

# EXCURSUS 1

## Henry Steele Commager on PRIVATE SIN AND PUBLIC SIN

When President Reagan calls for a moral revival, it is private morals he has in mind—morals rooted, as he sees it, in religion. What threatens our society today, however, is not so much a breakdown in private morality as it is an evaporation of public morality. Whatever alarmed fundamentalists may imagine, private morals, as far as we know, have varied little from generation to generation or from century to century. The same vices that threatened Babylon, Athens, and Rome threaten Western societies today; and on the whole, the moral standards exalted by ancient Jewish, Greek, and Roman moralists vary little from those preached by their modern successors.

The most profound changes, qualitative and quantitative, have come in public, not in private, morality. For here we can say that not only have the problems changed drastically but so too the standards with which public men confront them. If we must invoke the concept of Sin, as our moralists ceaselessly do, it is Public Sin, not Private Sin, that challenges us at every turn; it is public crime, not "crime in the streets," that threatens our social, economic, and political fabric.

It is eighty years now since the Wisconsin economist Edward A. Ross sounded this very warning in a series of essays exposing the self-delusions of American popular morality and the criminal malpractices of corporations and governments. His *Sin and Society* was a book in the tradition of Henry George's *Progress and Poverty*, Demarest Lloyd's *Wealth Against Commonwealth*, Lester Ward's *Psychic*

*Factors in Civilization*, Thorstein Veblen's *Theory of Business Enterprise*, and John R. Commons's *Legal Foundations of Capitalism*. Together they formed the failed challenge to Social Darwinism. As with so many books that were originally polemics against current wrongs (Tom Paine's *Common Sense* is the most famous example), *Sin and Society* spoke to future generations with prophetic eloquence. What it had to say is as pertinent today as it was when President Theodore Roosevelt, deeply moved by that eloquence, volunteered a preface to it:

You show that the worst evils we have to combat have inevitably evolved along with the evolution of society itself, and that the perspective of conduct must change from age to age, so that our moral judgments may be recast in order to hold to account the really dangerous foes of our civilization.

The traditional "sinner" is the drunkard, the petty thief, the fornicator, the seducer, the wife-beater, the gambler who wastes his family's wherewithal. He is familiar in character and lineaments. But as Ross observes, the modern sinner

does not wear a slouch hat, breathe forth curses and an odor of gin, go about his nefarious work with an evil scowl. In the supreme moment his lineaments are not distorted with rage or lust or malevolence. One misses the dramatic setting, the time-honored insignia of turpitude. Today the high-powered dealer of woe wears immaculate linen, carries a silk hat and a lighted cigar, sins with calm countenance and a serene soul, leagues or months away from the evil he causes. Upon his gentlemanly presence the eventual blood and tears do not obtrude themselves.

The effects of public sin, or crime, are far deeper and more pervasive than those of private sin. Where private sin may harm one or a score of individuals, corporate and official crime counts its victims in the thousands and the millions.



Its effects, too, are more lasting than those of private sin, as has been the case with Slavery: Even after Emancipation we have witnessed another century of humiliation and exploitation of the blacks. But now we have no Lincoln who dares say to us, "until every drop of blood drawn with the lash shall be paid by another drawn by the sword, as was said three thousand years ago, so still it must be said, 'The judgments of the Lord are true and righteous altogether.'"

Consider the corporation. The original function of that legal invention was, needless to say, to serve the interest not of business but of society. The corporation was, and is, a creature of the law, bound by the terms of its charter; it has no "natural rights," only those granted it. But it speedily became, as Ross put it, "an entity that transmits the greed of the investors, but not their conscience, that returns them profits, but not unpopularity. It has, moreover, the inestimable advantage that it is not in dread of Hell-fire."

When it came to corporate or official sins, "how idle," wrote Ross, "to intone the old litanies." It took not only sophistication but imagination for the ordinary person of eighty years ago to see how the whole of society could be corrupted by these public sins: the labor of children and of women, ten or twelve hours in fields and factories, the absence of safety devices or regulations, the bribing of safety inspectors in mines and factories, the lying advertisements, the fake testimonials, the adulteration of food and drink, bribery—direct and indirect—of legislators through campaign contributions or the prospect of future jobs, the wanton pollution of natural resources. In spite of far more sophisticated methods of imparting information, many of these practices continue. Not only were—and are—these and similar malpractices taken for granted, they are even rationalized by a kind of neo-Social Darwinism extended (even by clergymen) to the moral realm.

There have been, from time to time, outraged protests against some of the more ostentatious affronts to public morality, but these rarely reached the fortresses of corporate headquarters. Even when they did, the penalties were not more than the corporate officer could bear. Thus some years ago, when the president of a major oil company was found guilty of bribing overseas officials, the stockholders did indeed remove him from office. To ease the blow, however, they elected him to the position of chairman of the board at a higher salary! Today, as when Ross wrote,

The villain most in need of curbing is the respectable, exemplary, trusted personage who, strategically placed at the focus of a spider web of fiduciary relations, is able from his office chair to pick a thousand pockets, poison a thousand sick, pollute a thousand minds or imperil a thousand lives.

There is no more illuminating example of the contrast between private and public sin than the current case of "Baby Jane Doe," the pitiful baby born with irremediable physical and mental defects that doomed her to a life of hopeless incompetence, unremitting pain, and early death. Drastic surgery might have alleviated some of this but could not save her. The parents, rather than prolong both her and their suffering, refused the surgery. Shocked by this refusal, the surgeon-general intervened, claiming that "underprivileged" children were threatened because "every life is uniquely sacred."

An air of hypocrisy hangs over the whole tragic episode.

If the surgeon-general, speaking for the Reagan administration, is really concerned with the fate of the underprivileged, why does he not urge the Congress to intervene on the behalf of the millions of babies who are underprivileged—babies born without proper medical or hospital care, many of them illegitimate, many of them diseased, many of them doomed to a life of poverty and ill-health. Congress has, in effect, adopted the opposite policy, a policy of cutting appropriations and services. The public record is dismal. While the national infant mortality rate is some 11 per thousand, there are parts of New York City where it is 24 per thousand. In oil-rich Oklahoma, only 48 per cent of pregnant women get comprehensive prenatal care, and in insurance-rich Hartford, Connecticut, 87 per cent of the obstetricians refuse to take Medicaid patients. In the face of this, the Reagan administration has cut federal funding for community health by 13 per cent.

An analogous manifestation of popular hypocrisy about private sin and public crime is displayed in the crusade against pornography. Pornography is unquestionably objectionable; it is, too, a common law crime, for it "excites lewd and lascivious thoughts." But if whatever inflames "prudent" thoughts—a U.S. Supreme Court definition—should be censored, why do not the champions of moral purity crusade against whatever excites thoughts far more dangerous: thoughts that are designed to inflame hatred, envy, jealousy, greed, and racial and national prejudice? Such thoughts corrupt a whole society—men, women, and children alike. Witness Hitler's triumph in Germany.

Of all public crimes, it is those indulged in by government that are the most nefarious and the most fateful in their consequences. Because they are invariably committed for the best, indeed the noblest, of purposes, they are also the most elusive. Almost inevitably they enjoy immunity from both punishment and criticism. This has been true from that day in 416 B.C. when the Athenian envoys gave the desperate warriors of the little island of Melos a choice between abject surrender and the death of all its men and the enslavement of all its women and children right down to the Vietnam war. Whatever is done *pro patria* is always in fulfillment of some kind of Higher Law that supersedes traditional laws. Now and then—as with the Germans in both world wars—the vanquished may be forced to confess their sins, but the victors never do. Victory, like Grace, expunges Sin. An air of futility, therefore, hangs over the efficacy of calling the roll of national or official sins. Yet it might at least give us pause to contemplate the immoral and, as we finally concluded, illegal jailing of some hundred thousand Japanese during World War II for the crime of being of Japanese stock (half of them were American born and therefore citizens); the inauguration of nuclear warfare not merely with one atomic bomb, which could plead some kind of rationale, but with a second, which could not; the long series of lawless forays in the Caribbean and Central America, including the invasion of Guatemala on behalf of the United Fruit Company in 1954, of Cuba at the Bay of Pigs in 1961, of the Dominican Republic in 1965, and most recently of Grenada and Nicaragua. All of this, according to Ambassador Jeane Kirkpatrick, should be immune to criticism.

Her logic, set forth at the Republican convention, commands the interest of the moralist. She denounced those who "blame America," and particularly those guilty of the folly of comparing the invasion of Grenada to the Soviet

invasion of Afghanistan. Quite properly, too; there is no comparison. But why did she not compare the invasion of Afghanistan to that of Vietnam?—the dropping of seven million tons of bombs—three times what we dropped on Germany and Japan in World War II; the use of Agent Orange to destroy vegetation for generations to come; the launching of Operation Phoenix, which “legitimized” some 25,000 assassinations. That would have been an honest comparison.

As we contemplate even these fragmentary examples of official crime, we should keep ever in mind the prophetic warning of Justice Brandeis in the *Olmsted Case* of 1928:

Our government is the potent, the omnipresent teacher for good or for ill. It teaches the whole people by its example. Crime is contagious. If the government becomes a law-breaker, it breeds contempt for law. It invites every man to become a law unto himself. It invites anarchy.

Most assuredly a moral revival is needed; the need, however, is far more pressing in the public arena than in the private one.

*Henry Steele Commager, distinguished historian and author of many books, is John Woodruff Simpson Lecturer at Amherst College.*

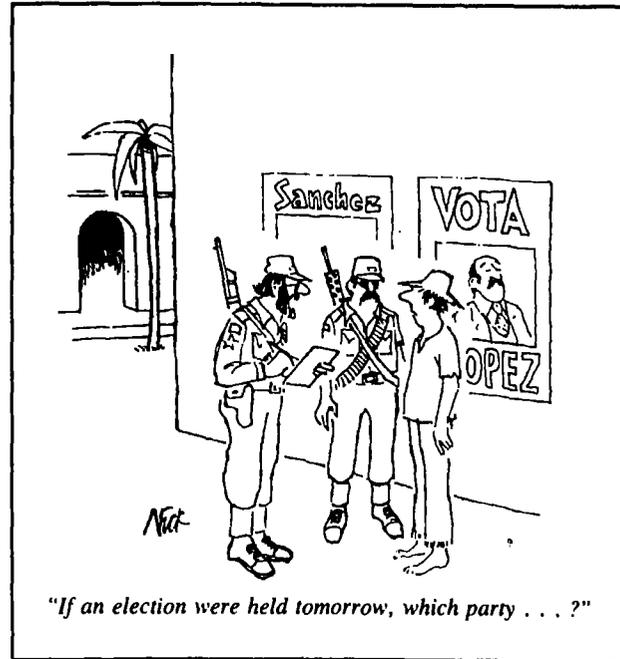
## EXCURSUS 2

### William U. Chandler on WORLD HEALTH: THE HYGIENE FACTOR

Peter Bourne, president of Global Water, Inc., an organization formed to help implement the goals of the U.N. International Drinking Water Supply and Sanitation Decade, tells two stories that capture the meaning of water for human health. In the first, an African woman is asked whether she understands the importance of encouraging her children to wash their hands after defecating, particularly before eating. “I have to carry our water seven miles every day,” she replies. “If I caught anyone wasting water by washing his hands, I would kill him.” In the second story another African woman is asked how her village’s recently installed water taps have changed village life. Her immediate response: “The babies no longer die.”

A quarter of the world’s population lack clean drinking water and sanitary human-waste disposal. As a result, diarrheal diseases are endemic throughout the Third World and are the world’s major cause of infant deaths. Cholera, typhoid fever, guinea worm, schistosomiasis, and intestinal parasites also infect hundreds of millions. The many people who must visit rivers and swampy areas to obtain water risk contracting malaria, river blindness, and sleeping sickness. Experts estimate that a sanitary water supply would reduce the incidence of diarrheal disease by half and eliminate 90 per cent of all cholera, 80 per cent of sleeping sickness, 100 per cent of guinea worm infestation, as well as smaller fractions of other serious tropical diseases.

Some observers have argued that water and sanitation systems should receive higher priority than other invest-



ments, including major reservoir projects, because such systems are the most basic to improving the human condition and because some reservoirs themselves have caused serious problems, such as tripling the cases of schistosomiasis. Clean drinking water, unfortunately, has not had high priority in many countries. Four-fifths of the rural population of seventy-three African and Asian countries, nations whose population is mostly rural, do not have access to it. Most are also without toilet or latrine. Worldwide, 1.3 billion people lack clean water and 1.7 billion lack adequate sanitation.

In the last century, mainly because of improvements in sanitary conditions, cholera and diarrhea rates dropped sharply in the United States and Great Britain. Studies in California and Kentucky comparing the disease rate among children with indoor water and toilet facilities and those with outside toilets have shown that diarrhea occurred twice as often among children in the latter group and four times as often among children with neither facility. In twenty American cities, typhoid fever was reduced an average of 65 per cent following installation of water filtration systems. A Chilean study concluded that “the availability of drinking-water . . . cut the incidence of acute diarrhea by about 74 per cent.” A case study in the Philippines found that toilet construction reduced the incidence of cholera by 70 per cent. Construction of privies in Costa Rica, notes the World Bank, were responsible for reducing by half the number of deaths from diarrhea and related diseases between 1942 and 1954.

Both high cost and cultural barriers can easily block sanitation development. In Cameroon, for example, one toilet and drinking-water project failed because capital costs exceeded by 15 per cent the entire annual disposable income of the village. Even when construction is successfully completed, local attitudes may prevent the system’s being used as designated. In Central America one project failed because villagers felt the structures could be better employed as chicken coops and grain bins. Similar obstacles have blocked progress in India. Villagers want water, but convenience is more important than quality. Food, housing, and fuel take precedence over water purity, and toilets are seen