand their operations now found themselves in serious trouble.

Not everyone was sympathetic. "For the life of me," David A. Stockman, then director of the Office of Management and Budget, said in 1985, "I cannot figure out why the taxpayers of this country have the responsibility to go in and refinance bad debt that was willingly incurred by consenting adults." Ulrich thinks that Stockman "made sense"—to a point. But Stockman came to "the more dubious conclusion that there were too many American farmers in 1985." On the contrary, Ulrich contends.

Unlike Stockman, Ulrich would not leave agriculture to the free market's invisible hand. Although he believes present, "ruinous" government programs favoring large farms should be abandoned, he argues that they should be replaced by support for small, owner-operated farms that "have a far more desirable impact environmentally and socially." Ulrich outlines a detailed program for encouraging soil stabilization, reforestation, and farm employment



Iowa farmers protest foreclosure in 1985.