THE MIDWAY REVIEW
A Journal of Politics and Culture

Fall 2010—Volume 6, Issue 1

J. Leland Bybee surveys The Student Loan Crisis
Joshua J. Bosshardt sculpts A Theory of Frames
Jacob D. Alonso scrutinizes The Checkered Past of Campaign Finance
Molly K. Green structures Animal Language and Homesign
Joanna C. Laine synthesizes Development in the Chicago Housing Authority
Alex E. Stephenson substantiates The Role of Orchestral Conductors
Stephanie J. Dering sketches A Translator’s Journey
Zach Wehrwein & spar Over Libertarianism
Gregory Campeau

submit
midwayreview.uchicago.edu

THE MIDWAY REVIEW IS PROUD TO CELEBRATE
5 YEARS
WE'RE IN FOR THE LONG HAUL.
CONTENTS

A Student Loan Crisis  3
So the question worth asking is, are for-profit college student loans the new subprime mortgage?
J. Leland Bybee

The Nature of Knowledge  7
One compares the value of distinct Frames not according to the degree of accurate conformation to an underlying truth but by the human predilection for ordering the world in a practically coherent manner per the standard of the observer.
Joshua J. Bosshardt

Drugs, Alcohol, and Selling Your Vote on eBay: A Brief History of Campaign Finance  15
In the pecuniary bloodletting that has defined campaign finance since the late 17th century, one can say that there is no winner in the end.
Jacob D. Alonso

Language: Are We the Only Ones? An Exploration of Language-use in Animals and Homesigners  19
If language use makes humans unique from animals, then a definition of language should successfully qualify humans as language users and exclude animals.
Molly K. Green

The Terms of Transformation: The Chicago Housing Authority’s Plan to Change its Structures, Community, and Administration  23
Chicagoans are skeptical that the Plan will bring real change. Some fear the problem of urban poverty will be displaced rather than eliminated; that the high-rise ‘vertical ghettos’ will just turn into ‘horizontal ghettos.’
Joanna C. Laine

In the broadest possible terms, then, a conductor’s musical agency refers to his or her control over a musical event, and this inevitably includes control over what many other people do in the process of executing that event.
Alex E. Stephenson

The Quest of Translation: A Beginning Translator’s Adventure  35
Lorenzo Oliván’s Libro de los elementos and I had an inauspicious meeting.
Stephanie J. Dering

Libertarianism and Power  39
Politics that champions individual autonomy must still account for the social context of that individual.
Zachary Wehrwein & Gregory Campeau

Bibliography  49

Notes & Queries  52
In August 2007, the American Home Mortgage Investment Corporation filed for bankruptcy; that same month, the Federal Open Market Committee released a statement that the “downside risk to growth has increased appreciably.” In September 2008, Lehman Brothers filed for bankruptcy, the largest of such filings in American history. Subprime mortgages, which are mortgages provided to the riskiest of borrowers, were packaged into mortgage-backed securities and then ‘insured’ with credit default swaps, helping bring about what has been labeled the worst financial crisis since the Great Depression. This is a story of risk: risky borrowers, risk-taking lenders, and faulty risk oversight. Subprime mortgages prospered because the risks seemed far-off; the market could only go up.

Now consider that every August young people set off for college, taking with them an enormous burden of debt. They are told to be confident that when they graduate they will have a job waiting and it will all be worth it. However, for the almost two million college graduates who found themselves without jobs in 2009, their college education can feel like indentured servitude. Yet this situation would be heaven to the hell awaiting predominantly lower-income, for-profit college graduates who experience higher default rates than their traditional peers and receive degrees that often border on worthlessness. Over the course of the last ten years, for-profit enrollment has grown at a rate of five to ten times that of traditional higher education enrollment and student loan levels have grown in step. So the question worth asking is, are for-profit college student loans the new subprime mortgage?

The Higher Education Act (HEA) of 1965 was a major turning point in the United States’ approach to higher education. As a part of Lyndon Johnson’s ‘Great Society,’ the goal of the HEA was to strengthen the American educational system and make higher education affordable through a coordinated federal- and state-level financial effort. Towards this end, the HEA, under Title IV, established the Federal Family Education Loan Program (FFEL) and a number of other programs to offer federal student loans with subsidized interest rates. These subsidized loans made it easier for low-income students to attend college.
Subprime mortgages and student loans both had similar beginnings and similar federal backing. The SLM Corporation, or Sallie Mae, was established in 1972 as a Government Sponsored Enterprise to offer student loans to low-income families that were being subsidized under the FFEL. Followers of the recent financial crisis will no doubt recognize the surname Mae from Fannie Mae of the now infamous Freddie Mac and Fannie Mae. The Federal National Mortgage Association, or Fannie Mae, and the Federal Home Loan Mortgage Corporation, or Freddie Mac, were originally established in 1938 and 1970 respectively to create a secondary market for mortgages by packaging mortgage-backed securities. These were the same mortgage-backed securities that would eventually lead to the 2007 financial crisis. The purpose of this securitization was to increase the market for mortgages, making them more accessible to low-income homeowners. The situation was then exacerbated when, in 1999 under the Clinton administration, Fannie Mae was encouraged to loosen the restrictions on credit requirements for the mortgages that could be packaged into mortgage-backed securities. The goal of these decreased credit requirements was to increase the availability of subprime mortgages to low-income borrowers, making it easier for them to own homes.

However, the similarities between for-profit student loans and subprime mortgages continue beyond their origins. As a result of the widening income gap between college graduates and non-college graduates, tuition costs have increased rapidly in recent years, making it difficult for low-income students to afford four-year colleges even with government support. While traditionally lower-income students have attended community colleges or in-state schools, poorer students are increasingly turning to for-profit colleges. For-profit colleges actively advertise to these demographics, focusing recruitment programs in inner city and lower-income schools. Recruiters, who are generally paid in proportion to their enrollment numbers, take advantage of the limited information about higher education available to their target students by selling for-profit colleges as the only solution.

While these institutions have been advertised as a way out, there is more than one instance of recruiters explicitly lying to prospective students about the benefits. In 1990 less than 1% of students attended for-profit universities and less than 10% of schools were for-profit. However, in 2009 almost 10% of students attended for-profit colleges and 25% of schools were for-profit. It is expected that by 2020, 20% of students will attend for-profit universities and 40% of schools will be for-profit. Since low-income students are the majority among for-profit colleges and low-income students receive the majority of subsidized student loans, for-profit colleges receive an increasingly
large share of federal student loans. In 2009 the for-profit industry received 25% of all Title IV loans (for less than 10% of total enrollments) and it is expected that by 2020 for-profit colleges will receive 40% of Title IV loans.

A great deal of this growth is the result of deregulation in the industry under the second Bush administration. From 1987 to 2000, for-profit colleges received between $2 and $4 billion per year. However, in 2009, for-profit colleges received $21 billion in Title IV loans, a 450% increase over the average rate from 1987 to 2000. Federal loans now account for 90% of for-profit college total revenue. In essence, the federal government is subsidizing the for-profit college industry.

Like subprime mortgages, for-profit colleges expect their student loans to fail in large numbers. Additionally, subprime lenders and for-profit colleges share business models that focus on quantity over quality. Often the credits students earn from for-profit colleges don’t transfer because the accreditation process of for-profit colleges is less rigorous than desirable, with many of their accreditation boards populated by representatives from the very for-profit institutions being considered. For-profit colleges take advantage of this poor oversight by providing poor quality service to their students. This is disturbingly similar to the conflict of interest for Moody’s and Standard and Poor’s just prior to the financial crisis. Both Moody’s and Standard and Poor’s, the two major organizations that produced ratings for mortgage-backed securities, received a significant amount of their revenue from the very firms whose securities they were rating.

Further still, the dropout rate of for-profit college students is high, at roughly 50%. This dropout rate results in a high loan default rate of 11.9%, twice that of traditional student loans, which accounts for 44% of federal loan defaults. Currently, for-profit colleges provision 50-60% on loans made to their students, which means that these institutions expect 50-60% of their students to default on their loans. These statistics speak for themselves: for-profit college student loans are risky business.

Regulation is needed for predatory industries like for-profit colleges. Successful lobbying by the for-profit industry in the early Bush years has led to an enormous spike in the amount of federal dollars that go to for-profit college student loans; this needs to stop. Federal money should not be subsidizing these ineffective and unscrupulous institutions. Fortunately, the Obama administration is already taking steps towards this goal. The Health Care and Education Reconciliation Act eliminated FFEL. Additionally, recent ‘gainful employment’ rules released by the Department of Education will hopefully crack down on for-profit colleges by limit-
ing loans to institutions with poor debt-to-earnings and loan repayment ratios. However, it is still uncertain how effective this program will be and a number of possible loopholes mean that there is more to be done.

In addition to regulation, we need to be aware of the unintended consequences of subsidizing poor, risk-prone borrowers. The problem is that the market for these for-profit college loans is low-income borrowers, who are also the most likely to default. This is an almost identical situation to that of subprime mortgages. We need to accept that as long as the government freely provides subsidized loans to low-income high-risk borrowers, industries will develop to capitalize on these individuals and play hot potato with their toxic assets. Federal programs that make debt more easily accessible to high-risk borrowers make unstable situations possible, like the subprime housing market, and often the federal government ends up with the bill. The market deals with risky borrowers by raising interest rates or denying credit, but when the government alters either market solution by subsidizing interest rates or opening up lenders to riskier assets, the lenders incur the risk of the borrowers. This is the case with both subprime mortgages and for-profit college student loans.

Subsidized debt comes with a trade-off: for the benefits of increased college attendance, we must pay the costs of riskier markets. This isn't to say that student loan programs need to be cut to stop a for-profit student loan crisis. Indeed, it is very possible that with increased scrutiny of which institutions receive federal funds, much of the risk can be avoided. Additionally, the benefits gained by a more educated population supplemented by highly regulated federal loans may outweigh the costs. However, the high default rate in for-profit college student loans is as much the fault of the borrowers as it is of the for-profit colleges. While adjustable rates were a major reason for subprime mortgage default, this was because the borrowers didn't have sufficient income in the first place. Even with significant regulation borrowers still misjudge their finances and default is still possible. While regulation may help the problem, when we make loans available to high-risk borrowers at below-market rates there is still the potential for default.

The similarities between subprime mortgages and for-profit college loans are disturbing. We need to be careful when dealing with high-risk borrowers and avoid markets where the only way out is up. While the leveraged nature of subprime mortgages was their eventual downfall, and while for-profit student loans don't yet have the same amount of leverage, the structural similarities are there. We must come to terms with our flawed approaches to high-risk borrowers and take action to prevent for-profit student loans from becoming the next subprime mortgage crisis.

J. LELAND BYBEE
Frame is a point of reference. Prior to 'I think therefore I am' or even 'I,' the Frame constitutes the grounding principle of all meta-philosophy.

The choice of the name ‘Frame’ arises from the analogous notion of relativity in physics. To a physicist, an ‘inertial reference frame’ refers to a perspective moving at a constant velocity. While the chair you are sitting on may appear idle to you, an intergalactic being may perceive it as moving at perhaps millions of miles per hour on a spinning planet orbiting a sun, swirling around a galaxy drifting towards the outer reaches of an ever-expanding universe. But whose view is most accurate? One would naturally inquire as to the existence of a ‘special reference frame,’ an absolute zero by which to standardize comparisons between frames in general. While ancient natural philosophers, especially Aristotle, posited the perspective of standing still on Earth to be such a special reference frame, Galileo summarized all existing evidence by hypothesizing that the laws of physics, or the mathematical representations of the interactions between forces and masses, apply equally well in all inertial reference frames. Galileo denied the supposed existence of a special frame and thereby forbade one to speak of frames save in motion with respect to other frames. In solving problems, one chooses whichever of the equally valid reference frames that best serves one’s purposes.

Similarly, the notion of the philosophical Frame bears the relative perspective amidst an indeterminate metaphysical backdrop we often refer to as ‘reality.’ Keeping to the analogy, one compares the value of distinct Frames not according to the degree of accurate conformation to an underlying truth but by the human predilection for ordering the world in a practically coherent manner per the standard of the observer.
A Frame organizes both immediate presentations of sense and feeling and higher-order images such as a self-portrait, a network of social relationships, and a world of interpreted experience—in effect, everything one has ever known, real or imaginary. A Frame is a fluid set of reflections and interpretations concretized by kernels of raw sensation, a specter of awareness omnipresent amidst an endlessly intricate tangle of reasonless qualia and contextual representations. Just as a human being exists by virtue of consciousness, so does consciousness exist by virtue of a Frame.

The term ‘qualia’ refers to the immediate and incommunicable impressions unique to experience. For example, while one may understand the color red as the phenomenon caused by interaction of light with the eye, the experience of the color itself, a type of irreducible knowledge inaccessible to rational inquiry, enjoys distinction as a quale. Note that ‘qualia’ refers only to the impressions themselves, without presupposing anything about that which receives them. By virtue of its strict parsimony, many dub the notion of qualia an apposite foundation for philosophical inquiry. While Descartes’s famous claim “I think therefore I am” has elicited criticism from thinkers like Nietzsche, nobody can doubt the mere statement, “I experience the quale of self-consciousness,” or better yet, the non-statement, ‘I.’

The self-consciousness which characterizes human existence, then, necessitates the awareness of a ‘presence’ and thus the inference of being, perhaps not the being of an ‘I’ per se, but surely the being of something, if only the quale itself. Consciousness of its own condition cannot but proceed to the manufacture of representations of objects of experience in deciphering the forever importunate presence of being.

Now, a representation is a judgment regarding the existence or non-existence of a particular object, cognized via the modality of truth or falsity according to its conformity with the actual being or non-being of the object. In contrast to qualia, which take place passively, impersonally, and potentially extracted from meaningful context, the creative conjuration and amalgamation of representations constitute the fountainhead of meaning and underlie the recognition-construction of a ‘world.’
A conscious entity, which for brevity’s sake we denote as a ‘person’ or an ‘agent,’ by virtue of its assertion of self-existence understands itself first as action: “I am.” As the concept of action rests intrinsically at the heart of consciousness, we call a ‘choice’ any action undertaken by a person in a conscious manner, or such that the agent perceives herself as the effectual source of the action. A finitely conscious entity consisting merely of the statement “I,” without comprehension of an ‘other,’ may not exhibit choices or any meaningful species of consciousness, though we can agree this is certainly not the case for you and I. Bracketing appeals to causal determinism, the notion that the current state of the natural world and its laws exactly determine its consequent states independently of human decision, you the reader obviously did not feel inexorably strong-armed into reading this paper: you chose to read it. The very act of formulating and voicing a counterclaim, perhaps on the basis that a person does not to his- or herself appear responsible for the essential act of self-existence, reveals the objector’s choice to participate in the debate.

Since even inaction and the refusal to choose are themselves choices, recognition of the availability of choice immediately realizes its inevitability. The determination of a conscious choice, however, cannot just occur \textit{ex nihilo}, without self-understood motivation, lest the agent recognize it as ‘forced’ and outside of himself, like the impression of self-existence. Rather, choice depends upon a means, a reason for acting, an imperative or maxim of ‘what ought to happen,’ which does not stand on its own but is derived from a model of existence, i.e. a representation of a value or ideal. Hence, imperatives begotten from value relate potential choice to the realization of the ideal, which may rest in the fruition of certain consequences as advocated by utilitarian moralities, the intent of choices as espoused by Kant’s famous categorical imperative, a synthesis of the two, or perhaps something else altogether. As qualia only impose raw basis for sensation, at most the primordial basis of a sketch of ‘what is going on,’ a person exerts additional creative energy to construct a system of abstract values whose imperatives prescribe the intangible reality of ‘what ought to be going on.’ Whereas the presence of being in qualia may play a role in fathering the initial inspiration for representations of experience, identifying the original motivation for the supposition of a value remains a puzzling task. However, the fact that choices do inexorably occur proves the existence of a solution somehow somewhere.

\textbf{How Worlds are Made}

The origins of representations and the general process of world-creation by the Frame deserve more than passing mention. Qualia play a role in the determination of a reality by way of representation, as, for instance, one so intuitively posits the existence of gravity due to the predictability and consistency of qualia presenting falling objects. However, the mere presentation of qualia does not suffice as a comprehensive explanation, as qualia themselves only possess interpretable context and meaning in light of a given representation to receive them. That is, without a representation to invent and acknowledge the usefulness of the notion of ‘consistency,’ which would depend on yet more representations, such as one to acknowledge the
passage of past qualia, one could not even recognize the equivalency of all disparate falling object qualia, much less posit an invisible explanation for them. Perhaps even the presence of being would fall upon deaf ears were it not for the representation embodying the principle of sufficient reason, the notion that there is a reason for why this and not something else.

This argument also reaffirms the fact that qualia themselves occur passively, independent of the subject and without intrinsic meaning. Although the most we can say of naked qualia is that they present themselves, when situated in a representational framework established by the Frame, qualia feed the raw material of subjective experience. Put otherwise, representations lend the requisite fluidity and ability to ‘step out’ of immediate qualia to grant continuity and meaningful selfhood to the Frame.

Likewise, the determination of value, which simply posits the existence of a special type of object, arises from yet earlier representations. The hedonistically-minded English philosophers such as Hume and Bentham would perhaps argue that I have grossly exaggerated the world-creative abilities of human beings, who at heart always act according to the pursuit of happiness or at least some manner of emotional satisfaction. To the contrary, historical examples speak to the possibility of acting according to standards qualitatively distinct from the duality of pleasure and pain, such as an absolute and, perhaps, religiously motivated conception of what is objectively good in itself.

More important is the fact that Hume errs in denying that theoretical reason pertains to action in any degree, arguing first that all action arises from passions and secondly that “a passion is an original existence, or, if you will, modification of existence, and contains not any representative quality, which renders it a copy of any other existence or modification,” and thus an object of reason. In supposing that the only possible value of happiness, the ostensible end of nearly all human actions, derives from the fact that one desires it (‘I want happiness because I want happiness’) Hume misunderstands that a motivating passion, as a means of a self-conscious choice and therefore a necessary embodiment of an imperative and associated value, carries a judgment, not about how the world is, but about how the world ought to be (‘I want happiness because I ought to have it’). Put more explicitly, before consciously acting towards the end of maximizing happiness, one must first believe on some level that happiness is a goal to be striven for, a

Yasar Yazeed
(1861—1907)

Naive to war on a
global scale. Wore
wool exclusively.

PREGNANT LADIES, whose situation requires
a temporary retirement — Mr. WATSON, Surgeon and
Man-Midwife, offers to accommodate Ladies in an airy and re-
ted situation, with Apartments to lie-in, on terms suited to
their circumstances and situation in life; their infants put out
to nurse, and humanly taken care of, and as humanity induces
him to offer his assistance to alleviate the horrors of Concealed
Pregnancy, he assures himself Ladies will find, on application
to him, the greatest attention, and most profound secrecy.
conclusion completely independent of the bare experience of pleasure posited by the logical divorce of what is going on from what ought to be going on. Original determinations of value, then, occur a priori, and so it is not until one chooses to kowtow to the world of experience that mere sensation gains any power over the individual. Overall, just as experience stems from the marriage of sensual qualia and representation, so too do passions depend on the synthesis of emotive qualia with a contextual determination of value.

On the Relativity of the Frames

The Frame hosts a perpetual dialogue: as representations determine the reception of qualia, interpretations of qualia in turn inspire the refinement of representations, and so on towards an infinite limit, which in this case converges in individuals thanks to the inevitability of choice. However, the process of world creation admits no exit to knowledge of the Truth: One lacks, nor can one obtain, a basis by which to apply relationships from the world of personal experience to the totality of reality without already knowing the Truth about the nature of these relationships, leading to the conclusion of the relativity of the Frames.

Let us for sake of experiment entertain the idea that one could somehow exit the Frame to acquire knowledge of the Truth. Since from Truth only comes Truth, the accuracy or Truthfulness of any given representation remains limited by that of its predecessors, which implies that Truth, if accessible at all, must either spontaneously pop into a Frame independent of all existing representations or have resided there all along. Now, if it were the case that original representations do exist and provide a door to Truth, one could only comprehend that fact from the immediate self-attestation of said representations, since they operate free of the context of other, secondary representations. Thus, the fact that I am not indubitably aware of the verity of their claims of Truth, or if they even exist in the first place, strongly suggests they cannot convey any knowledge of reality.

One may take yet another step and deny any possibility of attaining comprehension of the Truth in the sense of possessing genuine knowledge, i.e. a justified true belief. If Truth enters the mind only by its own self-attestation, a person can never possess a reason for believing in it, which contradicts a usual condition on the possession of knowledge. Since false representations and even meaningless qualia may voice themselves quite saliently in any given Frame, the mere insistence of the Truthful representation has little bearing on its ability to be recognized as Truth. More generally, insofar as one can always question even the most confident of representations, Truth appears to lack a means of flagging itself as Truth within the Frame. This skepticism casts doubt on the possibility of taking an exit, an issue which will resurface shortly in another, more particular context.
The implications of the recurring idea of relativity deserve yet another perspective. Every Frame possesses a unique method of organizing experiences, combinations of qualia and interpretations, testing them against higher order abstractions such as scientific theories or mystical explanations, and valuing abstractions in terms of coherency or benefit. Throughout these processes, the Frame defines its own standards. Finite consciousness by its subjective nature lacks a means with which to compare either qualia or representations to Truth. In fact, one lacks not only a standard but even a meta-standard to arbitrate between standards, as well as a meta-meta-standard by which to obtain a reputable meta-standard, and so on, continuing in a chain which tends to nothing in the infinite meta-degree. In light of the ignorance of finite consciousness, no one can genuinely impose hierarchies of truth and falsity on others; Truth appears to be a matter of personal taste.

To take an example, differences in opinion between the Christian and atheistic worldviews concerning the existence of God and the creation of the world warrant a simple resolution as prescribed earlier: each side possesses the choice to decide for itself the standards by which to make standards by which to represent the world of experience. Both parties observe the world and see the same things, only to experience different yet cogent realities. Where the Christian witnesses unmistakable signatures of a designer in the elaborateness and fragility of the life-inhabited universe, the atheist observes one of trillions of possible worlds that just happened to emerge by the random processes of evolution. Arguments on both sides of the debate between ‘design’ and ‘chance’ are as insular and self-contained as Kant’s self-consistent but contradictory proofs for the thesis and antithesis of the metaphysical antinomies, a host of irreconcilable philosophical controversies which inspired him to posit a sharp limit on the extent of human knowledge and thus “derive a critique of pure reason itself in order to end the scandal of reason’s ostensible contradictions with itself.”

The inability to breach another’s presupposed reality with its own set of standards renders many debates such as the existence of God useless and one-sided. How can a Christian convince the staunchest atheist of the existence of God? Evidence of creation in an elaborate universe? No: by virtue of the anthropic principle, we only see a universe specially tailored for life simply because we, as conscious observers, are here to see it. Will the Christian present a personal testimony? “No,” says the atheist, “this is merely anecdotal fluff, easily explained away with a bit of psychology.” Even upon seeing Jesus come back from the dead, holes in hands and all, the resolutely close-minded atheist’s response would likely fall along the lines of: “you wily trickster, that was quite a hallucinogen you slipped into my drink.” An argument cannot cross from Frame to Frame without first immolating itself by conforming to the standards of the interlocutor—hence the attribution of conversion to miraculous divine intervention by many Christians.

However, the problem of conversion abruptly throws the debate to a level where contrasting positions become not only disagreeable but plainly unintelligible to the conflicting parties. Prior to reaching this point, a member of either side could comprehend the reasons for the other’s skepticism; indeed, this very perception of understanding gives rise to the so-called psychological
arguments. Now, though, one must ask: what does it mean for God to guide the conversion of a human being to Truth by means of a miracle? Rather than merely shattering a presuppositional barrier arising from the subject’s most fundamental assumptions and standards of knowledge, He must also open the eyes of a finite consciousness to see and know Truth in a manner unmediated by the relativity of representations, while simultaneously respecting the freedom of that consciousness. In light of the earlier discussion on knowledge acquirement, some may view this prospect as an absurdity.

Some, invoking the phrase “by the light we see the light,” may attest to its verity by their personal experience. As an illustration, in the smothering epistemic blindness of relativistic finite consciousness, we know nothing, not even what sight is or feels like, or how it is even possible; indeed, we would likely ridicule the absurd notion of sight unless a figure from the outside came to our liberation and lit the way for us, in which case we could never afterwards doubt that we were indeed seeing. Note, however, that one who knows the light cannot transmit understanding of the light without bearing the light itself, just as I cannot meaningfully convey a description of the color red without presenting the actual color; hence, one enlightened by an external power interacts with the revelation and the revealer solely as an individual, without means of explaining his knowledge to another.

It may well be the case that no light-bearer will come, or even that light itself does not exist. However, one must recognize the profound asymmetry of the problem of knowledge. One can make no claims regarding Truth unless one already comprehends it. If a light has come, someone has seen it and knows as much; if not, the world remains indeterminate, as one who has never seen cannot possibly even conceive of the nonexistence of sight.

There arises a solution to the age-old philosophical problem of how knowledge is possible: As the Frame absorbs and interprets all facets of awareness according to its own standards, from experience to what it cherishes as inviolable principles of reason, finite conscious beings can aspire to nothing more than a representation of reality which is subjectively self-consistent, or, put more plainly, a world which they capriciously just happen to like. We human beings cannot by our own reasoning ability chance upon knowledge; reality alone possesses the power of pressing Truth upon us. There is no theory of knowledge, then, except the possibility of revelation.
an Baran, a member of the Commission on Federal Ethics Law Reform, recently made a comment in The New York Times in response to a campaign finance case, Citizens United v. Federal Election Commission: “The history of campaign finance reform is the history of incumbent politicians seeking to muzzle speakers, any speakers, particularly those who might publicly criticize them and their legislation. It is a lot easier to legislate against unions, gun owners, ‘fat cat’ bankers, health insurance companies and any other industry or ‘special interest’ group when they can’t talk back.”

The history of campaign finance is certainly a fraught one. Besides invariably tending towards dogmatic, entrenched positions on the issue, both pundits and case law — Citizens United included — also gravitate towards historical claims about the dangers (or benefits) of free spending in politics. Conversely, contemporary debates have emphasized the stifling effects of regulating campaign spending. Does the history of campaign finance favor one side over the other?

Not really. The history of funding campaigns is a turbulent one, and no one has quite been able to decide what the effects are of either spending more on elections, or allowing new entities to participate in the process. But maybe this is the wrong question to ask. In the pecuniary bloodletting that has defined campaign finance since the late 17th century, one can say that there is no winner in the end. Looking at what campaign finance has looked like, and what people have done about it, reveals some complexities that aren’t easily explained by competing contemporary ideologies. Instead, we may question what function electioneering plays in society, and whether it has anything to do with free speech at all.

In the spring of 1768, William Cabell of Amherst knew it was going to be a tough race for a seat in the Virginia House of Burgesses. He was running against Thomas Jefferson, an up-and-coming lawyer. Pre-Revolution elections to local assemblies were already, as a rule, highly contested. So, Mr. Cabell did what most sophisticated political candidates in the colonies would do: he purchased alcohol.

And not just a little. I should note that the electorate was not easily wooed to travel up to 25 miles by horse, often without roads, to cast their ballots at the local courthouse. So in the days leading up to the election, he purchased,
“120 gals. Of Cyder … and 110 Gallons of [Rum].” George Washington in the 1768 election purchased nearly 160 gallons of rum for roughly 360 supporters. In the 1769 election Jefferson spent nearly £5 (about a month’s earnings for a yeoman farmer) on small cakes alone. Elections often devolved into drunken carnival-like affairs. To attract voters, two Virginia candidates were purported to have entered into a quickly escalating contest as to who could procure more prostitutes, who apparently converged on the township from surrounding counties as far away as Williamsburg. These examples demonstrate that early colonial elections were both highly contested and very costly. But what is most surprising, however, is that all of these tactics were, strictly speaking, illegal.

Virginia, like most states and nearly all of England, forbade spending money to directly influence voters. The laws made it a punishable crime to spend money to influence votes in any way. It is quite likely that this had its basis in the fact that with such a small percentage of the eligible population that actually voted, a few extra votes could win an election. This made it very tantalizing for candidates to attempt to buy votes. Eventually, the discrete and gentlemanly practice of buying dinner for friends (or ‘interests’) evolved into full-scale ‘treating’ of voters, targeted especially at eligible, but habitually non-voting poor, who were easily swayed by a good meal and, as indicated, lots of liquor. In terms of financial and gastronomic benefits, being a poor or middle class voter in 18th century Virginia meant you were the primary recipient of campaign spending.

This practice was eventually superseded (but by no means eliminated) by media campaigning and more distributed methods of dissemination. Andrew Jackson's 1828 campaign relied heavily on newspapers. Advertisements and pamphlets were cheap to print but costly to distribute, and he drew on elite supporters to fund his campaign. The beneficiaries of the spending became more diffuse, as did the sources. Although candidates often spent much of their own money, through the 19th century, the sources of campaign funding grew to include wealthy industrialist magnates and heavy support from government employees. After the 1883 Pendleton Act abolished the latter source of finances, candidates looked even more to wealthy families. Ulysses S. Grant’s 1872 election to a great degree rested upon a small cabal of New York democrats who together pledged hundreds of thousands of dollars to his campaign.

During the 1830 to 1832 election period, the Bank of the United States responded to Jackson’s political pressure by purportedly spending an incredible sum to stop his re-election. Corporate influence had appeared in politics, and for better or worse it would make an indelible mark on political finance. The 1896 election saw business supporters pledge ever-larger sums to defeat the populist candidate, William Jennings Bryan. In a sense, campaign expenditures were simply adjusting to the increasing availability of media.
with a national reach. Yet it was clear that the campaign finance environment had changed from the carnival atmosphere of the 18th century. The poor were no longer the beneficiaries of treating from candidates. Media outlets became the primary recipients of campaign money. The 20th century muckraker journalists scandalized corporate vote-buying, suggesting that conglomerates had become too powerful a force in politics. This was a significant element in Theodore Roosevelt’s anti-trust measures (although, in an embarrassing twist of fate, Roosevelt later turned to the very same industrialists for support in the 1904 election).

Yet the outright purchase of votes came into vogue once again with the wholesale expansion of franchise with the rise of political machines in the late 19th century. Although reformers saw political machines as a corruption of democracy, the first real effort at reforming the campaign finance system occurred with the Tillman Act in 1907, which prohibited corporations and interstate banks from making direct contributions. It was a failure. Other campaign finance reform measures linked to the labor movement, such as the Smith-Connally Act in 1943 and Taft-Hartley Act in 1947, extended the Tillman ban to labor unions, but had little effect on the estimated increases in spending.

It is generally agreed that these had little effect on campaign spending in part because no one enforced the statutes. That changed after the Watergate scandal induced Congress to create limits on contributions by amending the Federal Election Campaign Act (FEDCA) of 1972, which required candidates to disclose their contributions and expenditures (these donations to specific candidates are commonly referred to as ‘hard money’). The 2002 McCain-Feingold Act changed some of the limits on spending, and prohibited unregulated contributions to political parties, or ‘soft money.’ Yet despite the various regulatory mechanisms in place, the fear of money in politics from either side of the aisle has not abated.

In August of 2000, Slate News reported that an eBay user had offered his vote to the highest bidder. A number of copycat vote-sellers quickly appeared, along with one remarkable website: Vote-auction.com, an online marketplace for purchasing votes. Although it was very much illegal, the graduate student behind the site clearly had a satirical bent. The site’s motto was “Bringing Democracy and Capitalism Closer Together,” and Slate reported that he complained about how the biggest spenders tend to win elections, but messily, with big advertising campaigns and consultants. He suggested that Vote-auction.com simply “cut out the middle man” and brought market efficiency to campaign financing.

Is this so absurd? This month 11 individuals, including four Alabama legislators, were arrested in connection with a vote buying operation. The history of campaign finance suggests that this practice has characterized the de facto functioning of campaign finance for the
better part of 300 years. Of course, that is no reason to advocate for its continued practice. Yet we should question what made it so resilient to laws and regulations that often banned outright campaign finance and electioneering in any form. Early colonial voters benefited from the redistribution of wealth that took place when candidates spent lavishly on elections. If candidates will not be deterred from electioneering by law, then maybe we should, like Vote-auction.com, ask what purpose it serves in society.

Let’s go back to Mr. Baran’s comment at the beginning of this piece. The idea that incumbency is inherently invidious because of its stifling effect on political activity seems to resonate today more than any other time in American history. It rides on larger political movements. Big ideas about the role of corporations have become linked with campaign finance, and justices, pundits, and politicians alike have liberally injected even bigger ideas of freedom, democracy and, above all free speech into the debate. But rhetorical appeals to freedoms of any sort should be examined warily and with some scrutiny. Historically, campaign finance reform has been associated with ‘cleaning up’ politics, and only recently has the rhetoric bifurcated into competing notions of regulation versus repression. Yet our brief historical analysis also suggests that campaign finance regulation is not always (or even usually) followed. Lying behind the issue of spending we find much more difficult questions about the historical role of the electorate in systems that are often unbalanced and unfair. If selling your vote on eBay allows you to participate more directly in the political process, should it be dismissed so easily? ✎
Human language is one of the most impressive results of cultural evolution and is often considered one of the defining characteristics that differentiates us from all other animals. We all have an intuitive understanding of what it means to use language and for something to be a language. But when asked for the first time, I found myself unable to produce a concrete definition of language. It expresses thoughts (but so does art), it has a written form (except for sign language), and it has rules (but so does math). So, if language is not just expression, writing, or rules, then what is it? After all, we apply the term not only to natural living human languages—those that developed piecemeal over centuries and are still spoken today—but also to computer languages and Morse code. Then there are more complex matters, such as animal communication, which refers to animals who have been taught some sort of basic language by humans. You have probably heard of primates who learn sign language, but many other species have been taught to communicate with humans to varying degrees of success. But how do we know if they are using language or are just very well trained?

To address this, a coherent, if still imprecise, definition of language is needed. If language use makes humans unique from animals, then a definition of language should successfully qualify humans as language users and exclude animals. But a definition designed to fit that criterion would be a very artificial definition of language that would not prove anything. Therefore, a definition of language must be independent of any end goals. At its most basic level, language is a system for communication. In particular, I think we can define language as having three components: it has systematic and hierarchical structural properties, serves a variety of sophisticated communicative functions beyond the here-and-now, and is used by a language community. While communication systems may have language-like properties and the potential to develop into languages, without all three of these defining aspects I would argue that they do not qualify.

The first aspect of language is a systematic structure. Linguists still argue about which structural properties are truly universal, but all natural languages can be characterized by a very systematically and hierarchically organized...
structure, from the patterning of sounds or syllables to the grammar ruling the structure of a sentence. When animals are taught human language, they are sometimes able to acquire certain structural elements. For example, in one study, an African parrot was able to understand category-based rules and apply color labels to nouns to form new combinations it had never overheard. This implies at least a very basic cognitive understanding of what it means to qualify a noun with an adjective, which is pretty impressive for a parrot. This also means that the parrot is not entirely producing language on a superficial, rote level, but understanding a structural rule. From the evidence, it seems that some animals have the capacity to acquire some of the basic structural properties of natural languages, though on a very limited scope. Animals at least qualify somewhat for this aspect of language, though I might argue that the level of structure they acquire lacks sufficient complexity to fully warrant the title.

Natural languages are also used for a variety of functions that separate them from lesser communication systems. When chimpanzees are taught sign language, they use it primarily for here-and-now requests, which points to the second aspect of the definition of language. Our parrot, along with a bonobo and a pair of dolphins from the same paper, also stuck mostly to here-and-now requests. When animals develop basic communication systems naturally, they tend to be similarly limited in functionality; they do not tell stories or talk about the future. While animal communication does achieve basic degrees of structure, in terms of usage animals can now be firmly disqualified as language-users.

The first two aspects of the definition I have established have clearly differentiated human language from animal communication. However, does all human language still qualify under the full definition? For consideration, I present the unusual situation of deaf children of hearing parents, known as homesigners, who receive no linguistic input. In such situations, children develop structured systems of gestures that begin to resemble a sign language, which we call homesign. Home-sign is born in communities that emphasize oralism (a bias towards lip reading) or in rural communities where there is no school for the deaf.

For the question of a systematic and hierarchical structure pertaining to homesign, I turn to The Resilience of Language, a book by University of Chicago professor Susan Goldin-Meadow, who did some of the first research about homesigning children. Goldin-Meadow argues that the gesture systems created by deaf homesigners have the structural properties of natural languages. For example, they have a stable lexicon with words composed of smaller parts that “can be combined to produce new gestures with different, and predictable meanings,” just like natural languages. Despite the necessary transparency of their gestures, they even begin to develop more arbitrary
relationships between form and meaning. And as the children’s language and language skills develop, their actions “take on the properties of a system.” It seems clear that on a structural level, the homesigners have created a language.

Goldin-Meadow also argues that the homesigners she studied used their gestural system for all the functions of natural language: to comment on the here-and-now as well as the past, future, and hypothetical; to make generic statements; to tell stories; to talk to themselves; and to talk metalinguistically, or about their own conversation. Although animals do not use communication for these functions, the homesigning children use their system for all the functions that full language-users do.

However, the homesign must now be considered in terms of the third aspect of language: Its existence within a language community. Almost all of the functions listed above have the goal of communication. Since the parents of homesigners do not understand or use their system, they do not constitute a language community for the child. For example, Kako explains the purpose of having structured grammar: it “ensures that listeners can accurately decode the thoughts of speakers.” The homesigners do have argument structure, but the adults cannot take advantage of it to understand them. Instead, “every word requires interpretation,” like a painting.

We can see that the reason all natural languages have systematic structural properties is for accurate communication. The structure of language allows for complex ideas to be transferred from one mind to another; it exists so that that process can occur with minimum confusion. The structural properties of a language without the understanding that comes from a language community serve little communicative purpose. Therefore, the presence of a language community is an important aspect of possessing true language, which the homesigners lack.

According to my definition of language as possessing systematic and hierarchical structures, serving sophisticated communicative functions beyond the here-and-now, and being used by a language community, neither animals nor homesigners can be categorized as having fully fledged language use. Animals can acquire rudimentary systematic qualities of language; however, there is no evidence of their using that system to tell stories or speculate about the future. Homesigners clearly use a very
complex and hierarchical system and also use their system for the same range of communicative functions as all humans; however, they constitute the sole speakers of their languages and therefore do not have a language community.

Although I have classified both animals and homesigners as not using full language, there is an important difference between them: Homesigners are on the brink of tipping into full language use, while animals do not even appear close. The homesigners represent something very important: the impetus of language. Most natural sign languages came about when schools for the deaf were created and many children with different homesign systems were brought together for the first time. These schools became the breeding grounds for full sign languages, conglomerations of dozens of individual systems. As soon as homesigners are presented with the opportunity to create a language community, they seize it with vigor. The animals, by contrast, are presented with a language community (of researchers trying to communicate with them), yet their use remains limited.

Why does this difference emerge? Children who invent homesign are driven by what appears to be an innate human drive for communication and systemization. There seems to be something very human in this drive, something that differentiates us from other animals. So what does this all mean for our definition of humans as users of language? If we define humans through language-use, then not only do we exclude homesigners but we also entirely miss the point. Language is more than a capacity, more than the right articulatory physiology and cognitive abilities. It is the result of a desperate desire to connect to and communicate with those around us. It is this desire, rather than its manifestation in language, that should define us as a species.
When Mayor Daley announced that he would not be running for mayor of Chicago in 2011, his supporters and opponents alike wondered what this change would bring. Daley has been credited with taking decisive action to clean up the city, but as Alderman Joe Green put it, “I think a little dose of democracy will be very healthy for the city.” Mayor Daley has a remarkable talent for pushing his political agenda, which allowed him to do everything from the constructive—building Millennium Park, for example—to the controversial. When debate ensued over whether to turn the small airport named Meigs Field into a park, Daley forced the field to close by sending construction crews to tear giant x’s on its runways in the middle of the night.

Since Daley has dominated Chicago politics in his seven terms in office, and given that he has been in office longer than most undergraduates have been alive, it’s difficult to imagine what the city will look like without him. When considering how Chicago will respond to this change, it’s useful to analyze how the city has dealt with other recent turnovers. In fact, a city agency that brought Chicago fame—or rather, infamy—near the beginning of Daley’s mayoral career has undergone a major change in the past decade. In 2000, the Chicago Housing Authority (CHA) began a public housing redevelopment project named the ‘Plan for Transformation’ that sought to greatly alter the character, public image, and impact of CHA.

The Chicago Housing Authority was founded in 1937, with funds provided by the federal Public Works Administration under FDR. Its initial goal was to clear slums by providing temporary housing for poor and low-income residents. At first, public housing communities provided stable homes for the working poor. CHA residents of the 1950s have fond memories of moving into ‘paradise.’ But over time, administrative decisions by CHA and the federal Department of Housing and Urban Development (HUD) caused Chicago public housing to decline. Dense high-rise buildings packed poor residents—often single mothers with children—together like sardines. Projects were located in poor communities and disconnected from the city’s resources. Construction of these buildings was shoddy, and funds...
for maintenance limited. Public housing deteriorated: working elevators were scarce, graffiti covered the walls, and broken toilets went unfixed. By the 1980s, gang violence and other crime pervaded the isolated projects.

Something had to be done to stop the cycle of poverty in CHA projects. On February 5th, 2000, CHA officials welcomed federal and local leaders to a ceremony announcing the federal government’s approval of CHA’s Plan for Transformation. The CHA would demolish its 51 high-rise public housing buildings and replace many of them with new mixed-income developments. These developments would contain a combination of public housing, affordable, and market-rate units.

Scholars suggested that integrating public housing residents with higher-income neighbors would ensure them quality housing and give them access to resources and jobs. In the Plan for Transformation, the CHA sought to ‘transform’ not only the physical structure of its properties; it also aimed to promote self-sufficiency for public housing residents and reform CHA administration.

Has CHA demonstrated that Chicago is a city capable of creating large-scale change to benefit the poor? Physically, change has been dramatic. After ten years, CHA has built or redeveloped 17,812 public housing units (continuing to strive toward its goal of 25,000 units). The mixed-income units are made of such high-quality materials that the public housing apartments are literally indistinguishable from the market-rate ones. But improving the buildings themselves is arguably one of the least significant changes in the Plan. More importantly, CHA must create safe, supportive, resource-rich communities for its residents. Residents need access to jobs and incentives to work, crime must be reduced near CHA projects, and other necessities like food and quality schools must be accessible. So whether the Plan for Transformation has actually made positive changes in the lives of public housing residents is ultimately the more interesting, and more difficult, inquiry.

The literature has been mixed on this question. Relocated CHA residents experienced improvements in their housing conditions as well as their perceived neighborhood safety and for some, even their mental health. On the other hand, most residents still live in racially segregated neighborhoods and many lamented the loss of the informal social networks they had in their original public housing homes. Resident employment was one of the chief goals of the Plan for Transformation; in that area, modest gains have been achieved. Likewise, there is some improvement in the education and well-being of youth but many students are still struggling. Overall, CHA’s social service and employment connector program called
FamilyWorks has helped increase the self-sufficiency of cha residents. But research has demonstrated that it has failed to help a population of residents called the ‘hard-to-house,’ who have multiple barriers to self-sufficiency such as weak employment histories, low levels of education, substance abuse, and mental health problems. It’s still early to judge how significant the progress will be in improving residents’ lives, since cha is still tweaking its programs and services and many gains will occur gradually.

Public discourse on the cha shows that progress has been especially slow in the transformation of cha’s public image. Chicagoans are skeptical that the Plan will bring real change. Some fear the problem of urban poverty will be displaced rather than eliminated; that the high-rise ‘vertical ghettos’ will just turn into ‘horizontal ghettos.’

Furthermore, cha has been criticized for taking insufficient care to house the numerous squatters who lived in cha buildings before the Plan but weren’t legal leaseholders. The exact number of squatters is unknown, but studies have shown that substantial numbers of people, nearly one-quarter of which were children, were living in cha buildings without a valid lease. Some lived in the units of cha leaseholders; others stayed in hallways and vacant units. Most of them had once been cha tenants, and nearly all had social ties to the projects they lived in; but while cha leaseholders were guaranteed replacement housing when their buildings were redeveloped, squatters were given no relocation rights. They were evicted and many became homeless. Consequently, advocates for the homeless criticized the Plan for Transformation for actually increasing the number of homeless in Chicago.

The above criticisms are valid, but underlying them is popular skepticism that an agency like the cha, with such a troubled history of corruption and mismanagement, is actually capable of change. Even if the physical structures are transformed, even if public housing residents’ lives are transformed, can the negative public image of the cha administration be transformed?

The cha is certainly seeking to persuade Chicagoans that it can. Lewis A. Jordan, CEO, has made a personal effort to respond publicly to the concerns of cha residents. A new cha Ombudsman has the responsibility of responding to resident inquiries. More subtly, the cha has endeavored to recreate its public image by referring to its communities as ‘mixed-income developments’ and ‘family properties’ rather than ‘housing projects.’ It will be an uphill battle, but cha is striving to transform itself from a provider of ‘housing of last resort’ to an effective public housing manager.
The next mayor of Chicago can learn from the experience of the Chicago Housing Authority. The hustle and bustle of 'The City that Works' provides the impetus for change, but the momentum in any city favors the status quo. Even if the next mayor seeks to increase democracy in Chicago politics, Chicagoans will be hesitant to assume that he is not just the next head of the Democratic Political Machine. As CHA has demonstrated, making substantial changes for the better in the lives of Chicagoans is an arduous task, and changing the culture and public image of an administration is even harder. But if the research on the Plan for Transformation continues to demonstrate improvement, the Chicago Housing Authority just may become a beacon of hope for the future of Chicago.
His essay examines the functional significance of the leaders of modern symphonic orchestras known as conductors. In simple terms, then, it investigates what exactly it is that these individuals do. This is a more difficult issue to tackle than one might initially imagine because from a certain perspective conductors do not seem to do much at all. I mean this in the sense that a conductor does not directly produce music and, in this way, may not appear to contribute anything substantial to a performance of it. I refuse, however, to prematurely conclude that conductors in fact have no significance, especially considering their widespread presence.

In the following discussions, I search for this significance and ultimately formulate it in concrete terms. Specifically, I argue that conductors are important symbols that define orchestras and, furthermore, that they embody a sense of control and directorship that I call musical agency. I begin to unearth these notions first by way of a close reading of my own experience as a concertgoer with respect to a November 2009 performance of the Chicago Symphony Orchestra (cso) conducted by Bernard Haitink. The paper then assumes a decidedly more removed approach, and I examine a number of historical narratives in a way intended to add depth to my understanding of conductors. Finally, I nuance my claims by considering orchestras that have in some way deviated from the model I establish and, in so doing, demonstrate how these organizations also have much to tell us about the role of conductors today.

Chicago, November 2009—
I am planning a trip to see an upcoming performance of the Chicago Symphony Orchestra (cso). I log onto the cso’s website, www.cso.org, looking to purchase a student ticket for a concert on the afternoon of November 13th. I notice that the concert has been given a title: “Haitink Conducts Bruckner 9.” A close-up shot of Bernard Haitink in action — tuxedo, baton, meditative facial expression — is also displayed.

On the 13th, I arrive at Symphony Center downtown on Michigan Avenue well before the start of the concert. As I enter the building, I
notice that an enormous poster proclaiming Bernard Haitink and sporting another dramatic headshot of the maestro is hanging on the side of the building. Next, I find my seat on the main floor concert hall — only a few rows behind and slightly to the right of the stage, an ideal position from which to observe the conductor’s motions. I sit down and examine the program book that has been handed to me. The book’s cover once again presents me with an almost full-page portrait of Haitink, accompanied by his name in prominent block letters. Above this is a small header that, in a much more modest font size, displays “Chicago Symphony Orchestra” and, below this, identifies Haitink as the cso’s Principal Conductor, along with Pierre Boulez as Conductor Emeritus and Riccardo Muti as Music Director Designate.

Despite the fact that they took place before the concert proper of November 13th began — that is, before even a single note of music had been played — these observations are enormously important to me. Specifically, they allow me to begin to grasp the notion that conductors serve as symbols that define orchestras. In the events leading up to the beginning of the cso performance, I was bombarded with images and words announcing the identity of the concert’s conductor: it seemed that the administration of the cso had deemed it crucial to establish my awareness of Haitink’s involvement in the performance. Importantly, many of the means by which this was accomplished — namely, Haitink’s prominence on the cso website and the poster hanging outside of the Symphony Center — were accessible not just to me as a ticket-holder but also to merely potential attendees and random passersby. This implies that Haitink was featured not because a familiarity with his name, physical appearance, and association with the November 13th performance would enhance my understanding of the music to be played. Instead, my observations suggest that he was somehow understood as a representative of the cso in the context of the audience in the concert hall (in the case of the program book), downtown Chicago (in the case of the poster), and even the world (in the case of the website). The presence of Haitink, more specifically, was applied as a symbol that defined the cso as it interacted with various groups of people.

Furthermore, my observation that three conductors were listed on my program book — and, of course, a quick glance at many other event listings on the organization’s website — reveals that this
WHAT DO THEY DO?

treatment is not applied solely to Haitink but rather to the many individuals who conduct the cso and especially to Pierre Boulez and Riccardo Muti, the orchestra's other musical leaders. Finally, if the cso serves as representative of the world's major symphony orchestras — and I see no reason why it should not be — it becomes clear that such orchestras treat conductors as key symbols in defining themselves. The extension of the themes I lay out here, to broader contexts such as this, is taken up in greater detail in later sections of the paper.

Returning to the analysis of my observations at the Symphony Center, an obvious question emerges: what, precisely, did Haitink symbolize? As suggested above, my ultimate answer to this question is that conductors represent what I call musical agency. It is worth noting that my use of the term 'agency' not only reflects the notion of free choice but also implies a statement about power relations, for conductors hold musical power over instrumentalists. This is manifested perhaps most importantly in a conductor's right to make interpretive decisions about a piece of music and also, in some cases, to hold administrative authority related to music-making. In the broadest possible terms, then, a conductor's musical agency refers to his or her control over a musical event, and this inevitably includes control over what many other people do in the process of executing that event.

With this terminology in hand, I briefly turn back to my field notes, this time examining the concert itself.

The concert opens with Haydn's *Sinfonia concertante* in B-flat major for violin, cello, oboe, bassoon, and orchestra. The program notes explain that a *sinfonia concertante* is a cross between a classical symphony and concerto and, as such, 'the spirit is one of sharing' between the soloists and orchestra. After striding onstage, being greeted with applause, and taking a collective bow, Haitink and the four soloists assume their positions. Just like the orchestra behind them, the soloists — all members themselves of the cso — sit in a horseshoe formation surrounding the conductor's podium; Haitink, of course, stands facing the musicians. As the music unfolds, I pay particularly close attention to the relationships between Haitink, the soloists, and the orchestra. I notice that at many times the soloists simply 'double' their counterparts in the orchestra (for example, the cello soloist plays the same music, and at the same time, as the members of the cello section), and in passages where the orchestra drops out entirely, Haitink often continues to keep a pulse with his baton and even provide small cues to the soloists. As the program notes predict, the soloists 'rarely hog the spotlight.'

Anton Bruckner's unfinished Ninth Symphony follows the intermission. It is a moving performance so large in scope that it is difficult to describe here in such condensed notes. I sense that Haitink is truly in his element: he draws massive clouds of sound from the musicians with simple, elegant gestures, and the orchestra seamlessly follows Haitink's subtle manipulations of tempo and dynamics as if he himself were producing
the sound. A rousing ovation follows the performance, and when Haitink turns to acknowledge the audience he is saluted with particularly loud applause and shouts of “BRAVO!”

This concert conveniently provides me with rich opportunities to apply my new understanding of musical agency. The Haydn piece is particularly interesting to me because it serves as an example of how a conductor may negotiate situations in which there exist featured soloists. Soloists, it should be noted, often impede upon representations of a conductor’s musical agency. For example, on November 19th and 20th, the cso performed programs involving conductor Christoph von Dohnányi and pianist Paul Lewis; the event listing on www.cso.org is accompanied by a photograph of Lewis, not Dohnányi, and the event is titled “Mozart and Schumann” (instead of, say, “Dohnányi Conducts Mozart and Schumann”). Prominent soloists are thus able to strip from conductors the status of defining symbol, which in turn implies that they hinder a conductor’s ability to represent musical agency.

In the case of Haydn’s *Sinfonia concertante*, however, Haitink not only maintained dominance on the cso’s website but also, I argue, salvaged ample symbolizations of musical agency in the concert hall. For example, by continuing to beat time even during *soli* passages, he consistently laid claim to tempo-controlling rights and thus asserted interpretive power over the soloists. This relationship was also represented by the spatial placement of the soloists. Instead of facing the audience from the conductor’s sides—or even, as piano soloists do, sitting in front of the conductor, thus completely blocking him or her from the view of much of the audience—the Haydn soloists sat surrounding Haitink, as if mere outgrowths of the orchestra. This visually presented Haitink as a leader presiding at the head of a single musical machine. In these ways, Haitink demonstrated how a conductor may stand as a strong symbol of musical agency even in performances involving soloists.

The Bruckner symphony provides a far more straightforward example, for in this context there was not another person or group of people that had even the potential to rival Haitink’s musical agency. His status as sole leader was granted to him by the form of the piece—a symphony for orchestra with no soloists—and was unsurprisingly not symbolically challenged in the concert hall. Moreover, representations of Haitink’s musical agency appear to have had an effect on the audience: while the applause that followed the performance was hearty overall, it was particularly loud whenever Haitink bowed. This may be explained by inferring that the audience members recognized him as a sole possessor of musical agency and, thus, as being responsible for having created a successful performance. Such an inference is helpful here because it follows logically from it that the audience would wish to congratulate and reward Haitink with an especially strong post-performance reception. In these ways, my observations surrounding the November 13th concert of the cso demonstrate how Haitink stood as a defining symbol of the cso and that he specifically represented what I have termed musical agency.

Next, I wish to discuss musical agency in a context outside of my observation of the cso performance—specifically, by examining the broader history of the symphony orchestra as an institution. I suggest that the
emergence of conductors in the 19th century occurred in order to fulfill specific leadership needs. In other words, history shows that the practice of conducting is grounded in and inexorably linked with possession of musical agency. John Spitzer and Neal Zaslaw implicitly argue this in *The Birth of the Orchestra*: they note, for example, that “[l]ate eighteenth-century orchestras were led by the first violinist, who set tempos, led rehearsals, and maintained discipline” but that starting in the 19th century “violin leaders began to be replaced by conductors, who did not play an instrument but beat time with their bows or with batons.” They thus trace and define the history of conducting through the transference of musical agency—here, interpretive powers, such as tempo-setting and rehearsal-leading, as well as related administrative duties—to a non-instrumentalist.

Adam Carse, in his outdated but enormously detailed 1948 work on the history of orchestras, attempts to explain the necessity of the emergence of a “time-beating interpretative conductor” by pointing to both the orchestra’s growing size and the composer’s increasingly flexible and unpredictable use of tempo and rhythm in the nineteenth century; such trends, Carse implies, impeded the ability of performers to successfully play together without the constant presence of a musical leader. This sense of causality establishes a convincing historical narrative by which conductors emerged in order to serve functions of musical agency. In all, the works of Warren, Spitzer and Zaslaw, and now Carse establish a multifaceted historical narrative that draws on both specific and broad-based perspectives and intertwines concepts of orchestra-
defining symbolism and musical agency. This narrative convinces me that the same claims I have drawn from the cso performance may, in fact, be applied to a general understanding of conductors and their roles in the orchestral world.

The above discussions have, through their examinations both of my personal experiences and of histories, implied that the model of conductors as orchestral-defining symbols and possessors of musical agency is widespread in nature. However, some present-day orchestras have demonstrated remarkable deviations from or even entire negations to this model. Here, I briefly examine such orchestras and, in so doing, hope to convey two important concepts. First, these iconoclastic organizations demonstrate well that subscribing to the typical conception of conductors is not a prerequisite for success. Second, and more importantly, because the organizations are acutely self-conscious of the fact that they represent a challenge to the normal order, and because the public discourse that surrounds them often focuses on this deviance, they inadvertently confirm the high degree to which the model of conductors I have established above has a grip on today’s classical music community.

The Saint Paul Chamber Orchestra easily qualifies as one of these organizations. It heralds itself as “the nation’s only full-time professional chamber orchestra” and as “one of the finest chamber orchestras in the world.” While this highly-regarded ensemble appears with conductors in performance, its current understanding of artistic leadership, first announced in 2004, is highly unique. As The New York Times announced, “The St. Paul Chamber Orchestra [sic] won’t have a music director anymore. What it will have, beginning in the 2004–5 season, is leadership transferred to its musicians and five artistic partners.” The organization also constructed an “artistic vision committee…responsible for all aspects of programming… [and] all orchestra personnel matters…” Similarly, the spco itself notes that it “transferred broad artistic responsibilities from a music director to the spco musicians and… Artistic Partners” starting in the 2004–5 season. I believe that these moves constitute a serious negation of the role of conductors that I have outlined above. They take up a fresh perspective on the issue of musical agency by stripping conductors of decision-making power over crucial musical considerations—including basic questions of programming—and assigning it to a faceless committee. The performers themselves also receive some sort of authority; though neither the Times nor the spco explains its exact nature, it is presumably musical, especially considering that it was taken from conductors and given to other musicians. I am, for these reasons, convinced that the spco’s new leadership model stands as an affront to musical agency as represented by conductors.

The organization’s elimination of the position of music director also represents a broader deviance from the symbolic significance of conductors. Of course, a conductor need not be called a ‘music director’ in order to embody this significance: Haitink, for example, is the cso’s ‘principal conductor,’ and I
would even argue that there is no correlation between the question of whether a conductor holds a long-term post with an orchestra and his or her ability to, at least in the contexts of particular performances, define that orchestra. However, a quick glance at major American orchestras in such cities as New York, Philadelphia, and Boston reveals that music directorships provide particularly strong opportunities to broadly define orchestras—that is, irrespective of specific performances—with a single individual. From this perspective, discontinuing a music directorship is a highly meaningful gesture that diminishes an orchestra’s ability to present definitions of itself through conductors.

Another ensemble, the Orpheus Chamber Orchestra, is also very much worth mentioning here. Orpheus extends the revolutionary concepts taken up by the spco to arguably the greatest degree possible: the complete elimination of conductors. Harvey Seifter—Orpheus’s executive director—and Peter Economy discuss this theme in *Leadership Ensemble: Lessons in Collaborative Management from the World’s Only Conductorless Orchestra*. Though the book is written largely from an administrative perspective, it provides key insights into Orpheus’s approach to musical agency. Seifter and Economy explain that “we [Orpheus] continuously disperse the conductor’s traditional power and authority among everyone in the orchestra...” Thus, just as I have argued that the spco’s recent change of leadership structure diminished its ability to invest self-defining symbolism in the figure of a conductor, Seifter and Economy present a model in which the musical agency—a likely subset of the “power and authority”—usually possessed by conductors is divvied up among instrumentalists. I believe that these two unique organizations—especially when considered together, as I have done here—indicate that it is quite possible to successfully deviate from the picture of conductors painted in the earlier sections of this essay.

But I am interested in orchestras like the spco and Orpheus not only because of this deviation, as suggested above. Rather, I also wish to acknowledge that the discourse that surrounds such orchestras—at times self-consciously instigated by the organizations themselves, at times not—tends to focus on their deviance and thus reaffirms just how dominant the typical understanding of conductors is in the orchestral community. Much of what I have already discussed above serves to demonstrate this point. For example, I find it telling that *The New York Times*, arguably one of the world’s most important resources for international and national news, considered it important to announce the spco’s elimination...
of its music directorship. It is similarly significant that the Times often mentions Orpheus’s lack of conductor in reviews—such as those from March 2006, October 2007, and September 2008—of its performances. These unique features are equally prominent in the discourse generated by the orchestras themselves. For instance, they are featured on the websites of both the spco and Orpheus; in the case of the latter ensemble, they are also addressed by the fact that its executive director chose to co-author a book on leadership with the words ‘conductorless orchestra’ in the subtitle. I would explain this remarkable recognition of and fascination with the spco’s and Orpheus’s models by inferring that my understanding of conductors—as defining symbols of musical agency—is extremely widespread and very much held to be the status quo. Breaking from the mold is thus the subject of a remarkable amount of attention, both from within the orchestras that do so and without.

In this essay, I have attempted to examine, define, and problematize the role of modern orchestral conductors. Drawing on ethnographic observations I made at Symphony Center in Chicago, I suggested that conductors (1) serve as orchestra-defining symbols and (2) possess an important control over musical events that I call ‘musical agency.’ I then further explored these ideas by turning to historical narratives of the symphony orchestra. And, finally, I nuanced my claims by considering organizations that eschew the standard of orchestral conductors and, in so doing, draw attention to just how prevalent this model is today. 

THE MIDWAY REVIEW

can now be found all quarter at

Harper Café
HE OTHER DAY I TOLD a friend what everyone in my
translation class had agreed on: that the translator
knows that her translation is a futile act from the start.
He responded, “But is your translation less of a failure
than anyone else’s?” I wasn’t sure what to say; I had no
idea what a better translation would be. Was it more
accurate to the text? Or was it a better poem in the
end? If I were the author, I would prefer a translation
that was more literal than figurative, sticking closer to meaning than to
form; anyone can mimic form without worthwhile content. But as a reader
of translations, I know that the final product has to stand on its own; it
must be a whole work that neither lacks necessary explanation nor has it
to excess. In sacrificing form for accuracy, however, I would move further
from the poet’s intended effect; in sacrificing accuracy for formal beauty, I
would remove the work’s deepest beauty. The problems that arose from this
dilemma were problems of simultaneously being an audience to the author
and writer to an audience: problems of interpretation and conveyance.

My first translation project was something that gradually, unexpectedly,
worked its way into my life. Lorenzo Oliván’s Libro de los elementos and I had
an inauspicious meeting. I picked it up on a whim at a used book sale soon
after moving to Chicago. I didn’t read any until I was assigned a translation
for a poetry class; from that came my translation of “Rider in the midst
of a plain.” It was difficult and rote and I didn’t have a natural feel for the
language. More than a year later I picked up the book again after combing
the library shelves for a work to translate, and I realized that Oliván had
exactly the style I was looking for. He used little rhyme, and concrete but
dreamily abstracted images. And he had not been translated before, so I
knew I would have no temptation to peek at others’ interpretations. From
Libro de los elementos I chose the poems I liked most, the sort of poems I
would have liked to read in English: odes to literary figures, manifestos of
strong emotion, swathes of images like landscapes and portraits and surrealist
paintings. And they were all elemental in theme, like the title of the book.

His style endeared his poems to me, but it presented a few problems.
For instance, a lack of rhyme removed the question of trying to emulate
that at the expense of meaning. In Spanish it is easy enough to rhyme, much easier than in English. Deciding not to rhyme, he would be devoting the rest of the work to the perfection of the idea as presented through the syntax, semantics, form, consonance and assonance. I had to pay particular attention to some of the subtler meanings, with a mind to language’s innate complexity and simultaneous abilities to be precise and general.

With a degree in philology, Oliván has a knowledge that many do not, of Spanish etymology and the more technical aspects of the language. I wondered many times, does he play with Spanish’s obscurities and am I missing it, since I lack his philological background? I can’t ask myself whether, as a philologist, he considers etymology or modern connotation in his word choice, because he’s primarily a living, breathing speaker of the language. He’s close to both aspects.

In a way it would be easier for me if he played with the multifarious dictionary definitions of a word, since my understanding of Spanish is rooted in the classroom and thus my understanding lies closer to the dictionary meaning. I have to be open to strange interpretations because I’m aware of how incomplete my own knowledge of Spanish is. In the end, he writes as a poet, not a scientist. Oliván also writes aphorisms, and has said in an interview with Luis Alberto Salcines that he writes them to separate his acerbic satirical matter from his personal, poetic works. With the knowledge that he separates these intents, I know then that I can move away from a scientific analytical mind and many tricky connections, into a more sensual, artistic representation of themes.

The difficulties I have with Oliván’s text are largely difficulties with language. With a medium that lends itself to abstraction, and a dreamlike subconscious style, there are some strange concepts that don't always make sense to me. I am unsure whether this is caused more by the nature of the work or my incomplete knowledge and lack of fluency in the language. It is difficult, and perhaps misleading, to ride the line between abstract and abstruse in a translation when the translator’s understanding is compromised. In fact, some of my more interesting misinterpretations have been hard to shake, and I’ve been sorely tempted to keep them even though I know now that they’re strictly inaccurate. For example, in “Black Jazz Moons,” pianos deshaciéndose en la lluvia seemed to have a simple meaning: I knew the more common root hacer, or ‘to make,’ in the verb deshacerse, and assumed that deshacer meant ‘unmake’ and the ‘–se’ was, as usual, reflexive. In my mind I already had the phrase “pianos unmaking themselves in the rain,” and the
image enchanted me. However, with a dictionary I found that the word meant something more like ‘falling apart’ or ‘coming undone,’ which removed that sense of a living thing taking itself apart, the personification of the piano. I nearly kept it but realized that it was stranger the way I imagined it, and strictly speaking incorrect. This desire wasn’t so much a selfish desire to correct the poem, but rather a strong first impression. The poem had recreated itself in my mind differently from what was on the page in black and white.

I was delighted to learn that as a child, Oliván was so influenced by the poetry of Pablo Neruda that he emulated its form and style without realizing. Neruda was a strong influence on my taste for poetry, and I like to think that Neruda’s influence shows in his works—his propensity for concrete topics and abstract themes, plain speech, and strong images. However, I was afraid that with an incomplete knowledge of Neruda and no knowledge of classic form, I might miss some important rhyme or meter. I found myself approaching the project like a stylistic analysis, and was immediately worried that with this I was stripping away the tone and authorial intent as I deconstructed his work. I had to think of the text as well as the author and his influences, but what was the right balance? I realized after reading an interview with him that such a personal, psychological poetry must be read with a view to understanding first the author, then the poem itself. How far can I go, though? Do I have to discover the author’s own writing process, and mold mine to fit it? Or is it enough to go to the text with a mind to theme and tone? Do these big-picture issues of a piece come along in a translation if all the words and phrases are accurate, or is there more work to be done even after a fluid translation? Yes, I would say, there is more work to be done. For instance, while doing the trot, or word-for-word literal translation, for “Black Jazz Moons” I didn’t notice that the poem was explicitly about records and everything in it was a metaphor for that. I erred in my interpretation of the word for records, and without it the rest of my descriptors were skewed.
I did not understand that the black spheres rotated; I thought they turned about like planets. The poem took on a visual or literal tint rather than an auditory one because I could not unify all the images under the record metaphor. Once I knew it was about sounds more than images I used descriptors that could be used both for sounds and images. For example, *manchada* meant speckled (like a crackling record) rather than stained like a shredded silk flag.

In the process of figuring out what the author meant to say with a phrase or a theme, and what the big picture of the work should look like, I end up asking myself a lot of questions about tone or pacing, or about tiny details. I don’t know if Oliván has asked himself those same things, or if the effect I was wondering about just happened by chance and he didn’t notice, or if a thing that looks important to me was just an aside, something fleeting or secondary. Perhaps I am asking questions that he forgot to ask or meant not to. I am groping for meaning in the dark. If the text is the only medium I have to speak to the author through, there’s plenty of guesswork, and I must resign myself to my limited perspective and interpretation of what the author chose to say or not to say.

This problem of interpretation meets one of conveying in the matter of words that don’t exist with the same plethora of meanings in one language or another. Translating these words means possibly changing the tone or creating an over-complication of vocabulary. The title “Fondo” means everything from foundation to background to bottom to ocean floor, and English simply does not have a word to fit all these. The use of the word twice in the last two lines of the poem posed a problem, because Oliván was clearly punning and I couldn’t see a way to convey that without causing confusion or changing the tone. I finally sacrificed a higher tone by using the word ‘bottom’ because it could carry both meanings (to arrive either at the bottom of the ocean or at the bottom of things) and retained some of the assonance of the original *fondo*. But the title had to be “Seabed,” or else I had lost its sea-meaning altogether in the poem.

As a translator, I have to be a reader and a writer at the same time. I asked myself many questions while working on translations of these poems, and I found that some of them were addressed to the author, and some to the audience. If I were in contact with the poet Lorenzo Oliván, I would have asked him a few of these questions; if I could have held a peer workshop whenever I felt uncertain, I might have. But because I couldn’t, and because in the end I was the one translating these poems, I had to ask these questions to myself: first I had to read to understand the author, then I had to write as though I were he. It’s a precarious business of constant uncertainty, a balancing act between the sensibilities of the author and the reader, the creator and the audience.
zw —— The following is a discussion between Gregory Campeau, a student at Amherst College and a former visiting research fellow at the Ludwig von Mises Institute, and myself, a student at Chicago. At issue is the place of ‘power’ as a concept within the political philosophy of libertarianism. Gregory has agreed to hear out my claims against the libertarian position and reply.

Power and ‘libertarianism’ are both words that carry a multitude of meanings. Power takes many shapes in different spheres of society. Yet, to put something on the table: it is a force that limits the scope of human choices. To say that an institution or another individual has power over you is to say that your freedom, the diversity of choices you can substantively actualize, has been constricted. As a system of thought, I understand libertarianism as a political doctrine that owes much to classical liberalism as it considers the maximization of individual freedom paramount. Like classical liberals, libertarianism begins with some flavor of a natural rights theory — particularly centered on the principle of self-ownership. Arguments can extend this principle: individuals have the freedom to pursue their own ends and beliefs, provided they do not harm or coerce others in the process. It follows that state and society should be configured to accord with these natural rights. Many functions of modern governments are then cast into a critical light. Even state efforts of redistribution or benevolence necessarily conflict with certain natural rights (e.g. owning the fruits of one’s labor). In popular political discourse, ‘libertarianism’ is a somewhat abused term, signifying a range of public policy proposals that seek to reduce the size of the government.

What makes contemporary libertarianism distinct from classical liberalism, I believe, is the embrace of free-markets as a set of institutions that both safeguards and promotes individual freedom. Adam Smith is a critical figure in this development. For him, rights do matter, but his analysis of the butcher and the baker is central. Smith begins his analysis with individuals going about their daily business and follows these observations to a series of conclusions, most famously that individual freedom is the best means to organize a society. He is not making claims about fundamental natural
rights, but a series of social scientific evaluations about the best possible outcomes of a certain social organization. Exchanges like this do not lend themselves to detailed exegesis of classical texts, but I do want to present a little, as my task is to take aim at these positions. At a minimum, I need a good target. However, I would like to hear your thoughts, Greg, on your own brand of libertarianism (and if I have explicated the tradition justly).

I am going to advance two claims against the libertarian position. One is aimed at the rights-centric libertarianism and the other at the means-of-organization libertarianism. For now, I will start out with just the rights-centric position. The 'big' claim is that both strands of libertarianism lack a substantive conception of power, as they lack categories to describe social or structural forms. Rights-centric libertarianism has little to say about the type of society that will exist after the right rights are respected. One could lay out an internally-consistent but ultimately meaningless series of claims about absolute natural rights, but what could one say about the type of society that will exist after we adopt the right constitutional structure? The rigidity of the moral claims that underlie this position in turn absolutizes the outcomes of that rights regime. If the poor starve and the rich sip champagne with the proviso that no fraud or coercion has taken place, by definition this outcome is just. This logic follows from the rigidity of the categories focusing on individuals. By neglecting the social context of individuals, libertarians tend to miss
out on precisely the background that matters. Do not misunderstand me: this is not an argument for a social determinism. Rather, I am pointing out the extreme of the other position: blocking out social context entirely.

To make this concrete, let us turn to a historical example: the segregated lunch counter in the South. Rand Paul criticized aspects of the 1964 Civil Rights Act, specifically the provisions that outlawed discrimination in the private sector. Paul argued that allowing property owners to sell to whomever they please, even if they discriminated on race, was a ‘hard part of freedom.’ What I think is telling here is that this is not the usual anti-state argument about efficiency. This is an argument about the fundamental rights of property owners.

Yet, what is neglected in these arguments is the obvious social context. It was not just the public sector that was discriminatory; it was essentially every vital institution of society. Put another way, let us say we passed Paul’s approved version of the Civil Rights Act that did not regulate private sector discrimination. A black patron sits down at a segregated lunch counter and the owner wishes to kick him out. Does he call the police who then, as a public institution, become the enforcer of discrimination? The neat dichotomy between public and private sector breaks down if one picks apart the social relationships that constituted these communities. The local beat cop and the diner owner are both part of a wider social context and their views (racist ones) are certainly shaped by it.

To conclude: if one wanted to maintain a rights-centric libertarianism, how does one deal with demonstrable immoral social outcomes? From my standpoint, one must concede some ground using concepts like ‘individual freedom.’ In this instance I think it is clear that state-mandated desegregation increased freedom in the long-run for African Americans.

gc—I would agree with your provisional definition of ‘power’ as, most generally, the restriction of freedom. But I would also argue that this is only half the story, an important and sometimes ignored half though it may be. Power is not only something negating something else—say, a right. It is as well something that posits; and indeed it is the positing that does the negating. To illustrate, imagine a ruler who ‘has power’ and with that power chooses to limit the liberties of his subjects by handing down a law restricting how many children couples are allowed to have (if only this were as hypothetical as it sounds). The power, I would submit, lies not in the infringement of the right of people to decide on the nature, size, and makeup of their families so much as it lies in the ruler’s act of coercion, in the hubris that makes such an action possible. There is, after all, no victimization without victimizers, and no aggression without aggressors.

With this extended definition in mind, the history of libertarian thought takes on a more realistic shape. You are right to locate modern libertarianism’s most immediate intellectual foundation in classical-liberal thought. Yet even this explanation has its caveats, the greatest of which is that, like modern libertarianism, classical liberalism was anything but a single philosophical thread. It was a frayed tapestry, with each thinker bringing his own wildly
varying flavor, concerns, and underlying philosophies. If anything was held in common among them, the idea of natural rights may or may not be it. It certainly was not present in Mill’s understanding of liberty even though we often point to him as a central pillar of protoliberal thought. If not their basic premises, what may be said to bind the classical liberals together?

This may be radical, but I think the answer is that nothing substantive really does. Friedrich Hayek ventured to solve the problem by dividing the classical liberals into separate British and French categories—a separation no doubt both Britons and Frenchmen appreciated. This works to some extent, but still there are problems. Where do Austro-Hungarians and Americans go, and what happens when Mr. Jefferson meets Mr. Mill and they disagree virulently on the very grounds of why men ought to be free? Maybe we could simply say that classical liberals were united in their problematization of power in its modern forms. (‘State’ power, to be precise, lest we be forced to classify Marx as a classical liberal.)

I don’t make much of this history in order to stonewall what is meant to be a discussion of ‘modern’ libertarianism. I realize it may seem entirely off-topic, the perhaps unsurprising ramblings of a history major. But actually I mention it because it helps to clarify—or fog up, really—the current discussion. We can only proceed in describing and arguing over modern (American) libertarian thought if it is understood that by taking it up we have to be careful not to generalize too much. We will have to be very precise about which strains of modern libertarianism we are talking about.

Let me address your claims against ‘rights-centric’ libertarianism from the Austro-libertarian perspective (this would be the Mises-Rothbard tradition, the one with which I’m most familiar). You argue that for all of its talk of rights, libertarianism advances little in the way of substance and is not at all cognizant of “social context.”

You charge as well that implementing the libertarian society would necessarily involve “demonstrable immoral social outcomes.” I see the theme of your charges is the possible costs to society as a result of emphasizing the individual. If the individual increases in importance, then society decreases. If the individual and his liberties are preferred, then the good of the society as a whole suffers. But it need not be a zero-sum game—a point I think I shall be trying to make over and over again in our exchange.
Fundamentally this is so because what we call ‘society’ does not really exist. It is merely handy shorthand for the sum of all individuals. It is poetry. What we mean by society is very complex, so we have decided to give it a name. It’s somewhat like the now-passé term ‘civilization.’ ‘Western civilization’ never really meant anything but some indefinite, amorphous collection of ideas, behaviors, trends, and other expressions of (usually) elite preferences, thoughts, preoccupations, etc. Any cursory exploration of the daily realities for real individuals in that civilization would reveal our summing up of it to be unhelpfully, yea dangerously, simplistic. ‘Society,’ is, if you will, the democratic equivalent of ‘civilization.’ Instead of expressing the will, the ways, the wants of an elite, society represents the majority — our concern for the majority, for the commonweal, what is best for the most people. And here in this democratic, pragmatic, utilitarian sphere we find Mill and friends, strangely enough, ignoring as always what people really are: separate, complex, individual, morally autonomous beings.

So what of the “social context” and the “demonstrable immoral social outcomes,” you ask? What happens when free people decide whom to be friends with, whom to associate with? What happens when free people decide how to school their children? What happens when free people decide to use their money as they like? I submit that this should not scare us. First, because I think people generally know what is best for themselves and their families. And second, because let’s be realistic: A law handed down from a man on a throne or a group of men on a hill never made people more moral. It has perhaps made them more obedient out of fear of heavy-handed retribution. But ‘society’ will only ever be as moral as its members (assuming there exists but one definition of morality to begin with). To attach a certain moral standing to a type of social order, as we call it, is to ignore the immutability of human nature, which remains as it is whether a king rules or a parliament legislates or families make their own decisions.

The burden may be on me to argue for making people freer. And this is no easy task, seeing as though history shows us that the state is one of the most enduring institutions ever conceived. But this means the
burden is on you to argue why people should be less free—why you think people really are, in Hobbesian fashion, brutes who need to be lashed and leashed into cheerful subservience to one overarching ‘morality,’ one law, one ideal. Why, most basically, we should not try to escape or get rid of the state, given not only its negation of individual liberties but also its frighteningly storied past of acting against very basic human rights and forcing its citizens to take part in this inarguably immoral agenda.

zw —— Before I get into the business of defending a Hobbesian nightmare, I wish to clarify my position and reiterate the claims that have not been addressed. I did not argue that the libertarian state is necessarily morally abhorrent, but rather that dogmatic rights-centric libertarianism itself lacks a vocabulary for even proposing the question that certain social outcomes could possibly be morally unjust. Nor do I think that there is necessarily a zero-sum tradeoff between society and individuals, nor should society come first. Instead, my argument is that social entities do exist and matter. In other words, that society is not simply a poetic term for an aggregation of individuals. Moreover, acknowledging the existence of social forces does not automatically entail advocacy for the heavy-hand of the state to engage in moral or social engineering. Nowhere in my initial piece is the claim that human nature is essentially evil and must be curbed by the state. Instead, my argument is that we must be cognizant of the necessary conditions under which freedom itself becomes meaningful. Some of those conditions being social ones. Again my example: an African American in the sixties South certainly was, in a narrow sense, more free, in that the Federal government was much smaller and she paid less in taxes, but in terms of wider social conditions she clearly lacked the freedom to pursue a meaningful life. Her life outcomes in a substantive sense are limited by forms of power: racist social norms that deny access to the vital institutions of society. She is discriminated against in the workplace, she is denied access to a decent education and she cannot participate in political organizations to address these problems. However, a category that would describe these norms or forms of power is simply
There is no such thing as a ‘racist society;’ instead there is merely the coincidental individually chosen racist preferences of individuals who coincidentally happen to live next to one another. These very ontological claims that I wish to criticize you drew out well in your response. I believe I can make a convincing case if I focus on these points. Particularly in the second-to-last paragraph when you suggest that people really are, “separate, complex, individual, morally autonomous beings.” There is a great deal of truth to this claim, but people also live in social groups. These groups mediate parts of their moral framework. It is against these backdrops that we form values that guide our actions. However, this process is manifested in a nearly infinite number of forms, none of which are necessarily mandated by the state.

Social structures are entities that are above-and-beyond individuals and are formed through repeated interactions. The great sociologist Greg Simmel thought of them as the ‘crystallization’ of relationships or behaviors. An easy example: one speaks of a relationship with a significant other as a thing-in-of-itself (e.g. “I am in a relationship. A good relationship”). Regardless of how one feels about him or her from moment to moment, overtime there is a thing that has emerged from your experiences together. Likewise, social norms or values are built overtime through repeated interactions. The diversity of existing social forms is staggering: cultures all over the world today, institutions that have varied throughout history, and communities that exist on a range of scales, from the close and personal to the digital extending over thousands of miles of broadband. It is a banal empirical fact that people live in groups. Moreover, these groups may have some set of common values or norms. One does not simply choose their beliefs on a whim day-to-day. Of course, this does not mean that social groups determine what beliefs you hold. Like I said in my initial piece, this is not a socially deterministic argument, but rather simply pointing out that social things do exist and matter.

Now, where does this lead us, particularly in the case of moral claims? I completely reject the argument that I am making a zero-sum case between individuals and social groups. Likewise, a sociological imagination does not resign us to becoming philosopher-kings deciding what is good for everyone. Moreover, there are clear examples of social groups that create unjust circumstances for their members. This is not a politics of ‘do whatever the group does.’ Several things become apparent if one has followed me thus far. First, there is no sliding scale of ‘more freedom’ versus ‘less freedom’ like one would zoom in and out on a camera. Rather, there is a heterogeneity of values that people pursue in diverse communities across the world.
‘Freedom’ to pursue those values is part of complex understanding of the conditions of that social context. There are clear examples where social facts, irrespective of state intervention, limit the scope of human choices: for example, women in gendered societies, minorities in racially polarized ones and various forms of social classes. Second, for me, the state is a paradoxical entity that both safeguards and limits our freedom in a multitude of ways. Its exact role or scope is always an open question — a fact enshrined in democratic principles that ostensibly point to changing state arrangements over time through elections and political organizations. Discussing ‘the state’ as a monolithic entity that simply exists to limit human freedom misses out on its role in preserving some institutions that safeguard individual freedom. For example, middle-class welfare state provisions like public universities clearly provide a social good that simultaneously opens the door to new opportunities for young people. Finally, this focus on diversity pushes us away from any type of end-of-history argument. You argue that I am advocating for a single law or morality, yet it affect, it is you who is presenting exactly that. In short, the claim that human beings in the abstract are moral autonomous becomes a dubious one if we acknowledge the diversity of social arrangements that characterize the human condition. At the end of your analysis, you suggest that we know what human nature is and we know what it means to free. The state just has to get out of the way. However, in turn, you are relying on a radical simplification of the human experience by championing a narrow conception of freedom that has little to say about the social conditions under which decisions actually take place. Consequently, you advocate for a vacuous freedom.

My first set of claims remains robust: Without a category to conceptualize our social relations, libertarian politics is blind to both the communities which support human flourishing and the forms of power that limit individual decision making. Politics that champions individual autonomy must still account for the social context of that individual.

gc —— I should begin by reiterating what I have before implied, and that is that these questions (and their answers, if they exist) are far larger than either of us. In fact, for the interested audience member there is a mass of literature

Born in Tupelo, Mississippi, Nero controlled Rome from AD 54 to AD 68

Artificial Teeth—Health Surgeon. Designed to the Royal Remedy the Duke of Clarence, King of Great Britain, in the Faculty of Arts. Artificial Teeth, fitted to a socket, of pliable nature, allowed to the Public, and which cannot be injured in any human Teeth. He also makes them to fit either to the upper or lower springs, by which the artificial Teeth are united. They stress all the operations on the Teeth, and improve every time. They are only for their preservation.
on the themes with which we have been concerned here, most of which, at least in my case, does the topic far more justice than I have been able to. I encourage those intrigued by the state as against the libertarian society to seek out the greater minds and see what they have to say. See, for example, Franz Oppenheimer's *The State*, Albert Jay Nock's *Our Enemy, the State*, and, for thoughts on how to proceed in such thinking, Ludwig von Mises's *Theory and History*.

That said, let me try to address your overarching claim—that is, that libertarianism lacks an understanding of social forms. Rothbard, if he were living, would weep at such a statement, since his life's work was concerned with showing just the opposite, that a free society is fully equipped to be a society. Order must come from somewhere, to be sure. But why must it come from a parasitical state that steals money from an unconsenting public and squanders it on devastating wars? (Rothbard's vocabulary, and not mine.) He took a cue from the perennial economic example of Robinson Crusoe, and developed from there small-scale spontaneous ordering on the proverbial deserted island a theory of order on larger scales. His *Man, Economy, and State* and *Power and Market* fully develop this theory, putting forward a compelling argument in favor of radically rethinking the necessity of external political coercion to organize and sustain social forms.

But this is not the place to give a book report. I realize I will probably not convince many to radically rethink the status quo, since it is, and has for eons been, the status quo for a reason. It is frightening to begin the process of becoming a free individual (or, rather, recognizing a fact to be a fact) and shedding the title and station of Citizen. The ties that bind us psychologically to the state, and our understanding of our individual and collective identities in relation to it, are strong indeed. The mental dependency on the paternal edifice that is the state is known to us in our brains as a deep-seated sensation of protection, confraternity, and provision. It is not easily overturned. We have been conditioned to need and rely on the state and to see it as a common-sense necessity not just for ourselves but for everyone in the world, now and forever. Statelessness might as well be orphanhood to us—maybe even anomie. As the orphans of our popular imagination plead with us, "Why would you actually want to run away from home and become like us?" After all, we would lose our civic identity, our civil religion (see Robert Bella) with all its trappings of brightly colored patriotism and its much darker underpinnings of violence, injustice, and insuperability. Well, this is a chronic—maybe terminal—problem that I am not likely to cure with logical persuasion.

Yet even if I cannot make you, Reader, a converted Rothbardian, ready at this instant to renounce your place as an obedient functionary, I can at
least give you a more moderate scenario to consider. It, unlike the stateless society, does not demand outright apostasy of you. It only requires a clear view of the history of the state and its contemptible abuses of the supposedly requisite high level of power we allow it. Look at the modern state and you see horrors on a scale humans have never witnessed before. At the height of US government power in the first half of the 20th century, after a decade of the central state growing by leaps and bounds on the basis of fallacious economic arguments (not unlike those we hear today), our government, aided by government scientists and then facilitated by obedient soldiers, dropped two atomic warheads on innumerable innocents in Japan. One need not be a pacifist or a Rothbardian to find it curious indeed that at the time of Hiroshima and Nagasaki the apogee of US government power and the apogee of murderous technology coincided. A decade-and-a-half earlier a little man named Adolph Hitler, by entirely constitutional means, took power in Germany and proceeded to (attempt to) fully exterminate the Jewish race from the face of the earth. One would have to be blind as a bat to argue that such atrocities, such injustices, would have been perpetrated anyway even in the absence of behemoth modern-state apparatuses. Give me one reason that the men and women in a free society would have any motivation to come together to fund and then bring about transcontinental genocide and the atomic bombing of two cities of innocents—give me one reason and I will at once give up my belief in the value of individual liberty. You, my opponent in this debate, argue that the state is necessary for preserving equity, and yet of course I think you would agree that equity at home means little when the state is slaughtering the neighbors. Advocates of the state may try to idealize the institution they defend as some benevolent mediator, but they must come to terms with and confront the reality of state power as it has been used in reality by other real advocates of state power.

Besides, if one thinks I am overstating the case, consider the state’s record on issues of equity. Yes, it was legislation in the middle of the last century that secured civil rights for African Americans. But it was state-enabled and in many cases state-created companies that constructed the economic system of black slavery to begin with. Think as well of the American West. There may have been conflict between those whites venturing out into the frontier and the Native Americans who lived there. Yet those interactions even when they turned violent were peaceful when compared with the state-led massacres and forced relocations of the Native Americans later in the nineteenth century. In California it was the Spanish state’s empowerment of the Catholic ‘missionary’ work there that led to the gross mistreatment and economic exploitation of the native populations in that part of the country. This is far from the rosy picture so often presented of the state as standard-bearer of protection and equality. In point of fact, it is the state that has the worst human-rights record of any institution or individual in the world. And, sadly, it continues into today.

I simply fail to see how on balance the state is the necessary and proper foundation of a humane society.
BIBLIOGRAPHY

A STUDENT LOAN CRISIS

U.S. Department of Education. Office of Postsecondary Education. Program Integrity: Gainful Employment.

DRUGS, ALCOHOL AND SELLING YOUR VOTE ON EBAY: A BRIEF HISTORY OF CAMPAIGN FINANCE


**Language: Are we the Only Ones?**


**The Terms of Transformation: The Chicago Housing Authority’s Plan to Change its Structures, Community, and Administration**


**What Do They Do? Symbolism, Musical Agency and the Role of Orchestral Conductors**


BiBliograPhY


The Midway Review is a forum for civil debate across the political spectrum and among the humanities and social science disciplines, and for reflection on current events, culture, politics, religion, and philosophy.

We are accepting submissions to be considered for our Winter 2011 issue. Please consult midwayreview.uchicago.edu for submission guidelines.

Letters to the editor may be addressed to midwayreview@uchicago.edu. We ask that letters for publication be limited to 350 words.

The Midway Review is printed by In-Print Graphics on thrice-recycled paper.

Publication of the Midway Review is made possible by the Student Government Finance Committee, the College of the University of Chicago, and the Collegiate Network.