

POLITICS & GOVERNMENT

The End Of Nationalism?

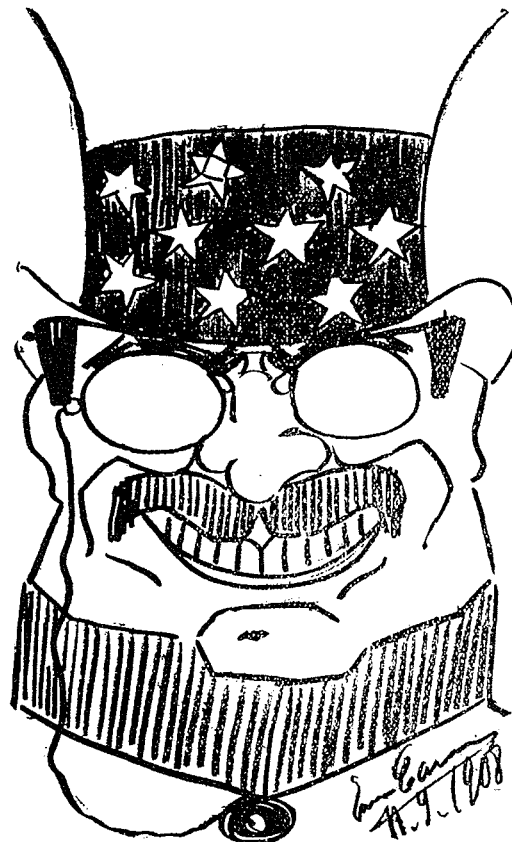
"American History: The Terminological Problem" by John Lukacs, in *The American Scholar* (Winter 1992), 1811 Q St. N.W., Washington, D.C. 20009.

We are living at the end of an era dominated by the clash of two great ideas—not democracy and communism, but nationalism and socialism. That is the unorthodox view of Lukacs, the noted Chestnut Hill College historian. The implications for American politics, he suggests, are likely to be profound.

American political terminology—*conservative* and *liberal*, *Right* and *Left*—is borrowed from Britain and Europe. There, the century-long struggle between liberals and conservatives began to diminish about 1870, as conservatives accepted the reality of mass democracy and the predominance of industry over agriculture. Moreover, the liberal-conservative struggle was overshadowed by a new one, between nationalism and international socialism.

The first phase of this conflict did not last long because after 1914 the *international* socialism of Marx, with its dream of a working class united across all borders, "melted away in the heat of national enthusiasms." In the ensuing decades, socialism and nationalism were combined, most notoriously in Hitler's Germany but in other countries more peacefully, in the form of the welfare state. Everywhere, nationalism was the senior partner.

While Americans pride themselves on their exceptionalism, Lukacs says, only the timing and terminology have differed here. The conservative-liberal debate that had occupied England and Europe for most of the 19th century had had no counterpart here. The very word conservative had "a pejorative tinge." The turning point came in the 1950s, when the conservative movement emerged. Before long, the Republicans became an avowedly conservative party. By 1980 more Americans were calling themselves "conservative" than "liberal." But the movement that took root in the 1950s was conservative in name only. Its leaders may have argued against ex-



President Theodore Roosevelt was the founding father of modern American "nationalism."

tending the welfare state, Lukacs writes, but they enthusiastically advocated "extending the power and the purse of an imperial presidency." The so-called conservative party became "the advocate of American intervention throughout the globe, and then into space." It was (and is) a nationalist movement first and foremost.

In reality, Lukacs believes, the nationalism-socialism schism has been the subtext of American politics for the past 100 years. Two insurgent parties—the Socialists and the Progressives—failed because of insufficient nationalism, while a third, the Populists, saw its nationalistic heirs Huey Long

In Re: Hill vs. Thomas

A Survey of Recent Articles

The explosive Senate hearings that both fascinated and repelled the nation last October ended with Clarence Thomas a justice of the U.S. Supreme Court and University of Oklahoma law professor Anita Hill a feminist heroine. As happened with Robert H. Bork's nomination to the high court in 1987, the Thomas nomination became the setting for a debate about larger cultural issues (in this case, sexism and sexual harassment in American society). That connection to larger issues has fed continuing argument over the proceedings.

The hearings, Brandeis University's Deborah A. Stone argues in the *American Prospect* (Winter 1992), were "a kind of symbolic rape trial. [Hill's] virtue and character were challenged, while Thomas's behavior and motives were taken at his word." That was only natural, author Suzanne Garment writes in *Commentary* (Jan. 1992). The Senate let the proceedings take the form of a quasi-criminal trial, and as there were no witnesses to the alleged offenses, questioning Hill's credibility and motives was "normal courtroom defense."

When Hill told her story, a key question was raised: If Thomas had harassed her at the U.S. Department of Education, why had she followed him to the Equal Employment Opportunity Commission (EEOC) and later kept up cordial relations? The question just reveals the ignorance of her Senate interlocutors, Stone says. They "simply could not imagine what it is like to try to make it as a young, black woman in a racist, sexist world." They failed to grasp the pervasiveness of sexual harassment, argues Stanford historian Estelle B. Freedman in the *Chronicle of Higher Education* (Jan. 8, 1992), and "missed the historical pattern in which race and gender discrimination [makes] black women . . . vulnerable not only to sexual assault but also to disbelief and silencing."

Garment has a different interpretation: Hill's behavior was "perfectly plausible—if one only added, as Hill did not in her accounts, the notion that she was moved by the ambition to advance her career." Indeed, Garment finds that most of the conflicts in Hill's testimony had to do with precisely that missing element of professional ambition. Her apparent lack of candor on

this may have been by itself "a basis for mistrusting her." But she also had "a great deal of protection from Thomas's whims." Many people found it hard to understand why, if she had been subjected to offensive language, she did not "tell the creep to get lost."

Hill seemed to have no obvious motive to lie about Thomas. But journalist Lally Weymouth presents evidence in the *Wall Street Journal* (Nov. 20, 1991) that Hill was a committed feminist who had opposed "much of what [Thomas] stands for." Hill herself, in *Essence* (Mar. 1992), says she has been mistakenly portrayed as "a staunch conservative." She never opposed affirmative action, she says, and when she worked at the EEOC, she took "an approach consistent with the longstanding policy of the commission, which was often antagonistic to the position of the Reagan administration."

According to a startling theory reporter David Brock sets forth in the *American Spectator* (Mar. 1992), the whole train of events might have been set in motion by a mistaken recollection. The allegations against Thomas were probably first brought to the attention of Senate staffers by a friend of Hill's, Judge Susan Hoerchner. In a deposition, Hoerchner said that in a phone conversation that took place before September 1981 Hill had complained to her of being sexually harassed. But that would have been *before* Hill went to work for Thomas. Hoerchner later recanted and said she could not pin down the date. But Brock thinks that she was right the first time and that Hill's complaint had to do with difficulties she was having at the law firm where she then worked. After Hill went to work for Thomas, Brock believes, Hoerchner mistakenly connected the charge to him and, more than a decade later, brought her confused version to Washington. Eventually, a reluctant Hill supposedly "allowed herself, almost accidentally, to become the secret weapon in the war on Clarence Thomas."

Not many of those who believed Hill are likely to accept Brock's speculative theory or other arguments, while those who believed Thomas will probably only be confirmed in their doubts about Hill. The cultural wars continue.

and Father Charles Coughlin launch what in Lukacs's view were the only real threats to President Franklin D. Roosevelt. Today we have the "Republicans, who are more nationalist than socialist, and the Democrats, who are more socialist than nationalist—whence the rise of the former and the decline of the latter during the last forty-odd years."

The future, Lukacs thinks, will be differ-

ent. As "the welfare state is a universal reality now, the conflicts and the compounds of nationalism and socialism have lost much of their meaning." And nationalism all over the world has been devolving into ethnic tribalism. "Given the changing ethnic composition of the American people . . . American nationalism, too, may devolve into tribal struggles of a peculiarly American kind."

Free the Courts!

"Judicial Gridlock: The Case for Abolishing Diversity Legislation" by Frank M. Coffin, in *The Brookings Review* (Winter 1992), 1775 Mass. Ave. N.W., Washington, D.C. 20036.

Over the past three decades, the burden on the federal court system has grown enormously. The caseload has tripled in federal district courts and increased tenfold in the courts of appeals. And there is no end in sight, notes Senior U.S. Circuit Judge Coffin, given the "unceasing flow of federal statutes and entitlements, resulting in inexorably increasing federal litigation." How can the serious strain on the courts be reduced? One way would be to expand yet again the 837-member federal judiciary. Coffin urges a different solution: Get rid of an anachronism called "diversity jurisdiction."

Thanks to the Federal Judiciary Act of 1789, out-of-state parties involved today in state civil cases (in which the amount at issue is at least \$50,000) have recourse to the federal courts if they fear the state judge will be biased in favor of their home-state opponents. The need for such protection from local passions "has long since disappeared," Coffin says, yet that "diver-

sity jurisdiction" provision survives.

Since the early 1970s, diversity cases have accounted for one-fourth of the district courts' civil docket, one-fifth of their total criminal and civil docket, and almost one-seventh of the appeals courts' total docket. The amount of judicial time and effort consumed is even greater. In fiscal 1990, diversity cases accounted for 40 percent of all trials, jury and nonjury.

In 1990, the Federal Courts Study Committee, which consisted of members of Congress, federal and state judges, and lawyers, recommended abolition of diversity jurisdiction, shifting the cases back to state courts. Many state and federal judges concur, but there is one notable group of dissenters: lawyers who do not want to give up the option of transferring cases to a federal court when that seems advantageous. If diversity jurisdiction is to be laid to rest, Coffin notes, "it will be because of support from beyond the borders of the legal community."

FOREIGN POLICY & DEFENSE

Waiting for Mr. X

"The Case for Pragmatism" by William G. Hyland, in *Foreign Affairs* (special annual "America and the World" issue, 1991-92), 58 East 68th St., New York, N.Y. 10021.

The end of the Cold War has been a bonanza for the punditocracy. Opportunities

to spin new theories about the proper U.S. role in the world abound. Should America