
of national community—is “the promise of America,” maintained Croly, who was the founding editor of the *New Republic*.

Mere procedural democracy was not enough, he believed. He wanted to go well beyond majority rule to achieve consensus, or a general will. The progressive thinker was “an American Rousseau,” O’Leary points out, who insisted that in a genuine democracy “participation, debate, and deliberation function to create agreement and commitment to shared purposes.”

Unlike some later advocates of “participatory democracy,” O’Leary notes, Croly did not believe that the ideal democracy could be achieved overnight. Ignorance and apathy, habitual political conflict, and social and economic inequalities would have to be overcome first. But progress, he was sure, could be made in stages.

The first stage was “primitive” or procedural democracy. The second, described in *The Promise of American Life*, involved building a strong state to counter the power of corporations and fostering a sense of national democratic community. O’Leary says that Croly believed “that strong moral leaders, of the stature of Abraham Lincoln and Theodore Roosevelt,” would be needed to woo Americans “away from our excessive adherence to Lockean individualism.”

Then, in Croly’s third stage, “progressive democracy” was to arrive, as the burgeoning sense of national democratic community, in O’Leary’s words, “acts to heal sectional and ethnic divisions and corporate power begins to be checked by a strong federal government.” As that happens, “the need for dynamic leadership lessens and grassroots activism takes on major importance.” The voices of minorities can be more easily heard, so some of the political system’s checks against the tyranny of the majority can be safely lifted. The people are ready for more responsibility.

We now have the kind of national state that Croly wanted, O’Leary writes. Without energetic efforts to achieve the rest of Croly’s vision, his legacy could become “a large bureaucratic state vulnerable to the claims of interest groups and powerful corporations, and a pub-

lic disenchanted with democracy and prone to the excessive individualism that Tocqueville feared.”

ACLU Ad Absurdum

“Has the ACLU Lost Its Mind?” by Amitai Etzioni, in *The Washington Monthly* (Oct. 1994), 1611 Conn. Ave. N.W., Washington, D.C. 20009.

After it was founded in 1920, the American Civil Liberties Union (ACLU) played an important role in the protection and expansion of First Amendment rights. In just its first year, it helped to gain the release of hundreds of prisoners whose only “crime” had been to speak out against World War I. During World War II, the ACLU condemned the relocation of Japanese Americans in internment camps, and during the 1950s it battled “loyalty oaths.” Today, the ACLU still does worthwhile things, such as fighting to protect the jobs of whistleblowers. More often, however, it can be found championing bizarre causes, contends Etzioni, a sociologist at George Washington University and a leader of the communitarian movement. Some examples:

- The ACLU’s New York chapter protested when Mayor Rudolph Giuliani sought to use community police officers to help locate truants and return them to school. The ACLU chapter objected because, as its executive director explained, “the cops see these kids as criminals.” Educators would be better suited to the job. But how the police view the truants is irrelevant, Etzioni points out. After all, they are not arresting the youths, just bringing them back to school, “where everyone agrees they belong.”

- The ACLU’s Southern California chapter opposes the use of metal detectors in schools, and is also against the expulsion of students caught carrying guns. That, says the chapter, could consign students “to a life even more disadvantaged than it might have been otherwise.” In short, Etzioni comments, “it’s better for all students to learn in fear of being shot than to expel the ones carrying guns.”

- The ACLU was critical of President Bill

Clinton's proposed national health security card, which would have had a magnetic strip containing the card holder's medical history and other relevant information. "The problem," said an ACLU official, "is that the databases are enticing. People want to use them for other purposes." What ominous other purposes? "Seeking deadbeat dads, university graduates who welshed on their student loans, and illegal immigrants," Etzioni says. "But these people violated the law, and the public is . . . fully entitled to find them and help ensure that they will make amends."

• The ACLU has argued that a New York City teacher's right to free speech was being violated because he was suspended pending hearings. The reason for the suspension? The teacher, a leader of the North American Man/Boy Love Association, whose slogan is "sex after eight is too late," openly advocates having sex with young boys. "Unless you believe that the only value we care about is free speech," Etzioni notes, "we are entitled to wonder whether parents should be expected

to leave their children with an advocate of pedophilia."

Individual liberties must be protected, but too often today, concludes Etzioni, the ACLU "trivializes rights and adds to litigiousness."

An Enemy of the People?

"The Infernal Senate" by Tom Geoghegan, in *The New Republic* (Nov. 21, 1994), 1220 19th St. N.W., Washington, D.C. 20036.

Rotten borough n. *An election district having only a few voters but the same voting power as other, more populous districts.*

Even when the Democrats controlled the Senate, which was only yesterday, they could not seem to pass liberal measures to help working people, the cities, minorities, and the poor, complains Geoghegan, author of *Which Side Are You On: Trying to Be for Labor When It's Flat on Its Back* (1991). And he thinks he knows why: "We have a Louisiana Purchase of rotten boroughs," and the sparsely populated states—a majority of them in the West—rule the roost.

Half of the nation's 100 senators together represent only 16 percent of the American people. And with a Senate filibuster much easier to employ today than it was only a few years ago, a "supermajority" of 60 votes is more often required to get a bill passed. Consequently, even senators who represent an overwhelming majority of all Americans, Geoghegan points out, can be powerless to get a bill through the Senate.

For many years, he argues, the Senate was able to serve the broad public interest, despite the unequal representation of population. There were strong, well-organized "factions"—first, small farmers,



Thousands of ACLU members quit the organization after it defended the right of Nazis to hold a rally in heavily-Jewish Skokie, Illinois, in 1978.