

Morality & Conviction
IN
**AMERICAN
POLITICS**
A READER

MARTIN SLANN • SUSAN DUFFY
Editors

MORALITY AND CONVICTION IN AMERICAN POLITICS

A Reader

Editors

Martin Slann *Clemson University*

Susan Duffy *California Polytechnic State University*

Contributing Editors

Bernard K. Duffy
Lois L. Duke
Charles W. Dunn
Loch K. Johnson
John C. Koritansky
William Lasser
Peter A. Lawler

Richard W. Leeman
William D. Pederson
Bernard Schechterman
Stephen A. Smith
Mary Thornberry
Stephen Wainscott



Prentice Hall Englewood Cliffs, New Jersey 07632

Library of Congress Cataloging-in-Publication Data

Morality and conviction in American politics: a reader/[edited by]
Martin Slann, Susan Duffy.

p. cm.

Includes bibliographies and index.

ISBN 0-13-600891-7.

I. Political ethics—United States. I. Slann, Martin W.

II. Duffy, Susan

JK468.E7M67 1990

172—dc19

88-34424

CIP

To our spouses: Ruth and Bernard

and to our children: Elizabeth Liat Tal Guy

Editorial/production supervision and

interior design: Cyndy Lyle Rymer

Cover design: Photo Plus Art

Manufacturing buyer: Peter Havens



©1990 by Prentice-Hall, Inc.

A Division of Simon & Schuster

Englewood Cliffs, New Jersey 07632

All rights reserved. No part of this book may be
reproduced, in any form or by any means,
without permission in writing from the publisher.

Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

ISBN 0-13-600891-7

Prentice-Hall International (UK) Limited, *London*

Prentice-Hall of Australia Pty. Limited, *Sydney*

Prentice-Hall Canada Inc., *Toronto*

Prentice-Hall Hispanoamericana, S.A., *Mexico*

Prentice-Hall of India Private Limited, *New Delhi*

Prentice-Hall of Japan, Inc., *Tokyo*

Simon & Schuster Asia Pte. Ltd., *Singapore*

Editora Prentice-Hall do Brasil, Ltda., *Rio de Janeiro*

FOREWORD

By Bernard K. Duffy

Some social critics would claim that the time has come when, in the prophetic words of William Butler Yeats, "The best lack all conviction, while the worst are full of passionate intensity." Others would argue that relativism has so overtaken society that it risks losing its moral foundation. Ronald Reagan's presidency was noted for its identification with conservative religious groups and its strong ideological moorings, while his predecessor, Jimmy Carter, ran on a platform of restoring morality to government. Following suit, George Bush told the nation in his Inaugural Address that "America is never wholly herself unless she is engaged in high moral principle. We as a people have such a purpose today. It is to make kinder the face of the nation and gentler the face of the world." Politicians find they must establish moral agendas as well as court groups with strong ideological and moral convictions.

This is by no means a new phenomenon. United States political history reveals the influence of transcendent beliefs on the actions of government. An ideological belief in Manifest Destiny and no small degree of missionary zeal led to bitter struggles for territory in the American West and an arrogant imperialism in the Far East. In the 1950s preachers like Billy Sunday linked fundamentalist religious beliefs with an anticommunist foreign policy, and the communist witchhunt created by Joseph McCarthy had a strong religious and moral undercurrent. Richard Nixon and other "Cold Warriors" rose to prominence by rhetorically dividing the world between godless communists and Christian capitalists. Those who took the non-ideological, intellectual highroad such as Adlai Stevenson quickly fell by the wayside. Each generation of politicians has discovered the utility of appealing directly to the biases of large groups with readily identifiable and largely inflexible moral convictions. The supposed clout of Richard Nixon's

“great silent majority” was replaced by the political pieties of “the Moral Majority” identified in the rhetoric of the Reverend Jerry Falwell and North Carolina Senator Jesse Helms. The tides of politics are increasingly determined by the gravitational pull of satellites, dense in opinion and belief, that orbit the larger political sphere.

Reason rarely leads to strong conviction among the masses. Passion runs deeper and unifies, while reason invites intellectual dissent and divides. Hitler railed against the parliamentary disputes of Vienna and proposed that the German people find him with their hearts, not their minds. Passionate belief leads to solidarity among political confederates and to the inflexible positions that characterize much of the political debate of the last several decades. The mass media exploitatively bombard audiences with sensationalistic images of the problems that beset the nation. Each day brings new stimuli that either numb further those who are already desensitized or arouse strong emotions in those still capable of responding. Ideological, religious, and political convictions give meaning to the myriad events that make up the news. Strongly felt convictions lead one to know with certainty if Colonel Oliver North is guilty or innocent, if the bombing of Libya was right or wrong, if the Soviet Union is indeed an “evil empire” or a peace loving nation committed to *Glasnost*, if Theodore Bundy was put to death justly, if Governor Michael Dukakis stands with the angels on the abortion question, and so on through the countless issues that knit the brows of philosophers and social theorists and are made simple by prime-time preachers, tub-thumping politicians, tabloid newspapers, and investigative television reporters.

Passion is a great leveler. While conviction may be the product of inquiry and reason, intellect is not required to take a position and stand four square upon it. Education requires us to recognize our own fallibility, and to suspend our convictions as we consider the viewpoints of others. The human quality of emotional empathy allows us to survey the landscape of another’s passions, to inspect the world from an alternative vantage point and to return to our own windows on reality with new understanding. The consideration of other points of view helps liberate us from the prejudices and tendencies that our social and economic positions in the culture dictate. We understand our own perspectives better by examining those that we do not share. At a time when relativism itself has been called into question by conservative intellectuals like Allan Bloom, author of *The Closing of the American Mind*, it is admittedly controversial to assert the importance of the capacity to see one’s own beliefs as culturally and socially determined.

This book invites the reader to compare ways of seeing the world. It considers the morally involved issues that have excited some of the nation’s most intense and persistent political struggles. To be unaware of these is-

sues is not to know American politics. But the discussions of political issues that fill these pages are not meant solely for students of politics, because they are also materials for other kinds of analysis. Students of written and oral argumentation and composition, of logic, and of critical thinking may fruitfully inquire into how the proponents of such causes as capital punishment, creationism, free speech, abortion, and human rights have used the resources of language to persuade the electorate. The essays, speeches, and editorials reprinted in this book are a rich repository of argument types, emotional appeals, political posturing, and public relations strategies.

The editors delegated to contributing editors the task of selecting appropriate material for each unit considered in the book. The selections are preceded by the contributing editors' introductions intended to set the stage for the readings and to focus attention on important issues that students might wish to consider. The contributing editors were asked to use their professional judgment in selecting readings that would reveal the nature of the controversies they were assigned and to feel no obligation to conceal their own views. The result is a reader that acknowledges the controversial nature of the issues that are represented. This book addresses in terms that cannot fail to stimulate interest, the morally involved, value-laden character of political discussion and debate in the United States. In examining politics at the level of the sensibilities and passions of the electorate, this book reveals the human dimension of American politics.

PREFACE

Our work on this reader was prompted by our desire to encourage active class discussion and participation in American Government courses as well as in courses in Argumentation, Critical Thinking, and Persuasion. Our different academic disciplines, Political Science and Speech Communication, offered us very different perspectives about the influence of bias and strong ideological convictions on American politics. There is the long history of American political oratory with its demagogues, zealots, statesmen, and political saints. And there is the equally long history of foreign and domestic policies, virulent campaigns, pork barrel politics, political action committees, and special interest groups who wield enormous influence in the political arena. Though we share a common ground we approach the subject from different directions. However, very early on in our work on this book we perceived that our students in both disciplines need to be able to do four things:

1. They need to be able to recognize bias, ideology, and the various uses of evidence to support an abstract belief.
2. They need to critically assess the credibility of positions espoused in public debate and the credibility of the speakers or groups who attempt to persuade them.
3. They need to be able to articulate their positions about values and competing value systems.
4. They need to come to understand how these values affect public policy and their role as educated voters.

We felt that a reader which supplied a sampling of articles evidencing strong moral, philosophical, ideological, or pragmatic positions affecting

American politics and its citizenry would be most effective in meeting this goal.

We invited fifteen scholars from the disciplines of Political Science and Speech Communication to select readings on current topics that spawn heated debate: the Congress, the Presidency, the Law, the Bureaucracy, the Media, Abortion, Capital Punishment, the Evolutionist/Creationist Debate, Homosexuality, Human Rights, Censorship, Nuclear Arms, Totalitarian and Authoritarian Governments, Foreign Aid, and Terrorism. We were delighted with the creative and scholarly responses we received from each of the contributing editors. Each article reprinted here articulates a strong position that necessitates critical analysis. We hope that each will engender animated and critical class discussions and provide students with the opportunity to take a position, support it, and challenge each other and their professors.

We started this project in 1987 when Ronald Reagan was President, Gary Hart's presidential campaign was bogged down in the "character" issue, and the Iran-Contra Hearings were about to get into full swing. As we finish it in 1989, George Bush is President, Congress is embroiled in a controversy about voting itself a substantial pay raise, and there has been a tragic terrorist attack on a Pan American jetliner over Scotland. Other value-laden issues continue to surface in the newspaper each day.

We are grateful to all the authors and editors who granted permission for us to reprint the articles contained here. We hope the students who read these essays will be moved to consider the arguments, form new ones, and enjoy the intellectual exercise. More than that, we hope the students who use this volume will come to be informed and articulate citizens, not because of the material it contains, but because they evaluated, criticized, and scrutinized the positions it outlines. It is important to us that they grow to be individuals who participate in our democratic process responsibly and intelligently; who listen with an ability to separate truth from falsehood, and who speak to political and social issues vigorously and ethically.

Susan Duffy
Martin Slann

Acknowledgments

We wish to thank those who helped us in the developmental phases of this book and who continued their support throughout this project. Karen Horton, editor for Prentice Hall, was most helpful in all stages of the project, as was Cyndy Rymer, the production editor, and Martha Williams, the copy

editor. Bernard Duffy was instrumental in helping us decide on the format of the book that would include contributing editors for each chapter. For his suggestions, criticisms, and help with proofreading, we offer our warm thanks.

Most importantly, we would like to thank all the contributing editors to this volume: Bernard Duffy, Lois Duke, Charles Dunn, Loch Johnson, John Koritansky, William Lasser, Peter Lawler, Richard Leeman, William Pederson, Bernard Schechterman, Stephen Smith, Mary Thornberry, and Stephen Wainscott. These scholars, representing the fields of political science and speech communication, have made this an exciting and gratifying project. Without exception they have been extraordinarily cooperative in writing essays to reflect the intent of the project, submitting the essays on time, securing the permissions for each of the articles reprinted in their respective chapters, and accepting our suggestions for revisions with graciousness and good humor. To them we offer our most heartfelt thanks, for without them this project would still be a dream.

We would also like to thank the Clemson University political science department secretary, Debra Whitfield, for her constant and good-natured assistance and Janet Leach, the Cal Poly Speech communication department secretary, for her help with the index.

Finally, we would like to thank the readers of this volume in its various stages: Prof. Joseph Mikyska, Illinois Valley Community College; Prof. Richard J. Bloss, Chicago State University; Prof. Paul N. Chardoul, Grand Rapids Junior College. We are grateful for their suggestions and criticisms and hope that they will see their suggestions have been incorporated into this volume.

CONTENTS

Foreward *vii*

Preface *x*

Introduction *1*

1 Congress and Morality: Representing a Democracy *4*

Richard W. Leeman and Lois L. Duke

Money in Politics Richard Bolling, 8 Found: The Attraction of Detraction
Martin Schram, 18 Hypocrisy in Government, 22 The Year of the Gimmick
Tom Morganthau, 26 The Need to Say No James C. Miller, III, 28 Sleazy Is the
Word for It, 33

2 Law and Morality *36*

William Lasser

The Path of the Law (excerpts) Oliver Wendell Holmes, 39 Tradition and Morality in
Constitutional Law Robert H. Bork, 42 Law, Liberty and Morality (excerpts)
H.L.A. Hart, 44 Judicial Response to Philosophical Limitations on Governmental Power:
Calderv. Bull, 48 Griswold v. Connecticut, 50 The Least Dangerous Branch (ex-
cerpts) Alexander Bickel, 53

3 The Presidency 59

Charles W. Dunn

The Theological Dimensions of Presidential Leadership Charles W. Dunn, 63 Saying Good-Bye to a Nice Affair: Thoughts on the Iran-Contra Hearings James Ceasar, 70
On the Moral Standing of the President as an Interpreter of the Constitution: Some Reflections on Our Current "Crises" Hadley Arkes, 76

4 Bureaucracy and Morality 84

William D. Pederson

The Prince and His Courtiers: At the White House, the Kremlin, and the Reichschancellery Russell Baker and Charles Peters, 87 But Albert Speer Was A Great Manager Paul Greenberg, 99 Justice, Texas Style David Maraniss, 102 Moral Development and Education, 109

5 The Media 117

Susan Duffy

When the Government Tells Lies Anthony Marro, 120 Our National Secrets: The Intelligence Community and the Press William T. Casey, 132 Should the Press Play Vice Cop? Nicholas von Hoffman, 137 "What Did Mr. Dwyer Do, Daddy?" David B. Dick, 141 One From the Heart: How a Tough Decision Was Made Frederick L. D'Ambrosi, 146 To Kill a Messenger: The Ethics of Journalism Earl R. Hutchison, Sr., 149

6 Abortion 158

Mary Thornberry

A Defense of Abortion Judith Jarvis Thompson, 162 Abortion Politics and Policy: Is There a Middle Ground? Mary C. Segers, 169 *Abortion and the Politics of Motherhood* (excerpts) Kristin Luker, 174

7 The Constitution and the Public Discussion of Capital Punishment 183

John C. Koritansky

Gregg v. Georgia Justice Potter Stewart, 185 *Gregg v. Georgia* Justice William Brennan, 190 *The Death Penalty in America: What the Record Shows*

Watt Espy, 191 *For Capital Punishment: Crime and the Morality of the Death Penalty* (excerpts) Walter Berns, 202

8 Evolution and Creation in the Public Schools: A Durable Controversy 209

Bernard K. Duffy

Creation, Evolution and Public Education Duane T. Gish, 212 Evolution as Fact and Theory Stephen Jay Gould, 223

9 Homosexuality and Public Policy 231

Stephen H. Wainscott

Intro Two Duncan A. MacDonald, 235 Two Doctrines of Privacy
David R. Carlin, Jr., 243 Afraids, 246

10 Censorship and Obscenity 251

Stephen A. Smith

Report of Commissioner Charles H. Keating, Jr., 254 Pornography: The New Terrorism Andrea Dworkin, 260 American Civil Liberties Union Policy Statement on Censorship of Obscenity, Pornography, and Indecency, 265 The Black Response
Dr. Robert Staples, 268

11 Human Rights 11

Peter Augustine Lawler

Address at Notre Dame President Jimmy Carter, 276 Missing and Disappeared Persons Patricia M. Derian, 279 Double Standards in Human Rights
Jeane J. Kirkpatrick, 287 The Philosophical Foundation of Human Rights Clifford Orwin and Thomas Pangle, 293

12 Nuclear Arms 303

Bernard Schecter

New Views Behind Moscow's Flexible New Diplomacy Michael Forrestal and Allen Lynch, 306 A Way Out of Reykjavik Brent Scowcroft, John Deutch, and R. James Woolsey, 308 Nuclear Strategy: A Case for a Theory of Victory
Colin S. Gray, 313

13 In Search of Friends: Democracies, Dictators, and the United States 323

Loch Johnson

Doctrine of Moral Equivalence Jeane J. Kirkpatrick, 328 Totalitarianism vs.
Authoritarianism Michael Walzer, 333 We Must Learn to Live with Revolutions
Frank Church, 339

14 Rich Nation/Poor Nation 346

Martin Slann

Foreign Assistance and the U.S. National Interest Michael H. Armacost, 348 Foreign
Aid: What Is at Stake? Peter T. Bauer and Basil S. Yamey, 356 Two-Tenths of One
Percent, 364

15 Terrorism 368

Richard W. Leeman

Up in Smoke Steven Baer, 372 United States Air Strike Against Libya
President Ronald Reagan, 374 Low Intensity Warfare: The Challenge of Ambiguity
George Shultz, 376 Terror Error: The Irony of Counterterror Daniel Triesman, 383
Reagan, Thatcher, and the Colonel, 387 The Face of Terrorism
Lawrence K. Grossman, 389

Index 401

INTRODUCTION

In the United States the relationship between morals and politics is an old and largely undefined one. Today's speakers in political, educational, and even religious arenas face audiences whose beliefs are heterogeneous. No longer are the Bible and the Constitution the moral constants they once were for millions of Americans. And although we pride ourselves collectively on our patriotism and work ethic, we are no longer a nation of people whose beliefs are homogenous or who share a value system that dictates right or wrong, good or evil. Our interest in how various ethical and ideological belief systems influence American public policy led us to the title of this reader—*Morality and Conviction in American Politics*.

The purpose of this book is not so much to define this relationship between and among morality, personal ethics, ideology, and politics, but to provide a forum in which students can identify, and ultimately come to understand, various moral and ideological positions that shape American politics. We do not ask you to agree or disagree with these positions, only to recognize that they exist and are influential in the democratic process.

Many of today's issues, such as abortion, the death penalty, public school prayer, homosexual rights, and censorship—issues examined in this book—lead to absolutist arguments based on religious or moral justification. Americans seek to fill the need for permanence, a sense of coherence, and order in their lives by adopting various ideological positions. Although many would agree that our leaders should not be ideologues, we as a nation have repeatedly elected ideological proponents to the Congress, and even the

presidency. They, in turn, have appointed others, often with equally strong ideological positions, to cabinet posts, the courts, and to crucial governing bodies, such as the Federal Communication Commission. How these individuals have shaped public policy, and how they have responded to the phenomenon of single-issue interest groups and their respective political action committees is central to this project.

From the beginning we found that the book naturally divided into three sections:

- I. American Political Institutions: Individual Freedoms and Political Stability
- II. Individual Issues: Value Systems and Law
- III. Global Issues: American Foreign Policy and International Morality

Each section is divided into five chapters. Each chapter reflects many of the concerns held by American voters and politicians and contains readings that emphasize representative schools of thought on issues of both moral and political import.

By examining the diverse, and sometimes extreme, positions that national debates in each of these areas have spawned, we hope to demonstrate that morality, personal ethics, ideology, and religion are inextricably bound in the political process in the United States. In the end it is public opinion that determines much of the morality as well as the content of politics. Ortega y Gasset's observed that "never has anyone ruled on this earth by basing his rule on any other thing than public opinion." No elected or appointed governmental official is completely immune to the pressures of public opinion.

Many of today's issues are fraught with religious, moral, ethical, and ideological overtones. Issues such as abortion, the death penalty, public school prayer, homosexual rights, and censorship are not easily resolved. Moral concerns have been part of political considerations in the United States since the formation of the republic.

Differing religious and moral stances over church and state still remain a source of discomfort for American politicians. This is due to the prescriptive nature of most religions, and the absolutism of some. By their nature religiously oriented issues can produce inflexible and polarized positions that spill over the pulpit into the political rostrum. This is not a new phenomenon in American politics.

The very issues that this volume considers readily precipitate extremist justifications. We did not set out to present "both sides" of an issue, although many of the chapters do that. Our intention is to present positions that have strong ideological, moral, or ethical arguments that in turn influence, or try to influence, American politics.

For better or worse, our political and social institutions reflect and characterize our entire society. When we evaluate them, we also indulge in the frequently unpleasant task of evaluating ourselves. In a world that cynics often consider amoral, the United States remains a nation whose activities are often monitored, if not often restrained, by some concept of morality. The electorate, for example, still shuns political candidates whose personal conduct is less than impeccable. There may be a strong degree of hypocrisy in all of this, but the very fact that lip service is given to moral behavior is an indication of our willingness to embrace some ethical standard as a nation. If traditional morality did not retain its hold on millions of Americans, homosexuality, abortion, and the death penalty, would undoubtedly be debated quite differently. The intensity, fervor, and zeal that are hallmarks of American political debate remind us that politics is the product of human passion rather than divine reason.

1

CONGRESS AND MORALITY: REPRESENTING A DEMOCRACY

Richard W. Leeman and Lois L. Duke

For the legislative body in a representative democracy, morality is a question of product and process. The product—the legislation—is presumed to be moral itself and to enforce morals. Whether moral or not, elaborate arguments are constructed to show that it is, as the slavery debates of the previous century illustrate. The morality of the product is the substance of much of this book, and it is better discussed in chapters devoted exclusively to specific topics. Our concern in this chapter is with the process: What constitutes ethical representation of the body politic? Our discussion can be divided somewhat artificially into two areas, elections and legislation. The distinction is artificial because, as will become apparent, the two halves stand in a symbiotic relationship with one another.

Because we live in a representative democracy, the process begins with the election of someone to represent us for the purpose of making law. Problems with the selection process have existed since the beginning. “Treating” was a colonial practice by which the candidate supplied free hard cider for his constituents on the Election Day holiday. Many early American newspapers were owned and operated by political parties; their penchant for publishing any scandalous rumor available about an opponent explains the *New York Times*’ motto “All the News That’s Fit to Print.” The word “gerrymander”—meaning to redraw legislative districts to give one candidate an advantage over another—comes from Governor Gerry of Massachusetts doing just that in the early nineteenth century. Dead voters throughout this century have cast many a ballot long after becoming deceased. The problem