



prerequisite of successful urbanization, then why did racism persist, even deepen, as New York modernized? In the end, the self-congratulatory optimism of the New York accounts, and the air of melancholy and self-reproach in the chapters on Budapest, may lie less in the past than in the present. The book gives off the faintest whiff of post-Cold War triumphalism. Nevertheless, it usefully explores the deep connections among such aspects of a city's life as a heterogeneous political debate, technological and commercial innovation, a thriving avant-garde, and the toleration of ethnic differences. By 1930, Budapest could boast of none of these virtues, while New York was the nurturing alma mater of them all.

Contemporary Affairs

A RAGE TO PUNISH: The Unintended Consequences of Mandatory Sentencing. By Lois G. Forer. Norton. 204 pp. \$23

The thesis of *A Rage to Punish* sounds so unobjectionable that one may wonder why the author had to write the book at all: Public safety should be our top priority in sentencing criminals; a judge should be the one to determine a

convict's sentence; once sentenced, prisoners should serve out their time.

But Forer's appeal for criminal-justice reform comes at a time when we are passing laws that run directly counter to her desired goals. Our ever-harsher sentencing laws mandate minimum sentences for certain crimes, especially nonviolent drug crimes, leaving judges with little discretion to sentence as they see fit. As a result, prisons are overflowing, dangerous criminals are being let out years early, and preventable violent crimes are further jeopardizing public safety.

Forer, a state trial judge in Philadelphia for 16 years, left the bench in 1987 to protest a prison sentence she considered unfair but would have been forced to impose under state mandatory-sentencing laws. She thinks we need to get over our retributive and moralistic approach to crime. Judges should lock up only those criminals they deem dangerous. The others should be fined, forced to make reparations to their victims, and placed on probation with requirements such as finding a job or learning to read.

America has already seen one attempted reformation of criminal law along the lines Forer proposes. It was spearheaded by the U.S. Supreme Court after Earl Warren's appointment as chief justice in 1953. Victim-compensation laws and alternative sentencing became commonplace, and for the first time the Supreme Court guaranteed the right to free counsel to all defendants, in the landmark *Gideon v. Wainwright* decision in 1963. But a period of what Forer dubs counter-reformation set in when the Supreme Court in 1976 restored the death penalty, which had been abolished only four years earlier. Rehabilitation was declared a liberal pipe dream, and mandatory-sentencing laws spread. With the 1980s war on drugs, Forer argues, jails became packed with drug-runners and other two-bit criminals. She wistfully recalls the days before guidelines, when a crotchety old judge could bark at a prosecutor who had brought in a petty thief, "There are wolves out there and you bring me squirrels and chipmunks. Case dismissed."

Part of the current impetus behind mandatory time was the fear that sentencing had grown arbitrary, that judges of different ideological stripes were imposing vastly different sentences

for the same crimes. That fear turned out to be misguided, Forer claims. In a survey of her own court's sentencing during the early '70s, she found that conservative and liberal judges consistently imposed similar sentences in similar circumstances. In fact, under mandatory guidelines, sentencing has become far more discriminatory, though now differences result far more from the color of the accused than from the political leanings of the judge. Prosecutors, who now have the power to sentence, notoriously convict a disproportionate percentage of minority defendants, and black defendants receive the death penalty at a far higher rate than whites.

The estimated re-incarceration rate for released prisoners in the United States is 41 percent, and it costs the government \$35,000 a year or more to keep each prisoner behind bars. Does it make sense to keep throwing bad actors back into the prisons at such an expense? A doctoral candidate at the Wharton School of Business found that less than a quarter of the 600 felons Forer had sentenced—most to probation and payment of restitution—were rearrested for other crimes. One such case involved Willie, an illiterate 19-year-old gang member who was convicted of aggravated assault for injuring a member of a rival gang in what police called a routine rumble. Rather than send Willie to jail, as she now would be forced to do, Forer put him on strict probation for five years. She required him to live in a supervised group home, to learn to read, to find work, and to pay a \$300 fine by the end of the fifth year. With the help of an unusually conscientious parole officer, Willie finished parole with a high school diploma, a job, his own apartment, and a wife (Forer performed the wedding ceremony). Perhaps most important, Willie had no new arrests.

THE GREEN CRUSADE: Rethinking the Roots of Environmentalism. *By Charles T. Rubin.* Free Press. 312 pp. \$22.95

Two centuries after the nation's founding, environmentalism is probably the closest thing Americans have to a civic religion. While it is illegal to pray aloud in school and suspect to salute the flag, it is not thought unusual if

schools teach a fantastic environmentalist catechism of devastation and disaster that suggests, among other things, that Planet Earth will soon be reduced to a lifeless cinder if children let the water run while brushing their teeth.

If this really is a new order in the making, Rubin's intellectual survey of its founding mothers and fathers does not offer much encouragement for the next two centuries. In the work of Rachel Carson, Paul Ehrlich, E. F. Schumacher, and the handful of other environmental popularizers he carefully scrutinizes, the Duquesne University political scientist finds internal contradictions and, worse, sloppy and often downright dishonest science employed to advance half-hidden utopian political agendas. Rubin is not a shrill critic, however, and he points out that others have erred in labeling these environmentalists Luddites. Indeed, he argues, it is their technological optimism and faith in a rationally designed world that often leads them into totalitarian temptations: Follow my plan and we will solve all human problems, they suggest.

Their faith in certain visions of progress blinds both environmentalists and their critics to the complexities of human needs and desires, Rubin writes. But oddly enough he looks for a remedy in the scientific method, hoping that future environmental prophets will see its virtues. One exemplary figure is British scientist James Lovelock, who, in response to scientists' criticisms over the years, has continually revised his famous Gaia hypothesis, which suggests that the earth is a kind of self-regulating entity working toward the optimum conditions of life. Another is René Dubos, whose famous slogan "Think Globally, Act Locally" Rubin sees as a rejection of the dangerous "everythingism" of environmentalism, in which the connection of one problem to all others allows nothing but all-encompassing solutions.

It is not encouraging to read Rubin's chapter on the likely next generation of environmentalist popularizers. "Deep ecologists" such as Norwegian philosopher Arne Naess and American academics William Devall and George Sessions dismiss their predecessors as mere "reform environmentalists" and criticize them for accepting the corrupt "anthropocentric" view that