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The Key Reporter

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ΦBK Associations Report Anniversary Celebrations, Other Activities, Awards

In 1985–86, the South Florida and Long Island associations of Phi Beta Kappa alumni celebrated their 50th and 30th anniversaries, respectively. Forty-two persons attended the banquet at the University of Miami on December 15, 1985, at which Georgia Institute of Technology Professor Melvin Kranzberg, a Phi Beta Kappa Associates Lecturer, discussed “Technology Is the Answer—But That’s Not the Question.”

More than 90 members and guests attended the 30th-anniversary luncheon for the Long Island Association on March 9, 1986, at Adelphi University. Dr. Alan Campbell, a charter member of the association and its first president, spoke on the topic “On Government, Business, and Education.”

These are just two of the approximately 50 Phi Beta Kappa associations currently active across the United States, providing intellectual and social opportunities for their members and communities and bringing to the attention of these communities the goals and ideals of Phi Beta Kappa. Some groups award scholarships to outstanding high school and college students; many give book awards or certificates of achievement to such students.

The most generous scholarship program is the one in Houston, Texas, which was begun in 1972. The Phi Beta Kappa association there gives a one-time grant of \$750 toward college tuition for the outstanding graduate at each of the area’s 56 high schools, for a total of \$42,000 each year.

The awards are made on the basis of academic excellence alone. Recipients are chosen locally by the scholarship committee of the Houston association. The committee invites each school to nominate three to five candidates, from which the committee selects the winner. At present, the association has six permanently endowed scholarships.

Each autumn, the United Chapters publishes a newsletter for the associations, giving details of activities and listing the names and addresses for the secretaries of existing associations. If you wish to receive a copy of this newsletter, write to the United Chapters of Phi Beta Kappa, 1811 Q St. N.W., Washington, DC 20009.

Penal Philosophy

A RETURN TO ‘JUST DESERTS’

By Marvin E. Wolfgang

THE PREVAILING PENAL philosophy in the United States today, supported by science and ethics, is a revival of the classical emphasis on “just deserts.” The rationale is that society cannot deter, rehabilitate, or accurately predict future dangerousness or violent behavior by a criminal. The best predictor of criminal violence is past criminal violence—and even this tends to overpredict violence.

According to the prevailing view, justice requires equity, with precise penalties announced in advance—what is often called presumptive sentencing. Any general or specific deterrence that results is a by-product, not the prime goal of punishment. Just deserts may mean not only punishment for the offender, but also justice for the victim through restitution or compensation.



Marvin E. Wolfgang

How did we arrive at this philosophy?

Why We Punish

Throughout history, the main purposes of punishment have been some combination of the following: retribution (an eye for an eye); expiation (restitution); general deterrence through punishment of individual offenders; reformation of criminals so they will not commit further crime; and protection of society by the detention or imprisonment of offenders. Deterrence is future-oriented—meant to deter the same offender or others from committing crimes in the future. Punishment of offenders for what they have already done looks primarily to the past. Punishment of offenders on the basis of what they deserve to receive is retributive.

These rationales have not moved through history like a Roman army phalanx, but, as historian Crane Brinton has said, like a train wreck in time—a tele-

scoping of historical thought. In different periods, each of these penal philosophies has been dominant.

In its day, 1700 B.C., the Hammurabi Code, with its emphasis on retribution, amounted to a brilliant advance in penal philosophy, mainly because it represented an attempt to keep cruelty within bounds. The code provided that, if a noble destroyed the eye of another noble, the offender’s eye should be destroyed; if he broke the bone of another noble, “they shall break his bone”; and if he knocked out the teeth of a noble “of his own rank, they shall knock out his teeth.”

But Hammurabi’s code did not always reflect the strict proportionality often attributed to it. When the victim was not a noble, the punishment was a fine, as in the case of a commoner who struck the cheek of a commoner. A noble who struck the cheek of a noble of higher rank received 60 lashes with an oxtail whip. A noble who struck a noble of equal rank got a fine. But a slave who struck a noble lost an ear, and a son who struck his father lost a hand.

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The Law of Moses is usually claimed to be retributive. Careful reading of Exodus, Leviticus, Numbers, and Deuteronomy shows that the “eye for an eye” phrase appears three times, but the utilitarian notion of deterrence is also present, as in Deuteronomy 19:20: “The rest shall hear and fear, and shall never again commit any such evil in your midst.”

In an effort to produce a kind of equilibrium or homeostasis, some scholars have asserted that even the rationale of retribution is really an eye under an eye,

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Penal Philosophy

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referring to the letters of the Hebrew alphabet, and that the letters preceding the "eye," *ayin tachat ayin*, spell "money" (*mahmon*), which is interpreted as monetary compensation or restitution to the victim by the offender. The Talmud makes a clear effort to avoid the literal translation. I believe this interpretation is extremely important because it raises the issue of *retributive equivalences*. The implication is that corresponding and proportional sanctions are possible without exactly the same pain being required. Similarity, not sameness, becomes the consequence of equivalences.

Although Socrates, through Plato, and Aristotle were more future-oriented than past-oriented relative to punishment, Plato in particular refers to retribution as just deserts: "But if anyone seems to deserve a greater penalty, let him undergo a long and public imprisonment and be dishonored. . . . No criminal shall go unpunished, not even for a single offense . . . let the penalty be according to his deserts . . ." (emphasis added). He sounds quite modern when he says:

When a man does another any injury by theft or violence, for the greater injury let him pay greater damages to the injured man, and less for the smaller injury; but in all cases, whatever the injury may have been, as much as will compensate the loss. And besides the compensation of the wrong, let a man pay a further penalty for the chastisement of his offense: he who has done the wrong mitigated by the folly of another, through the light-heartedness of youth or the like, shall pay a lighter penalty; but he who has injured another through his own folly, when overcome by pleasure or pain, in cowardly fear, or lust, or envy, or implacable anger, shall endure a heavier punishment. . . . The law, like a good archer, should aim at the *right measure of punishment*, and in all cases at the *deserved punishment* (emphasis added).

Proportionality and Deprivation of Liberty

In the Age of Reason, with its emphasis on the rationality of man, deterrence was the principal purpose of punishment. In 1764, one of the "pioneers in criminology," Cesare Beccaria, in his classic book *On Crime and Punishment*, proposed the principle of proportionality, that is, the establishment by the legal system of a scale of the seriousness of crimes with a corresponding scale of the severity of sanctions. Despite Beccaria's focus on deterrence as the main purpose of punishment, one of his major statements—which surely has contemporary value—was that it is not the severity but the certainty of punishment that deters.

Thomas Jefferson, who was familiar

with Beccaria's essay, proposed in his first inaugural address what he called "equal and exact justice to all men." In 1779, he drafted "A Bill for Proportioning Crimes and Punishments." Although some of what Jefferson said may sound bizarre, he nonetheless was nodding in the direction of equivalences and proportionality. For example, "Whosoever shall be guilty of rape, polygamy or sodomy with man or woman, shall be punished, if a man, by castration, if a woman, by cutting through the cartilage of her nose a hole of one half inch in diameter at the least." He also wrote:

Whosoever on purpose, and of malice aforethought, shall maim another, or shall disfigure him, by cutting out or disabling the tongue, slitting or cutting of a nose, lip, or ear, branding, or otherwise, shall be maimed or disfigured in *like sort*; or if that cannot be, for want of the same part, then *as nearly as may be*, in some other part of at least equal value and estimation, in the opinion of the jury, and moreover shall forfeit one half of his lands and goods to the sufferer.

From Detention to Punishment

Sanctioning equivalences took an important step forward when imprisonment became a form of punishment, one intended, in essence, to replace corporal punishments. Previously, prisons had been used to detain defendants awaiting trial or flogging, branding, mutilation, exile, and banishment, but not as a punishment. In 1300, Florence opened new prisons, and, under the Ordinances of Justice of 1298, for the first time sentenced convicted offenders to the cells for definite, flat periods of time—*without* corporal punishment: two years for simple theft, four years for robbery, four years for sodomy (one so sentenced was Benvenuto Cellini, although he never served the term), and so forth.

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About this time, a number of factors converged to move contemporary thinking from the other-worldliness of the Middle Ages to attitudes more appropriate to an economy based on mercantile capitalism. When time, labor, and money can be equated, when liberty becomes a precious commodity, then deprivation of liberty for specific lengths of time can become a proper and just punishment.

The Rise of Reformation or Rehabilitation

A corollary trend in the United States, which had roots in older philosophies, related to a belief in society's capacity to reform, remold, rehabilitate, and resocialize offenders. In the 19th century, psychiatrists became increasingly concerned with criminality. In 1838, Isaac Ray wrote about insanity and criminal responsibility in his famous treatise on medical jurisprudence, *A Treatise on the Medical Jurisprudence of Insanity*. The writings of Sigmund Freud and others subsequently increased the "psychiatrization" of criminal law. The medical guild linked with the legal guild to persuade administrators of criminal law that offenders could be reformed, thereby reducing criminality. In 1870, the American Prison Association, meeting in Cincinnati, declared that the principal purpose of punishment was reformation. From that time on, through six decades of the 20th century, our criminal justice system was oriented primarily toward this rationale.

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Offenders were to be treated, not punished. Punishment came to be viewed as barbaric, treatment as humane. Individualized treatment to meet the personality needs of each offender, indeterminate sentencing (two to four, four to eight years), or indefinite sentencing (from one day to life) became common because no one could know at the time of sentencing how long it would take to reform the offender. Each would be released from societal custody at the most propitious time, namely, when "cured." The offender becomes the therapist's prisoner. Such has been the liturgy of rehabilitation.

Thus began coercive reformation, which later changed its language but not its style. The invasion by medicine, especially psychiatry, of the philosophy of responsibility and of the "reasonable man" changed sin and evil to sickness and disease. The subconscious and unconscious came to dominate cognitive reasoning. It was not the sin in the soul but the disease in the mind that needed to be changed; mind-altering mechanisms were invented to refashion and reform offenders for their own good as well as for the protection of society.

It is doubtful that this model and these messages of reform were ever fully ac-

cepted by the public. But when the weight of authority from the respected academies of medicine and law joined to promote policies of criminal justice, the voices of punishment and retribution from the folk culture remained hushed for more than a century.

Questioning the Effectiveness of Rehabilitation

Many people questioned the effectiveness of rehabilitation of criminals in earlier periods, but their dissent from the prevailing penal philosophy was not heeded until recently. The Quakers, the elite in Philadelphia, introduced what came to be known as the Pennsylvania, or Separate, System. On October 29, 1829, the famous Eastern State Penitentiary was opened, a place for prisoners to do "penance." There would be no more whippings, brandings, ducking stools, or corporal tortures; specific periods of time in prison were established to match the gravity of crime. But all inmates were kept in solitary confinement from the moment they arrived until the moment they left the institution. With humanitarian intentions to promote self-reformation and to eliminate the effects of social contamination from other convicts, the Quakers imposed this philosophy and correctional movement on the criminal justice system and enforced it, as Rousseau would force men to be free, on the unfortunates caught in the criminal law network.

Charles Dickens visited the Eastern State Penitentiary in 1842. Although his first impressions were good, when he committed them to writing in his *American Notes* he became very critical. His perspective is as current as that of penologists today who oppose coercive therapy:

In its intention I am well convinced that it is kind, humane and meant for reformation; but I am persuaded that those who devised the system and those benevolent gentlemen who carry it into execution, do not know what they are doing. . . . I hold this slow and daily tampering with mysteries of the brain to be immeasurably worse than any torture of the body; and because its ghastly signs and tokens are not so palpable to the eye and sense of touch as scars upon the flesh, because its wounds are not on the surface, and it extorts few cries that human ears can hear, therefore I denounce it as a secret punishment.

Beginning in the mid-1950s a new skepticism about the efficacy of the medical rehabilitation model developed, based on the gradual accumulation of knowledge concerning the behavioral sciences. At the same time, there emerged a parallel ethical concern questioning the justice of that model and raising the major issue of equity—or the lack

thereof—in the hypocrisy of rehabilitation. Here, then, came the convergence of science, ethics, and the law.

Scholars such as Francis Allen and Herbert Packer began to evaluate carefully the efficacy of the rehabilitation model. As the statistical sophistication of such studies increased, authors including Walter C. Bailey, Roger G. Hood, and David A. Ward increasingly reported negative conclusions, namely, that although intervention techniques from individual to group therapy reduced case-loads for probation and parole officers, other methods such as intervention did not significantly reduce recidivism.

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In 1971, the American Friends Service Committee, in a report titled *The Struggle for Justice*, questioned the effectiveness of rehabilitation; this report, which was concerned primarily with the enormous disparities in criminal sentencing, suggested greater uniformity.

Since then, the public has been demanding more uniform sentencing and less judicial discretion to promote greater justice in our criminal policy. In 1975, a review of 289 studies of rehabilitation and intervention by Douglas Lipton, Robert Martinson, and Judith Wilks reported that no therapy contributed significantly to the reduction of recidivism (see *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies* and Robert Martinson, "What Works?—Questions and Answers about Prison Reform," *The Public Interest*, 1974).

In a report published in 1976, the Goodell Committee for the Study of Incarceration expressed the growing public disillusionment with rehabilitation, as well as a growing desire to produce a criminal justice system based on the "just deserts" model.

The thinking among many jurists, police, and legislators is that we cannot do much about the "root causes" of crime—that no government at any level can legislate love or affect the rate of broken homes. Unemployment, low levels of education, poor housing, and similar social problems are issues that the government can and should try to change sui generis with only secondary reference to crime.

The consensus now is that the criminal justice system is capable of direct manipulation, and that governments should attempt to effect changes in that system,

changes such as increasing the probability of arrest, conviction, and incarceration for offenders who have committed offenses of injury, theft, or damage; eliminating the indeterminate or indefinite sentence by judges and reducing judicial discretion in sentencing; including the juvenile record for adults who are convicted so that judges can consider the seriousness of crimes committed as a juvenile in sentencing the adult; and adopting a uniform sentencing process based on the seriousness of the crime committed rather than on the characteristics of the offender.

A 1978 report of the National Academy of Sciences Panel on Research on Deterrent and Incapacitative Effects concludes by saying that the evidence on deterrence—certainty, severity, and celerity—is so inadequate that the panel could reach no definite conclusions on the subject. The panel recommended further longitudinal studies of criminal careers to assess the probability of arrest, conviction, and incarceration.

According to the National Academy of Sciences Panel on Research on Rehabilitative Techniques, the hundreds of studies that have been done already on rehabilitation together yield scarcely a single trustworthy conclusion. In short, we do not know whether rehabilitation may be effected successfully, we do not know a dependable way of effecting rehabilitation, and we do not know that rehabilitation *cannot* be accomplished.

The hundreds of studies that have been done already on rehabilitation together yield scarcely a single trustworthy conclusion.

Penologists today recommend that therapy and service programs continue to be available to criminals, but participation should be optional and should have no effect on the time of release for any convicted offender. Because of the excessive number of false positives—that is, offenders who are predicted to recidivate but who in fact do not—the prediction of how dangerous criminals are likely to be when released should remain as an academic exercise only and should not be included in a sanctioning system. Even if we were able to predict the future violent behavior of offenders, it would be inappropriate to determine the length of a sentence or the degree of restraint on the basis of future expectations. *Offenders should be punished for what they have done, not for what they might do.*

Punishment, even retribution, now becomes acceptable as a basis for justice. The Durkheimian conceptualization of crime as a normal phenomenon—that is, "crime is present not only in the majority of

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societies of one particular species but in all societies of all types"—is reintroduced as a reinforcement of the community's moral sentiments and not necessarily as a vengeful reaction by the madding crowd (Émile Durkheim, *Rules of Sociological Method*, 1938). Humane treatment inside and outside prison is emphasized, as is the likelihood of fewer prison sentences, and then mainly for violent offenders. The use of fines such as "income days," restitution to victims, and the right to be treated as well as the right not to be treated are fundamental principles of the criminal justice system. Definite

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sentences rather than indefinite or indeterminate sentences constitute a core item in the agenda; parole or aftercare from an institution should be eliminated as an institutional procedure and as a part of the criminal justice bureaucracy. Agencies that currently exist to help ex-offenders could be augmented by other criminal justice agencies for assistance to persons released from prison, but ex-offenders would not be forced to accept such help.

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Drawing up the scales of crime and punishment Beccaria recommended in the 18th century has now been undertaken in many places, including the Sellin Center for Studies in Criminology and Criminal Law with which I am associated at the University of Pennsylvania. In the United States, on the basis of 60,000 interviews of a random representative sample of the population, we can scale the seriousness of crime from bombings and the killing of many people to minor, victimless crimes. Leslie Sebba of the Hebrew University Institute of Criminology in Jerusalem has done pioneering research on the scaling of the severity of sanctions as perceived by a variety of populations in the United States. With

reading *recommended by the book committee*

humanities
social sciences

natural sciences

FREDERICK J. CROSSON, ROBERT B. HEILMAN,
ROBERT P. SONKOWSKY, LAWRENCE WILLSON
EARL W. COUNT, RICHARD N. CURRENT, LEONARD W. DOOB,
ANDREW GYORGY, MADELINE R. ROBINSON,
VICTORIA SCHUCK, ANNA J. SCHWARTZ
RONALD GEBALLE, RUSSELL B. STEVENS

RUSSELL B. STEVENS

Beyond Velikovsky: The History of a Public Controversy. Henry H. Bauer. Univ. Illinois, 1984. \$21.95.

One need not be familiar with the controversy over Velikovsky's radical theories, or indeed even more than casually interested in astrophysics as a field of scientific inquiry, to study Bauer's analysis with profit. The book is valuable primarily as a reminder of the thought processes by which we ought to evaluate a novel proposition in science, as contrasted with the ways in which we too often do react. Lest there be a misunderstanding, it must be pointed out that Bauer finds no merit whatever in Velikovsky's arguments, per se—his message is directed to the clumsy and counterproductive ways in which those arguments were dealt with in the popular and scientific press.

The Travelling Naturalists. Clare Lloyd. Univ. Washington, 1985. \$19.95.

Without such compilations as this by Clare Lloyd, we could far too easily forget the contributions made, mostly during the early and middle 19th century, by a remarkable group of essentially amateur but highly motivated explorers. A reading of her account cannot fail to remind us of the risks and rigors to which these naturalists, both men and women, were willing to expose themselves in the interests of bringing back to the English-speaking world their specimens and their field journals. By today's standards they were technically primitive; by any standards they made a signal initial contribution to knowledge of unknown lands.

Leaves. Ghilleen T. Prance. Crown, 1985. \$35.

Our Green and Living World: The Wisdom to Save It. Edward S. Ayensu, Vernon H. Heywood, Grenville L. Lucas, and Robert A. DeFilipps. Smithsonian Institution, 1984. \$25.

Truly lavish illustrations characterize both these books, which provide an attractive and

these scales it is possible to establish a more precise system of the "just deserts" model and to adhere to the principles of equity, proportionality, and equivalences.

Leaders in social science, criminal law, and public policy are now articulating a neoclassical criminal justice system that was never abandoned by the populace and is now nourished by sophisticated research. Deterrence, retribution, and punishment have become acceptable once again. The reformation of criminals, although still accepted as desirable, has been dethroned and subordinated within a more retributive penology.

In the past, we have often relied on good intentions in the absence of knowledge.

easy access to an initial understanding of the topics suggested by the titles. The professional botanists, ecologists, and agriculturists among us can but hope, of course, that this first entrée leads to more exhaustive and technical works—but study at this level is indisputably better than no knowledge at all. As a recent recruiting slogan goes, "It's a great place to start."

Blackbirds of the Americas. Gordon Orians. Univ. Washington, 1985. \$24.95.

There are many ways to convey the wonder and complexity of the living world. Orians has chosen to examine a closely related group of avian fauna, the blackbirds, from a wide variety of perspectives: distribution, feeding, nesting, communication, parasitism, coloration, and so on. In so doing he provides, in a fashion understandable to virtually any reader, a keen and thorough insight into the biology of a conspicuous and familiar component of our natural environment. Illustrations are many, but depart from the usual in that they consist almost solely of line drawings rather than photographs.

Memoir of a Thinking Radish: An Autobiography. Peter Medawar. Oxford Univ., 1986. \$19.95.

In many ways a commentary on the passing scene more than an autobiography in the stricter sense of that word, this small volume has the usual Medawar incisiveness and charm. If, as I believe, it is important for the educated public to realize what practicing scientists are really like, this "memoir" makes for delightful and profitable reading.

Rancho La Brea: Treasures of the Tar Pits. Ed. by John M. Harris and George T. Jefferson. Natural History Museum of Los Angeles County, 1985. \$9.95.

In one sense this small book is a copiously illustrated account of a justly famous fossil deposit nestled in the very heart of metropolitan Los Angeles, and of the number and diversity of skeletal remains that have been recovered therefrom. But it is more than that.

But if equity, equivalence, and proportionality are our goals, penal sanctions based on the gravity of crime alone are our singular salvation.

Marvin E. Wolfgang is professor of criminology, sociology, and law at the University of Pennsylvania and director of the university's Sellin Center for Studies in Criminology and Criminal Law. In 1985–86, he lectured on the subject of this article as a Phi Beta Kappa Visiting Scholar. His latest book, From Boy to Man: From Delinquency to Crime, is being published by the University of Chicago Press.

THE KEY REPORTER

It reminds us in no uncertain terms how rarely are the remains of ancient species preserved, and how critically important it is that their value be recognized and their surroundings be protected. Above all, we are shown that unless the people who have the foresight and authority to see to the preservation and display of fossil deposits act on that foresight, the opportunities to do so will be irretrievably lost.

Ecological Knowledge and Environmental Problem-Solving: Concepts and Case Studies. Committee on the Applications of Ecological Theory to Environmental Problems. National Academy Press, 1986. \$24.50.

As title and authorship clearly indicate, this is much more a scientific report than either a text or a book for the general reader. But in a society that has both an immense enthusiasm for what it speaks of as ecology and a trivial understanding of what ecology is and what its insights can accomplish, a volume of this sort has special value. The reader need not be fully cognizant of the details to appreciate the complexity and diversity of the matter with which ecology deals—the material to be found in the first two-fifths of the work. But more important to the nonspecialist are some 13 case studies that make up the remainder. At the very least, the reader comes away with an improved realization of what can and cannot be done in practice and a clearer view of what can reasonably be expected of the now familiar “environmental impact statements.”

The Chimpanzees of Gombe: Patterns of Behavior. Jane Goodall. Harvard, 1986. \$30.

Many will have heard of Jane Goodall and been impressed with her dedication to many years of field research on chimpanzees in their native habitat. For once, the dust jacket of this large and attractive volume is innocent of hyperbole and hence quotable: “Relationships, communication, hunting, feeding, aggression, dominance, sexuality, territoriality, and social awareness—every aspect of the chimpanzee’s complex society is presented here, rigorously observed over half the fifty-year life span of these apes and extensively documented with maps, tables, and charts.”

The Loon: Voice of the Wilderness. Joan Dunning. Yankee Books, 1985. \$15.95.

In a relatively short time, this small and profusely illustrated account will provide the reader with a convincing summary of the life history and behavioral habits of one of our very interesting native birds. And because loons are not only highly popular and intriguing but also increasingly rare, the author weaves into her writings a plea for sensitivity to their needs and for conservation of their habitat.

ROBERT P. SONKOWSKY

Unity and Design in Horace’s Odes. Matthew S. Santirocco. Univ. North Carolina, 1986. \$24.

Artifices of Eternity: Horace’s Fourth Book of Odes. Michael C. J. Putnam. Cornell, 1986. \$25.

Along with the late Steele Commager’s *Odes of Horace: A Critical Study* (1962), these two new volumes provide a masterly set of commentaries on the corpus of the great Roman lyricist’s *Odes*. Santirocco deals comprehensively, as no other critic has, with the sequencing, interconnections, and deepening symmetries of the first three books of odes,

which were published as a unit. Putnam brings his profound and mature sensibilities to bear upon the later, relatively neglected, fourth book, raising it to a newly justified higher level of esteem. Both authors translate quoted Latin into English, Putnam all 15 odes. Both volumes will be indispensable for Horatian studies and of great value for poetic analysis generally.

In Search of History: Historiography in the Ancient World and the Origins of Biblical History. John Van Seters. Yale, 1986. \$12.95.

Classical Rhetoric and Medieval Historiography. Ed. by Ernst Breisach. Medieval Institute, Western Michigan Univ., 1985. \$10.95.

The new paperback release of Van Seters’s book, originally published in 1983, is well worth the notice of readers interested in the background, antecedents, and consequences of historical writing in the Bible, especially the books of Samuel and Kings. This comparative study of the approaches taken by Greek and Near Eastern authors to the recording of and the accounting for their peoples’ pasts is valuable as well to the general understanding of the development of history writing. The four essayists in the Breisach collection address some of the same issues for historiography in the Medieval and Renaissance periods, when the relationship of history and languages appears more discernible and divisible because rhetoric had long since acquired a history of its own in education. N. F. Partner, R. Ray, J. O. Ward, and D. J. Wilcox contribute scholarly analyses of rhetorical, historical, annalistic writers chiefly from the 12th through the 17th centuries, advancing in other ways our modern discussion of the ambiguities in the relation of rhetoric and history in the past.

Rebecca’s Children: Judaism and Christianity in the Roman World. Alan F. Segal. Harvard, 1986. \$20.

The Christians as the Romans Saw Them. Robert L. Wilken. Yale, 1986. \$7.95.

Miracle in the Early Christian World: A Study in Sociohistorical Method. Howard Clark Kee. Yale, 1986. \$9.95.

Segal brilliantly illuminates the common origin and the evolving differentiation, in Hellenistic times, of Rabbinic Judaism and Christianity. Both are responses to the Torah, Judaic tradition, and Hellenistic cultural and social influences, as well as to the common Near Eastern root metaphors. As their positions changed under the Romans, neither their mutual tolerance nor their conflicts eliminated their interdependence and reciprocal claim to a common birthright.

Wilken’s book is a valuable sequel for interested students. It is a paperback reprint of his 1984 study of important Romans of the second through fourth centuries who recorded their reactions to Christianity. There is value not only in studying the chronological sequel but also in turning to observations made from outside the Judaic and Christian traditions. Indeed, Wilken shows the astuteness of critiques by Galen, Celsus, Porphyry, and Julian the Apostate, and he suggests the effectiveness of the Jewish-Christian-pagan debate in breathing new life into the religious and intellectual traditions of late antiquity.

The third book, also a paperback, was originally published in 1983, and although less well received by specialists, it purports to re-

LETTER TO THE EDITOR

I was much struck by the letters to the editor in the spring issue of *The Key Reporter*, in which recent philosophy Ph.D. K. L. Ross bemoans the competitiveness in the current academic jungle, and J. H. Schuster replies that he doesn’t think it is that bad. Forgive me, I know this was not the topic addressed by Schuster’s original article, but he has touched a nerve, because it is that bad!

I can’t help wondering if the perception of a jungle is not a function of age, because it is the younger academics who are most keenly aware of the struggle for survival. I received my Ph.D. in astrophysics three years ago, and my profession is reeling from the triple whammy of demographics, the Gramm-Rudman bill, and the Shuttle Challenger explosion. But those are not the only problems that ail astronomy; in recent years the number of publications has increased so many fold that few of my colleagues actually read papers in their own fields any more, they merely skim them. Which ideas will they remember best? The ones whose proponents sell them the most vigorously, even if it means going to conference after conference and giving the same harangue over and over again. Who will be hired? Those with the longest publication records, regardless of quality, because when you have one hundred applicants per job you can’t evaluate everyone’s work carefully and weight their publications by importance. Dr. Schuster suspects that those who are hired “have superior academic records and have received the enthusiastic recommendations of well-connected faculty members.” But that’s just the point! When many highly qualified people are competing for a few jobs, it’s those who have made the right connections who will succeed.

In summary, I agree that academia today suffers from a serious bias in favor of aggressive individuals, those who can sell their own work and nimbly dance to the Grants-in-Aid-of-Research hustle.

Frances Verter
Goddard Space Flight Center
Greenbelt, Maryland

veal some of their disputations over approaches taken to religious history. The bulk of the book is a test case comprising a detailed study of miracles and miracle stories in Christian and non-Christian sources.

The Greek Magical Papyri in Translation Including the Demotic Spells. Vol. 1: Texts. Ed. by Hans Dieter Betz. Univ. Chicago, 1986. \$39.95.

A collection of translations of the extant magical texts written on papyri from Greco-Roman Egypt of the second century B.C. to the fifth century A.D. Most were written in Greek, but many also were written in Demotic (Egyptian), some in Old Coptic, some in indecipherable, incantatory syllables. They make

(continued on page 6)

up a fascinating body of spells, curses, formulas, rites, instructions for the use of potions, gimmicks, and the like. Once neglected by scholars, this body of popular literature has now become an extremely valuable source for understanding religious and magical beliefs and practices of people in antiquity and in a general human application. Additional volumes of indexes and parallels in the *New Testament* and other early Christian literature are being prepared.

Rome in the Late Republic. Mary Beard and Michael Crawford. Cornell, 1985. \$22.50.

Intellectual Life in the Late Roman Republic. Elizabeth Rawson. Johns Hopkins, 1985. \$29.50.

The first book is a concise monograph, both thought and expression being cut with sheer prismatic clarity, presenting an integrated discussion of cultural, religious, and political aspects of the problem of the transformations occurring at the end of the Roman Republic. The second, much longer volume is a readable, comprehensive survey of the cultural aspects, with details on the intellectuals (authors, scholars, professionals) participating in the cultural "explosions" of the time and on the various fields of learning.

Homer. Paolo Vivante. Yale, 1985. \$7.95.

Pindar. D. S. Carne-Ross. Yale, 1985. \$7.95.

These volumes aim primarily to guide the nonclassicist into the excitement of the ancient texts with a minimum of reference to technical scholarship. Vivante goes immediately and elegantly into the narrative action and characters of the *Iliad* and *Odyssey*, Carne-Ross poises the reader briefly and then moves profoundly into the enjoyment of Pindar's lines.

Herodotus the Historian: His Problems, Methods, and Originality. K. H. Waters. Univ. Oklahoma, 1985. \$19.50.

A concise but comprehensive, commonsensical but scholarly account of Herodotus's *History of the Persian Wars*. Waters discusses the great founder of history's intellectual background and sources, as well as his artistry, values, strengths, and weaknesses.

ROBERT B. HEILMAN

A History of Modern Criticism 1750–1950. Vol. V: **English Criticism 1900–1950.** Vol. VI: **American Criticism 1900–1950.** René Wellek. Yale, 1986. \$22.50 each.

Wellek's two latest volumes discuss fully 30 English critics from Yeats to Leavis and Empson, and some 20 Americans from Mencken to Brooks and Warren, and identify many others. Wellek summarizes, places, and judges. He combines the reference work and the urbane essay, extraordinary learning with clarity and grace.

Marvell, Nabokov: Childhood and Arcadia. Michael Long. Oxford Univ., 1984. \$37.50.

Discerning common elements—a sense of nostalgia, exile, "severance from a once perfect world"—in a Restoration poet and a modern novelist, Long skillfully makes two vastly different artists illustrate each other. In a fluent and diaphanous style he gives excellent readings of all their major works.

The Leavises: Recollections and Impressions. Ed. by Denys Thompson. Cambridge Univ., 1984. \$34.50.

Sketches by 17 contributors who knew the Leavises as teachers, colleagues, or associates give an extraordinary overall picture of the minds and personalities of a highly talented and often difficult pair. Strengths are defined, weaknesses acknowledged. Outstanding essays by John Harvey and D. W. Harding conclude portraits that have an almost novelistic appeal.

Dickens and Popular Entertainment. Paul Schlicke. Allen and Unwin, 1985. \$30.

Schlicke describes fully the nature and status of popular entertainment in the England of Dickens, revealed in his direct comments, fiction, journalism, and public readings. Schlicke defines and defends Dickens as entertainer. He discusses three novels in detail.

When the Grass Was Taller: Autobiography and the Experience of Childhood. Richard N. Coe. Yale, 1984. \$25.

Treating "the Childhood" as an independent autobiographical genre barely 150 years old, Coe draws on some 600 examples from many countries on four continents to describe, skillfully and indeed fascinatingly, the different motivations, attitudes, and structures of such works. Academic inclusiveness and systemization never mar readability.

Wordsworth and the Lake District: A Guide to the Poems and Their Places. David McCracken. Oxford Univ., 1985. \$7.95.

A plain, pleasant, packed account of the places that Wordsworth portrayed or mentioned in nearly 150 poems (many quoted, some in full), in letters, and in his own *Guide to the Lakes*. McCracken provides 18 striking illustrations, 16 local maps, a gazetteer identifying natural and human landmarks, and guides for area travel and neighborhood walks.

The Life of John Hamilton Reynolds. Leonidas M. Jones. Univ. Press of New England, 1984. \$35.

A minor poet who became an unsuccessful lawyer and a successful literary journalist and writer of farces, Reynolds is historically interesting as an associate of Thomas Hood, Charles Lamb, and William Hazlitt, and a close friend of John Keats. Jones records the up-and-down history with great care and detail.

Pound and Lewis: The Letters of Ezra Pound and Wyndham Lewis. Ed. by Timothy Mat-
 er. New Directions, 1985. \$35.

Some 250 letters, about 150 by Pound, record a 40-year relationship that involves many literary figures and movements. We see Pound as generous agent for Lewis, independent literary critic, victim of political and economic obsessions, patient in a mental hospital, and above all as the weirdest epistolary stylist of all time. Unnumbered footnotes are a dubious innovation.

Three Days with Joyce. Photographs by Gisèle Freund. Preface by Richard Ellmann. Persea, 1985. \$17.95.

A color portrait and 40 black-and-white photographs show Joyce, frail in his late years, occasionally smiling, and always formally dressed, with Eugene Jolas, Sylvia Beach, Adrienne Monnier, and various family members.

Textual Power: Literary Theory and the Teaching of English. Robert Scholes. Yale, 1985. \$15.95.

For the most part Scholes uses a mercifully public style in this spirited medley of classroom exercises, interpretations of "texts," and clarifying survey of the pros and cons of various structuralist and deconstructive theories. He argues that things are "there" and that language refers to them rather than being purely arbitrary.

The Concise Oxford Dictionary of English Etymology. Ed. by T. F. Hoad. Oxford Univ., 1986. \$24.95.

A useful, though markedly selective, reference book. Entries regularly note centuries in which meanings first appear.

The Romance of the Rose. Guillaume de Lorris and Jean de Meun. Tr. by Charles Dahlberg. Univ. Press of New England, 1984. \$15.

A new paperback edition of the first modern English prose translation of the influential 13th-century French allegorical poem. Dahlberg's introduction, illuminating notes, careful retention of the original imagery, and inclusion of some 50 illustrations from various manuscripts all point to the basic irony of the work.

EARL W. COUNT

With a Daughter's Eye: A Memoir of Margaret Mead and Gregory Bateson. Mary Catherine Bateson. Morrow, 1984. \$15.95.

Margaret and Gregory were soon parted. Mary, the constant daughter, continued to share with each, alternately, her/his lamed but plenteous worlds and eventually, when grown, some of their ever-vivid conferences as well. Gregory, Margaret: perhaps a fragmented love lingered in these antipodal characters: she earnestly outreaching, poetic, religious, earthy, shrewd; he remote, shy, profound—a skeptic, naturalist, and metaphysician. And Mary—their geminal casting: perceptive, sensitive, never judgmental; a steady, achieved whole, a parent herself. It is an ingenuous narrative and, even in sexual matters, humane throughout; for such too is the daughter.

Symbols That Stand for Themselves. Roy Wagner. Univ. Chicago, 1986. \$27; paper, \$9.95.

Symbol: something that stands for something else (*Webster*). Sign: that by which anything is shown, made known, or represented (*Webster*). Not good enough. It has led too often to subordinating meaning to sign and delivering meaning over to a science of semiotics. Wagner finds this way of thought sterile. He holds that meaning is as elemental a perception as, say, binocular vision. Verbalized, it fashions metaphor; hence, symbol. Symbol is the *souche* of all culture, for cultures fashion world views; world views are structured on their own, *ad hoc* metaphors—symbols that stand for themselves. The author describes his field experience with the Daribi (New Guinea), tracing minutely the rationales of their performances; then he extends his perspective to complex civilizations. The book is hard reading, but it is seminal and original. It will reward your tenacity.

The Aesthetic Experience: An Anthropologist Looks at the Visual Arts. Jacques Maguet. Yale, 1986. \$35.

I have just set this book down for the *x*th time. Specimens of Western art and the arts of Oriental and less sophisticated folk mustered

between one pair of covers. Sensitive anthropologist that I am, I'll stumble along with the *magister*, a savant of art, no less a field ethnographer. Yes, all art has its individual and cultural nexuses, also its panhuman ones. Symbol making has revealing and intrinsic limitations. Meaning and message of an art object certainly need not be the same thing. To Maguet's satisfaction, sometimes a native has expounded these truths to him, exemplarily. Nevertheless—would a Benin carver and I read out quite the same panhuman nexuses? We would agree that a meaningless design would be a pointless one—and unaesthetic. I must return to our mentor, the yth, the zth time.

History, Evolution, and the Concept of Culture: Selected Papers by Alexander Lesser. Ed. by Sidney W. Mintz. Cambridge Univ., 1985. \$29.95.

Lesser was one of anthropology's neglected great; here is a noble attempt to vindicate him. The essays dot the years 1935 to 1981 (Lesser died 1982); the earliest seem as fresh as the latest. Although Lesser spoke to his fellows, this reviewer commends these essays to all readers who hope that some day a science of man will enrich an image of man.

Spirit of the New England Tribes: Indian History and Folklore, 1620–1984. William S. Simmons. Univ. Press of New England, 1986. \$25; paper, \$14.95.

The sparse residue of the erstwhile populous Algonkian tribe have long since turned to living the white man's way, yet their folklore binds them to a more ancient way and a tribal selfness. Ghosts, shamans, giants, Little People, shrines, dreams—perhaps they never were unchanging, but often Christian and African motifs have intruded and dislodged indigenous ones. From a host of sources, Simmons documents a history of constancy in change. He appends a most usable index of folklore motifs, based on that of Stith Thompson.

Cherokee Tragedy: The Ridge Family and the Decimation of a People. Thurman Wilkins. Univ. Okla., 1986, 2nd rev. ed. \$24.95.

Among the North Amerindian nations, the Cherokee have been unsurpassed, in any way you please. "Major" Ridge, Cherokee patriot, contemporary of Jackson, Calhoun, Winfield Scott, belongs among America's great statesmen. John, his son, played Elisha to his Elijah. *The Cherokee* became "civilized" (a great story in itself); nonetheless they were made to walk the Trail of Tears to Indian Territory. Major Ridge, a wise and strong mediator between his people and the whites, finally was murdered by some of his fellow tribesmen. It is an unpretty story; Wilkins tells it well: in detail, accurately, evenhandedly, suspensefully.

A Guide to the Indian Tribes of the Pacific Northwest. Robert H. Ruby and John A. Brown. Univ. Oklahoma, 1986. \$29.95.

If you, like your reviewer, find this region with its vital, indigenous peoples engrossing, here's your book. Here are the tribes from Ahankluyuk to Yoncalla; their anthropology; their post-European-contact histories; their accomplishments, current activities, and sociocultural dispositions. A reference book certainly, a browsing-book as well.

American Indian Policy in the Twentieth Century. Ed. by Vine Deloria, Jr. Univ. Oklahoma, 1985. \$16.95.

Yes, in subtle ways, the U.S. government's approaches to the Indian problem have kept pace with the growing humanitarian enlightenment of Americans, but we still have far to go. Meanwhile, the problem grows ever more complex. Here, the contributors discuss law, sociology, economics, political science, education (anthropology is absent). Although the prose is undistinguished, the information is basic, to the point, and probably unduplicated elsewhere.

Divisions of Labour. R. E. Pahl. Basil Blackwell, 1984. \$39.95; paper, \$12.95.

Here, English sociology, regardful and innovative, looks at the working English, particularly those of Sheppey, Kent. (The author also glances at some industrial societies on the Continent, especially the U.S.S.R., but these are dispensable.) Certainly the "industrial revolution" redefined "labour," which continues to be drastically redefined, as its gravamen shifts from production to consumption. Wage earning alone no longer is its core synonym. Sex roles and therefore statuses have shifted; households undertake activities that reflect new commodities—they diversify or contract. The author weighs Marxian, socialist, and capitalist appraisals; he finds them all wanting, because they have neglected to ask how ordinary men and women look upon their everyday, self-imposed tasks.

LEONARD W. DOOB

The Optimum Utilization of Knowledge. Ed. by Kenneth E. Boulding and Lawrence Senesh. Westview, 1985. \$19.50.

A diverse, stimulating cornucopia of two dozen factual, theoretical, or hortatory essays by educators, social scientists, scientists, and businessmen concerning the use and misuse, the theories and applications, and the individual and institutional aspects of human knowledge by children and adults, schools and mass media, governments and citizens, and a "science court" and patent offices. The volume emerges from a forum sponsored by the Academy of Independent Scholars, which seeks to promote the sensible and fruitful use of knowledge in all phases of existence. We are challenged to be guided by what we know and to try to know more than we now do know.

The Intellectual Development of Karl Mannheim. Colin Loader. Cambridge Univ., 1985. \$34.50.

A definitive, didactic dissection of the sociologist best known among American social scientists as the author of *Ideology and Utopia* and the founder, perhaps, of the flourishing sociology of knowledge. We have here also an attempt to synthesize the "more speculative than empirical" ideas of this eclectically Marxist, essentially prodemocratic, neologistically prone thinker during the Hungarian, German, and English phases of his development as well as to relate him to his fellow European theorists. Those of us who studied with him in Frankfurt during the pre-Nazi era may be convinced that the same epistemological, political problems to which he vividly called attention continue painfully to confront us now and possibly will ever do so.

Marxism and Morality. Steven Lukes. Clarendon, 1985. \$15.95.

A dispassionate, determined, critical, quotation-packed analysis of how prominent Marxists from Marx to Sartre, including Trot-

sky, of course, have dissected perennial moral problems, especially the relation of means to ends. The author claims to have discovered "a certain coherent view" and "a certain distinctive structure" in all their theoretical writings which he finds in the apparent "paradox" of the moralities of *Recht* and Emancipation. The current scholarly and practical implication of this moral issue may be expressed, at least partially, in the "Soviet joke" that he cites: "The future is certain, it is only the past that is unpredictable."

(continued on back cover)

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. . . a look at the current plight of the family farmer, written by William Mueller, a journalist whose family roots are in Iowa's farmlands.

The issue also features the writing of Joseph Epstein, the *Scholar's* well-known editor and essayist, as well as poetry, memoirs, and incisive reviews of books and the arts.

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Recommended Reading

(continued from page 7)

Psychology and the Prevention of Nuclear War. Ed. by Ralph K. White. New York Univ., 1986. \$38; paper, \$20.

A convenient, timely assemblage of long, cogent excerpts and occasional snippets of the previously published (with a few exceptions) views and relevant studies concerning the wars that modern leaders and their followers either produce or unsuccessfully seek to prevent. Most of the contributors are American psychologists. Amid the varied terminology, the fancy models, and the empirical and historical data contained in this fat, skillfully edited volume arises the inescapable conviction that we have almost enough knowledge to avoid the catastrophe of nuclear war. Why is it impossible, nevertheless, to compel people in positions of power to use some of the wisdom and intuition here impressively displayed? Must that question remain rhetorical?

Tone Deaf and All Thumbs? An Invitation to Music-Making for Late Bloomers and Non-Prodigies. Frank R. Wilson. Viking, 1986. \$15.95.

An enthusiastic, snappily written, self-consciously witty account of all phases of music, ranging from our "neuromuscular/audiovisual/biomechanical apparatus" (*sic*, really) to hints concerning the "fun" in practicing and playing and even an analysis of performers' stage fright. The author, a neurologist, cleverly uses his own scientific discipline as well as snatches from other fields, professional musicians, and music teachers to justify the book's unsubtle subtitle. We are thus given not a contribution to arid scholarship but a relaxed, relaxing exposition to be enjoyed and appreciated—like running, as we are frequently told, or music itself.

Logic of Science in Psychoanalysis. Benjamin B. Wolman. Columbia Univ., 1984. \$35.

A dispassionate, self-effacing presentation principally of the central and tangential premises both of Sigmund Freud and, briefly but sufficiently, of neo-Freudians such as Erikson and the author himself and neo-neo-Freudians such as Jung and Horney. Freud and these more or less devout disciplines constantly refer to "the" child, "the" adolescent, "the" adult, and especially "the" developmental "stages"

through which human beings allegedly pass, almost compulsively and undoubtedly erroneously detached from any cultural context. Petty bickerings among Freudians are ignored unless they offer enlightenment. The final chapter, regrettably only three pages long, is a prayerful benediction pointing toward an elusive synthesis.

FREDERICK J. CROSSON

The Foundations of Psychoanalysis. Adolf Grünbaum. Univ. California, 1985. \$9.95.

Clearly written and carefully constructed, this book is a formidable critique of the scientific character of Freud's work. Freud surely wanted psychoanalysis to be founded on evidence, but Grünbaum shows that the clinical data he appealed to are inevitably "contaminated" and that Freud was aware of the problem and unsuccessfully strove to respond to it. Attempts by Habermas and Ricoeur to retrieve the substance of the theory by a "hermeneutic" reading of Freud are examined and rejected. A persuasive and important book.

Jesus Through the Centuries. Jaroslav Pelikan. Yale, 1985. \$22.50.

Contrary to the jacket blurb, this is not an "important book." It is, however, a fascinating development of a genial idea, namely, to trace how the figure of Jesus has affected Western history in ways crucial to our identity. Political form, art, and science became what they are in essential respects because of that influence. The chapters on iconoclasm and the later stupendous explosion of religious art are admirable (and handsomely illustrated). An urbane book in the best sense, by a master craftsman.

Midrash, Mishnah, and Gemara. David Weiss Halivni. Harvard, 1986. \$22.50.

Halivni argues that Mishnah, the imperative or apodictic form in which Jewish law is couched in the Talmud, is a deviant mode of formulation, arising out of specific circumstances. Historically, it is preceded by Midrashic formulation in which the law is accompanied by warrants from the Bible; that historical priority reflects a fundamental Jewish orientation toward justified law. The book is elegantly clear and precise, a model of rabbinic scholarship and eminently accessible to the interested general reader.

The Strife of Systems. Nicholas Rescher. Pittsburgh Univ., 1985. \$34.95.

Socrates already warned (in the *Phaedo*) against "misology," the aversion to philosophy that can arise from the realization that its fundamental problems are not resolvable by a rationally constrained consensus. Rescher proposes to explain why the differences among philosophers inevitably arise and ineradicably remain because of the logical and systematic precision that they attempt to bring to everyday concepts. He also argues (against Rorty and others) that philosophy retains its value as a human enterprise even under such conditions. Recommended as a judicious treatment of a basal issue.

Churchmen and Philosophers: From Jonathan Edwards to John Dewey. Bruce Kullick. Yale, 1985. \$27.50.

A noted historian of American philosophy and winner of the Ralph Waldo Emerson Award here advances the thesis that Dewey's instrumentalist philosophy can be illuminated by viewing it as developing from the perspectives that Jonathan Edwards articulated in colonial America. Emerging from his Congregationalist youth under the influence of British Idealism and the Social Gospel, Dewey sought to preserve religious feeling and values while rejecting the supernatural to focus on the guiding of social change. Informative and challenging.

A History of Religious Ideas. Vol. 3: From Muhammad to the Age of Reforms. Mircea Eliade. Univ. Chicago, 1985. \$27.50.

The last work of the late distinguished historian of comparative religion and the concluding volume of his ambitious *History* deals with Islam, Judaism, and Christianity in times closer and more familiar to us. But Eliade characteristically draws our attention as well to aspects and movements that do not fall within the common outlines. He is interested not only in the mainline teachers and theologians but in folk piety and esoteric sects, in the Mongols and Slavs and Tibetans, and in the survival of archaic religious practices within Christianized countries. Anyone curious about the human condition and religion's place in it will find that Eliade discloses fresh vistas and intelligence.



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