

# PERIODICALS

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## POLITICS & GOVERNMENT

### *Rights From The Start*

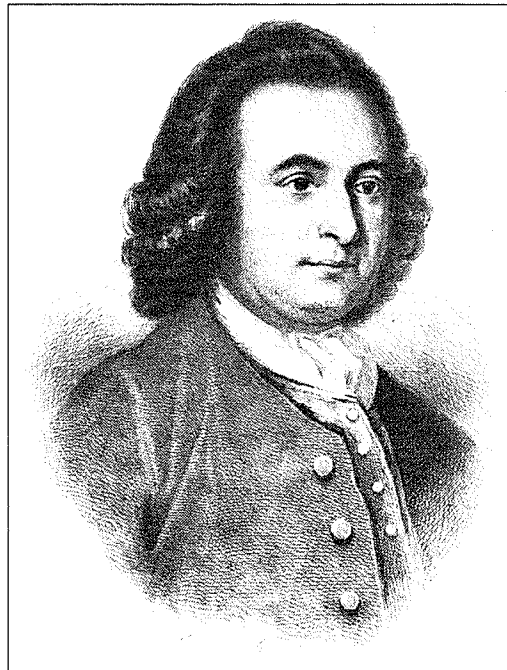
"George Mason and the Conservation of Liberty" by Brent Tarter, in *The Virginia Magazine of History and Biography* (July 1991), Virginia Historical Society, P.O. Box 7311, Richmond, Va. 23221-0311.

Two centuries ago, on Dec. 15, 1791, Virginia became the 11th and final state to ratify the Bill of Rights. Today, Virginia's George Mason (1725-92), the principal author of the state's famous Declaration of Rights and its Constitution of 1776, is hailed as one of the fathers of the Bill of Rights. As a delegate to the Constitutional Convention in 1787, he objected to the absence of such a guarantee, and refused to sign the Constitution. Virginia and other states ratified the Constitution only on the understanding that the new Congress would soon correct the defect. In fact, says Tarter, an editor of the Virginia State Library and Archives' *Dictionary of Virginia Biography*, that flaw was not the only, or even the main, objection this leading Anti-federalist had to the Constitution.

On August 31, 1787, almost two full weeks before Mason made his only recorded suggestion that the federal convention add a bill of rights to the document, he declared (as fellow Virginian James Madison reported) that "he would sooner chop off his right hand than put it to the constitution as it now stands."

Mason, like others of his generation, cherished balance in government as a bulwark against tyranny. The federal Constitution broadly resembled the one he had helped write for Virginia; it had separate executive, legislative, and judicial departments, and built-in checks and balances.

But it still fell short of his standards. "The Senate was made more powerful than he wished," Tarter says. "The executive department was made more powerful, too. The judiciary was imprecisely defined with a potentially large (and therefore potentially dangerous) jurisdiction. The treaty-making and appointive provisions also up-



Virginia's George Mason was a critic of slavery as well as of the Constitution.

set the separation of powers and reduced the potency of the House of Representatives." This all undermined, in Mason's eyes, the rationale of the Virginia Plan that had been presented to the convention. That plan had called for a strengthened government, but the popularly elected lower house of the legislature was to be dominant.

Mason was "well read, intelligent, [and] discerning," Tarter says, but he also was "very much a loner [and] temperamentally unsuited to the hurly-burly and compromises of the political arena." After he did not get his way in Philadelphia, "he took his quill and went home, angrily kick-

ing up dust as he went . . . Mason's disappointment was bitter, and because of the rigidity of his views and the belligerence of his personality, it had staying power."

Even after Madison introduced the Bill of Rights in the new U.S. House of Representatives in July 1789, Mason was not appeased. He called Madison's action a "Farce," and said, "Perhaps some Milk & Water Propositions may be made by Congress to the State Legislatures . . . but of important & substantial Amendments, I have not the least Hope." This father of the Bill of Rights went to his grave three years later without ever having given the Constitution his blessing.

## *Voting Booth Blues*

"Voter Turnout" by Raymond E. Wolfinger and "Electoral Participation: Summing Up a Decade" by Carole Jean Uhlener, in *Society* (July-Aug. 1991), Rutgers—The State University, New Brunswick, N.J. 08903.

When Americans go to the polls in 1992, the nation's political pulse-takers are sure to search voter-turnout data for clues to the health of the body politic. And chances are they will again warn that Americans have alarming cases of political apathy and cynicism. Turnout in presidential contests has been falling for decades, dropping from 62.8 percent in 1960 to 50.15 percent in 1988.

But Wolfinger, a political scientist at Berkeley, dismisses such diagnoses as quackery. Opinion polls show that American voters, though supposedly alienated, are among the most optimistic in the world about their own "political efficacy." Eighty-five percent express pride in their political system. In Italy, meanwhile, voter turnout is an impressive 94 percent, yet only three percent of Italians profess enthusiasm for government Italian-style.

Part of the confusion about the meaning of voter turnout, Wolfinger explains, is caused by the fact that the U.S. statistic is computed differently—as the proportion of the total adult population that casts ballots. Calculated instead as a proportion of only those registered to vote, as it is in Europe, the percentage improves to a respectable 84 to 87 percent.

This country's real problem, Wolfinger says, is that only two-thirds of Americans are registered. This disappointing figure results largely from the fact that the burden of registration is left on the individual voter—a burden compounded by the fact that Americans are frequent movers. (In 1980, one-third of all American voters had not lived at the same address for two years.) In Europe, by contrast, registration is usually automatic. In England, canvassers even go door-to-door to compile the electoral register. Make registration automatic here, Wolfinger suggests, and all the chatter about apathy and a voter turnout "crisis" will cease.

Uhlener, who teaches at the University of California at Irvine, is not so optimistic. She points out that the decline in political participation during the 1980s was uneven. Among the poorest 16 percent of Americans, for example, turnout fell from 46 to 40 percent between 1980 and '88, but among the wealthiest five percent it rose from 69 to 77 percent. Among blacks, turnout fell from 50 to 39 percent. Why? Uhlener believes that the poor and disadvantaged were excluded from the nation's political dialogue during the 1980s. They had nothing (and nobody) to vote for.