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Bridgewater Review



BRIDGEWATER STATE COLLEGE

Karen Callan



Branch Office.



Sky Lights.

Fisherman's Blues.

Bridgewater Review

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Ivana George, Assistant Professor of Art: *New York City, 2200 A.D.* Additional works from Professor George's *Climate Change* series are on pages 15–18.

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Editor's Notebook

Being an American Again

Tough economic times often create a dismal mood in our nation with a mix of anger, second-guessing and fear enveloping the citizenry. Those who have been hard hit by the downturn readjust their priorities and scale back their dreams; some even adopt a kind of “bunker” mentality as they prepare for the worst. Those that are seen as the culprits who caused the turmoil become the object of public disdain as cries of punishment and revenge fill the air. All in all, not a pretty picture.

The dismal mood in this country is compounded by an ever-widening list of other dangers and declines. An unpopular war, millions living in poverty and without health care insurance, predictions of cataclysmic climate change, and the gap between the haves and the have nots growing daily make for a toxic social and political environment. As Americans look around them it is easy to come to the conclusion that the future of this country is certainly not bright.

But there is another way to look at this down period for America. This is clearly the time to remind ourselves about the strengths of this country and the people who have made the United States as Lincoln said, “... the last great hope of mankind.” Getting out of this mess we are in will not just happen because political leaders take action or government implements policy prescriptions. Turning this country around will only be achieved because we as a people begin again to take seriously those values, principles and beliefs that have for generations made this country special and the envy of the world.

It is important to remember during these dark days those one of a kind American characteristics—the fierce determination to succeed, the courage of those who serve, the willingness to give generously to the needy, the unabashed pride in our individualism and that indefatigable American spirit. We are a people skilled in picking ourselves up by the bootstraps and marching ahead; we are the entrepreneurs to the world; and we are not used to being down on our luck.

It is also important to remember that we are a people of invention, imagination and innovation, a people of good intentions and goodwill, a people of community and self-help, and a people with the unlimited capacity to think big and achieve wonders. Most of all we are a people with self-confidence and a positive outlook. Americans are never fatalistic (except perhaps Chicago Cubs fans).

All economic downturns end and for every problem there is a solution. Unfortunately, for too many years we Americans have been so divided on how to deal with our present and future challenges. Our political leaders from both parties, and at all levels of government, have failed us by spreading and deepening this division. The result is that we have wasted too much time criticizing those who disagree with us, rather than finding common ground. We have forgotten what it means to be an American, and instead just waved the flag and argued over petty concerns.

But this latest economic crisis offers us an opportunity to find our “specialness” as a people, to put what divides us aside and take this country forward. The times that we live in offer us the chance to transform this country, not just with new programs and new reforms, but more importantly with a renewed commitment to be Americans. This country is after all a nation of endless possibilities and countless success stories. All we need to do is to get our act together again and start rebuilding the American dream. It really isn't that difficult; just be ourselves and the rest will take care of itself.

—Michael Kryzanek, Editor, Bridgewater Review



Restoring Chinese Heritage in Boston's History

Wing-kai To



“Are Boston Chinamen Becoming Americanized?” This was the question raised by an essay in *Boston Globe* printed on October 31, 1899. This quote exemplified the attitudes toward the Chinese at the turn of the 20th century when Chinese settlers were perceived as both

exotic and foreign on the one hand and capable of being assimilated on the other. The essay discussed the division between the merchants who were more and more becoming Americanized and the laundrymen who had been in the country only for a short time and remained totally Chinese in outlook. A decade later, on April 3, 1910, another essay entitled “Sunny Side of Boston’s Chinatown” was published on *Boston Globe* that included a picture and story about Mrs. Lee Kim, a merchant’s wife, and her six children, four of whom attended American schools. The essay was written by the famous writer with the pen name Sui Sin Far (1865–1914), whose real name was Edith Eaton. A

biracial woman, the child of an English father and Chinese mother. she was born in England but grew up in Montreal. Sui Sin Far published a series of fictions about North American Chinatowns and has been referred to as the first Chinese-American writer because of her sensibilities to the complex stories of Chinese-American men, women, and children instead of the orientalist gaze of the Yellow Peril atmosphere. These depictions of Chinese merchants and families contrast more sharply with the downtrodden image of the anti-Chinese movement, represented in immigration raids, opium dens, gambling and crime, and tong wars.



There were Chinese sailors who arrived with the New England merchant ships including one named “Chow” who was buried in the Boston Common Burial Ground in 1799, but a fuller picture of the lives of any sailors who landed in Boston remains a speculation. In an essay

entitled “First Chinaman in Boston” published in *Boston Globe* on August 17th, 1902, the legendary merchant Ar-Showe was considered to be the first Chinese who lived in Boston. He arrived on a merchant ship in 1848 serving Captain Ryan as a servant and while in Boston was taken by the Halliburton family to advertise the tea trade. Later he married a German employee Louisa Hentz, cut off his queue, became the first naturalized Chinese in the US, and had four children. Ar-Showe established a tea store on 25 Union Street by the 1850s and later lived in Malden until about 1878 when he went to San Francisco and China to continue his business.

Ar-Showe’s life thus marked both the end of the era of prosperous Chinese tea trade in Boston and the beginning of Chinese presence in the city.

Another origin of the Chinese in Boston came from western Massachusetts after the construction of the transcontinental railroad in 1869. It is unclear how many of the seventy-five Chinese workers employed by the Calvin T Sampson shoe factory in North Adams to break the labor strike in 1870 arrived in Boston after 1875. Yet the earliest laundries of Chinatown can be found on 110 Harrison Avenue as well as a couple others on Kneeland and Washington Streets in the 1875 Boston City Directory. By the 1885 directory Chinese laundries

were listed all over the city of Boston and several groceries and restaurants can also be found. A Chinese reading public was able to support a Chinese newspaper named *Chinese Monthly News*. The newspaper office was located at 36 Harrison Avenue, managed by P.Y. Moy and the paper sold for 5 cents. The paper provided news of China and sold advertisements to an assortment of stores selling liquor, jewels, firearms, hats, and paper items.

Another period of development occurred in the first decade of the 20th century. The elevated train started to go through Chinatown and more restaurants and shops had been established including the Sen Lock Low restaurant on the corner of Beach Street and Harrison Avenue. A photographer and a journalist completed a featured article entitled "China in New England", published in *New England Magazine* in 1905. The images presented Chinese merchants socializing in the Bun Fong Low restaurant on 32 Harrison Avenue and provided a glimpse of the small number of Chinese-American families in the still bachelor-dominated Chinatown. The article featured a Chinese merchant, his wife and their young daughter Mabel. According to the author, this merchant's wife was one of only fifteen Chinese women in Boston. In addition to the discussion of this family, the essay also noted that "there are the humble clerks and labors and laundrymen that come from all parts of the city and surrounding city." By the



1920s Chinese businesses expanded across Tyler Street and Beach Street. The famous restaurants included Hon Hong Low and Joy Hong Low in the 1920s and later Ruby Foo's Den and the Good Earth in the 1940s. Part of the appeal of the restaurants was to cater to non-Chinese customers who started to park their cars along Tyler Street for both restaurants and night clubs.

A sense of solidarity was found in the family associations newly established in the 1920s. The family associations such as those developed by Goon, Moy, Yee, Chin, and Lee as well as its umbrella organizations—the Chinese Consolidated Benevolent Association of New England and the local Nationalist Party branch—were centers of activities for the Chinese elders who dominated commercial activities in Chinatown. The Goon Family Association on Tyler Street, the Moy Family Association on Beach Street, and the Nationalist branch on Hudson Street were important architectural examples. The Lee Family Association opened a new building in 1960 and the Gee How Oak Tin Family Association comprised



mainly of the Chin family opened a new building in 1964. These are all spectacular structures. Chinese children who grew up in the 1920s and 1930s in Boston were increasingly living under the multiple influences of American public schools, Chinese language schools, as well as missionary activities. The Chinese American Citizens' League at 36 Harrison Avenue sponsored Troop 34 of the Boy Scouts at least since the 1920s. In an article "Chinatown proud of it's boy scouts" published in *Boston Globe* on July 23, 1922, it mentioned that the troop paraded across the State in Springfield and also in nearby Lowell and Lawrence. According to the article, the children in the Troop lived near Tyler and Oxford Streets. They normally met at the YMCA at 73 Tyler Street once a week and conducted camping activities mostly in Dedham. It further stated that these boys went to the Kwong Kow Chinese language school every evening on 2 Tyler Street. After the Kwong Kow school moved to 20 Oxford Street in 1931, the school organized a Junior High School band and was active throughout the 1930s and early 1940s. Children in the 1930s often participated in parades in support of the American troops in the Second World War and the Chinese War of Resistance against Japan.

What is quite remarkable was the increasing role played by women in activism in the 1930s. Rose Lok was the first woman who joined the Chinese Patriotic Flying Corps in the early 1930s to assist China in its defense against Japanese aggression. The Denison Settlement House at 93 Tyler Street was founded in 1892 to serve immigrant women and a Chinese girl's basketball team was formed by the early 1930s. Some young women joined the lion dance troupe and paraded on the streets of Boston to raise funds in support of China against Japan before Pearl Harbor. The Chinese Women Association was founded in 1940 in Boston with participation of all ages and continued to march in support of American troops against Japan after WWII.

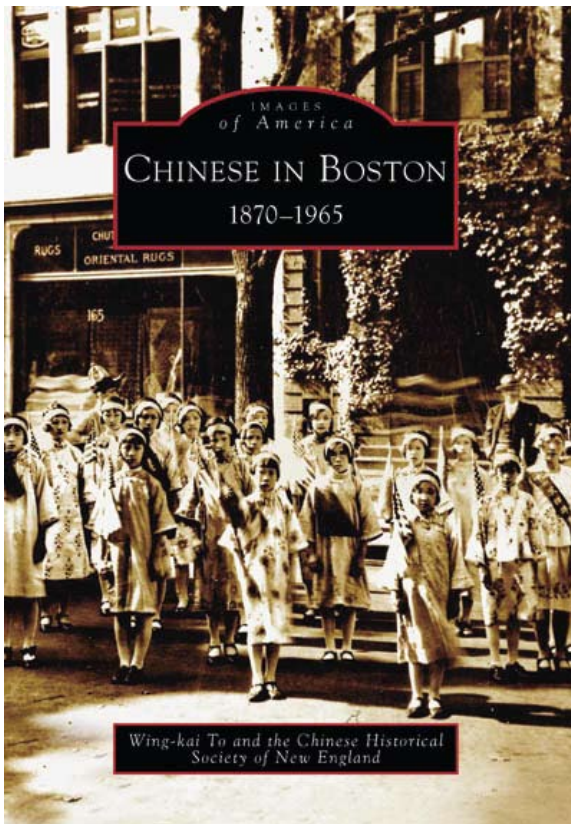


The role of Chinese children changed with the Repeal of the Chinese Exclusion Act in 1943 and the end of the Second World War in 1945. After the War more Chinese were represented in the local public school. Initially the Quincy School, founded in 1847, on 90 Tyler Street was a magnet for all immigrant children. After the war as Italian, Jewish, and Syrian children moved away, more Chinese children were represented at the school. They learned about China on the one hand and also became citizens as seen in their pledge of allegiance rituals at the school.

However, the traditional Chinatown community changed its character during the 1960s due to urban relocation of residents on Hudson Street and Albany Street, an area today known as Parcel 24. The immigration reforms and the Vietnam War brought in new immigrants from Hong Kong, Taiwan, Vietnam, and Cambodia. The development of New England Medical Center and Tufts University, along with formation of new civic associations and new property development has transformed Chinatown through gentrification and the influx of non-Chinese residents.

In a photo history book published earlier this year I have presented traditional Chinatown as an enduring community in Boston. Similar to New York and San Francisco, Boston's Chinatown has maintained a rich history as a vibrant commercial and residential commu-





nity since its initial settlement in the 1870s. In this overview we have explored the role of merchants and laborers in Chinatown from the 1880s to 1910s, growing commercialization of the 1920s and 1930s, and the youth culture and civic participation of Chinese Americans from the 1920s to the 1950s. Early Chinese Americans in Boston expressed a strong sense of community values; some of them took advantage of expanding educational opportunities, and many became bicultural and civic-minded in supporting both China and the United States. We should preserve the legacy of Chinese Americans in Boston and honor the vitality of their continuing history.

—Wing-kai To is Professor of History and Coordinator of Asian Studies.

Historical images in this article are reprinted with permission from the Chinese Historical Society of New England.

Dance

Jody Weber

Dance is extraordinary in that it is experienced in the moment, leaving an imprint in the mind's eye of the audience. It is my challenge as a choreographer to build images that will last in the mind and heart far beyond that brief moment in the theater. The choreographer's initial work is hidden behind the closed doors of a dance studio. Although much of the process is intensely personal, my artistic field requires that I develop a community of dedicated and highly-trained dancers who are committed to my vision. We are often in physical contact; we sweat, we get tired, we step on each other's feet, we open ourselves emotionally in order to express ourselves through our bodies in motion, and we continue to work together regardless of these challenges. Six committed women work with me every week of the year, offering their time and talent with extraordinary generosity.

Each choreographic project requires that I first find space to let ideas percolate, exploring movement ideas that may or may not prove fruitful. This is one of my greatest challenges, as both time and studio space is difficult to procure. Studio space that is large enough for group work (a minimum of 1200 square feet) is available at only three studios in Boston and costs range from twelve to fifteen dollars per rehearsal hour. Currently, I hold ongoing rehearsals for my company at Mass Motion in Allston and do my preparations in any space I can find including kitchens, living rooms, lobbies, and sometimes the hallway outside my office. My work is varied, with a strong emphasis on the impact of scientific discovery, historical events, and cultural phenomenon on the lives of individual people. My process often begins with very broad concepts, moving slowly toward more specific ideas. During the summer months I spend intensive periods working four to six hours per day in the dance studio. This work generates

large quantities of raw material. Video is a fundamental tool that helps me edit as I select material to bring to my company of dancers. The dancers participate in the creative process by following choreographic structures and bringing diversity through their unique physical abilities. Slowly, the movement ideas find structure through spatial organization and sequencing. As the studio process unfolds, I am busy working on the overall structure of the dance; finding music, writing sound scores, and considering text and costume design. Lastly, I must consider how each of these components will interact through their juxtaposition within the



Of Bones
and Marrow.

whole dance. A short work, perhaps five to seven minutes, typically takes four months to create. Longer works, twenty to thirty minutes, often develop over twelve to eighteen months. Each concert evening represents years of creative work condensed into the most ephemeral moment of experience for the audience, and for me and my dancers. It is perhaps this very moment, both fragile in its brevity and powerful in its experience, that compels me to return to the studio to begin again.

—Jody Weber is Assistant Professor of Theater and Dance.



Left, *Of Bones and Marrow*.



Left and below, *Core Impasse*.



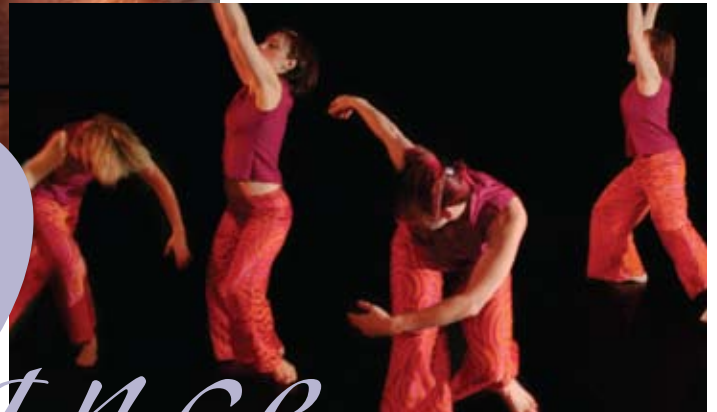
Above and inset,
The Raven's Rapport.





Left and below, *Ley Lines*.

Dance



Above and inset, *Steadfast Season*.

Dance photographs by Chris Engles.





CORE IMPASSE

The concept for this dance developed after a trip to Alaska in 2005. Alaska is an extraordinary place and I was powerfully moved by my experiences. Despite spending my adult life in urban areas, I have always had a deep kinship for natural settings.

However, in our day to day lives I find that I often have a perception of myself as separate or in some way distinct from the forces of the natural world. On a deserted beach in Alaska's Lake Clark National Park, I found myself between two grizzly bears at very close range. This experience reminded me at a fundamental level that in terms of the natural world we are part of the whole- not separate from it. Although we continue to alter our environment to suit our needs, in the end we cannot deny our relationship to all of the natural systems present on the planet. I was also aware of a certain balance between the number of people that lived in Alaska and the land, something I had never experienced in the lower 48. It seemed to me at the time that we have removed ourselves so far from this balance and understanding of our relationship to the natural world that we are creating a great global disaster in terms of climate, pollution and overpopulation. The title *Core Impasse* refers to how we live and see ourselves, our core perceptions, and the impasse that we must transcend to insure our own future here on earth.



LEY LINES

The concept for *Ley Lines* began when I started to think about maps, which led me to broader questions surrounding how we find our way in the world. The curious thing about contemporary maps and global positioning is that they are both tremendously specific and simultaneously utterly

unrelated to one's experience of place. A series of books that I read during the summer of 2006 began a fascinating journey of mapping and understanding where you are and where you are going. I ended this investigation reading about the Pemako region of Tibet, one of the last unmapped regions of the world in the late 1990s. The region was mapped only through an ancient image of a goddess—her body the features of the land. The juxtaposition of femininity, physicality and place was of interest to me. So I began to create *Ley Lines*. In this piece a woman who can easily locate her home, job and neighborhood finds herself lost and asks, "How did I get here?" Her answer and her ability to locate herself lie outside the realm of linear thought and require a subtle yet courageous inner journey.



OF BONES AND MARROW

Of Bones and Marrow emerged from my interest in our relationship to the natural world and our unfolding environmental crisis. Since everything on this planet is essentially made of the same fundamental matter, and this matter is constantly

exchanged, I began to wonder why we so vehemently structure our view of ourselves as separate from the natural world. It seemed that even the very act of speaking of the environment and its processes, as outside of ourselves, created a division of our own construction. The choreographic process for *Of Bones and Marrow* has been extensive. The time, from its inception to its premiere exceeded nine months and I have continued to work on it for an additional nine months. The structure of the dance moves between relationship and disjuncture and as it progresses this division slowly collapses. The work includes a sound score with five distinct pieces of music and a work of poetry written by Andrew Arnett.



STEADFAST SEASON

Steadfast Season is a reflection on the power and complexity of long-term relationships. Like many people in my generation, my parents were divorced, and I have always been curious about the internal negotiations that sustain longevity in a marriage. I modeled the dance on my

grandparents whose marriage lasted more than sixty-five years. The structure of this dance is strongly embedded in its spatial pattern which is confined within a small rectangular "room" of light, and its movement patterns which are exchanged between the dancers with individual variation. The dance was originally performed by a man and a woman, but subsequently I have re-set it with two women.



THE RAVEN'S RAPPORT

This duet incorporated gorgeous wolf and raven masks created by artist, Laura McPherson. It was a strange and fascinating journey for me that required a deep trust in the creative process. Sometimes the choreographic process is clear and you know exactly what you want to create. Sometimes

the experience is like walking through a dark house where you sense your surroundings, but they are shadowy and undefined. That was the case with *The Raven's Rapport*. The image of a wolf literally beckoned me from a dream, and then an absolutely fantastical series of events unfolded across the next three months involving wolves and ravens which culminated in a direct experience with two actual wolves in the wild. For me, the raven and the wolf are symbolic of two aspects of our nature—the wolf reflects a deep and ancient predatory nature, and the raven represents our ability to see beyond our more intellectual or rational side. In the wild these two animals often work together in the hunt. Despite their need for one another, their relationship is dangerous for the raven who must remain vigilant or risk death.

T

he early nineteenth century was a highly prosperous and optimistic time in the city of Boston. The citizens pledged themselves to the new republic and many of Boston's successful merchants had taken up political positions to govern the region. Wealth had been established through the shipping industry and would shift and expand to the textile industry creating an upper class of affluent Bostonians. These citizens sought a place for their city in the young country and began to define themselves through culture and higher learning. They believed that "the well born and the good" had the responsibility of shaping the city's artistic and intellectual communities. An Athenian model appealed to the Bostonians in its references to democracy, high culture and learning. A visitor exclaimed, "There is scarcely a night in the year when some lecture is not delivered in Boston. They enjoy a lecture here as people elsewhere enjoy the theatre. It is an elegant taste, and, I am sure, productive of good." Although this first inclination toward an Athenian model adopted ideals of the city state, it was Boston's upper-class women who would return to images of Ancient Greece as they redefined their relationship to their own bodies and minds. As the Women's Movement swept through the city in the nineteenth-century, it cleared a path for physical culture and greater expressive freedom that eventually awakened interest in the young art of expressive dance.

The dancing master was already present in nineteenth century Boston and had earned his place within the upper classes, but his presence was not without controversy. Boston's Puritan inception continued to play a role in questions regarding the body, particularly for pleasure. The Puritans' conviction in the Calvinist ideals of predestination and a harsh and judgmental deity, left them opposed to any sort of leisure activity that might distract from one's calling in life. Dance was of particular suspicion because of its association with the body and the possibility of the pleasures of physical activity encouraging sexual desire. Although the Puritans condemned dance in general, it was considered acceptable in the privacy of an individual's home. Because of their English roots, the Puritans recognized dance as a means of teaching manners and discipline. Ministers such as Cotton Mather felt the need to speak out against mixed dancing. But, as author Ann Wagner points out, his stance was defensive implying that public opinion was not wholly on his side. The Puritans felt that if children were taught dancing it should be in same sex groupings and conducted by a dancing master of "grave" disposition.

Although these anti-dance sentiments, directed particularly at balls, continued throughout the nineteenth century, Boston's upper-class citizens adopted dance as an important component of social grace and an indicator of good breeding. This generation was less susceptible to images of a wrathful god, and Unitarian ministers began replacing Congregationalists with a more humanistic approach to religion. As scientific theories explained many of the natural disasters previously attributed to a harsh unforgiving god, humanism and intellectualism rose among Boston's upper classes.

The clergymen of nineteenth-century Boston continued to oppose dancing as idleness at best and a "carnal activity" at worst. Their sermons and tracts against dances are well documented, yet these protests did not have any profound impact on Boston's wealthy citizens. Despite the controversy over balls and mixed couple dancing, the activity was generally accepted by Bostonians and embraced as an important component of social interaction.

Professional dance, however, was much less certain of widespread acceptance. The Bostonians celebrated the talented European danseuse, but did not see professional dance as a worthy career for their daughters. When Fanny Elssler danced for the first time in Boston on September 7, 1840, she was preceded by her reputation and caused the normally "staid citizens" to indulge "in various acts of enthusiasm...many actually walked before the Tremont House for hours, in hopes that the divinity would show herself at the window." Elssler's extraordinary skill is widely celebrated and she clearly captivated audiences in America, but institutions to rigorously train American dancers were mostly absent in Boston in the nineteenth century. The profession of dance was considered unacceptable for upper-class Bostonian girls.

Despite Boston's image of itself as a city of intellectual curiosity and cultural sophistication, women had still not acquired the freedom to participate fully in society. Women were still bound by restrictions on the body, expression and education. This early nineteenth-century environment in Boston hardly seemed to offer a foundation for the emergence of expressive dance in the early twentieth century. And yet the need for self-expression and acceptance of the body as beautiful, even spiritual, flourished in just a few short decades. This transition is even more surprising given the fact that professional dance was a morally suspicious practice at best in nineteenth century America. Powerful changes shifted the cultural scene at the turn of the century clearing a path for the great pioneers of expressive dance to emerge.

Although this story is often told through the exceptional work of dance pioneers such as Isadora Duncan and Ruth St.Denis, it nevertheless was unfolding in communities across the nation. The first schools of expressive dance in Boston were deeply connected to Boston's upper-class society. Boston's regional dance pioneers forged powerful relationships with their community that shaped their broader work in terms of education, choreography and advocacy. An investigation of their schools, artistic work and audience development provides insight into the development of expressive movement both regionally and nationally.

—taken from the introduction to Dr. Weber's forthcoming book,
Dance in the Athens of America, Cambria Press, Amherst, NY.

Energy Efficiency in an Educational Setting

Soma Ghosh



BACKGROUND

In our modern industrial economy, each time we turn on the computer, each bite we eat, each item we discard, and each trip that we make to the local store entails a conversion of fossil fuel carbon to carbon dioxide. Of the total energy consumed in America, about 39% is used to generate electricity. More than 60% of the electricity in the United States is generated from fossil fuels, such as coal, natural gas and oil (Figure 1). Therefore, electricity consumption contributes significantly towards climate change. The emissions caused by power generation vary depending on the electricity generation technologies used in the region. Table 1 contains two charts; the first chart compares the fuel mix used to generate electricity in the New England region to the national fuel mix and the second compares the average air emissions rates in the region to the national average emissions rates.

Institutions of higher education are poised to play a leading role in developing and implementing carbon-neutral policies and involving students in every aspect of this multi-faceted opportunity is an obligation that can no longer be ignored. The objective is to empower students with knowledge and experience so that they are prepared to address personal, professional, and political choices related to climate change. But how we educate and prepare students depends largely on the initiatives and commitments that the individual institution makes. Hence, this raises the question: what type of cost-benefit analysis do colleges and universities consider while devoting their financial and intellectual resources to fight global warming?

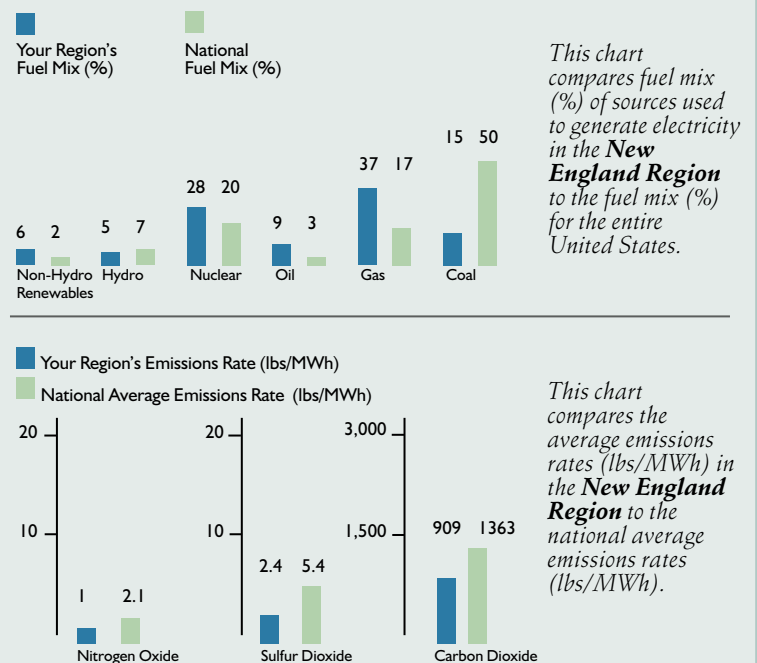
State and local governments and businesses play an important role in meeting the national goal of reducing greenhouse gas intensity by 18% by 2012. An increasing number of higher education institutions are participating in national voluntary programs and initiatives that lead to cost-effective reduction of greenhouse gases, improving air quality and enhancing economic development. Because of the

clear connection between how power is generated and the size of an institution's "carbon footprint," the energy aspect of such programs often takes precedence.

EPA'S GREEN POWER PARTNERSHIP

The Environmental Protection Agency's (EPA) Clean Energy Programs include identifying, designing and implementing clean energy policy and technology solutions such as highly efficient combined heat and power as well as renewable energy sources. The Green Power Partnership (GPP), a voluntary program created in 2001 helps organizations get support from the EPA in lowering the transaction costs of buying green power, reducing their carbon footprint and improving their environmental performance. Green power is a subset of renewable energy and represents those resources and technologies that generate electricity with the highest environmental benefit. EPA defines green power as electricity produced from solar, wind, geothermal, biogas, certain types of biomass, and low-impact small

TABLE I
COMPARING FUEL MIXES USED TO GENERATE ELECTRICITY AND AIR EMISSIONS RATES



Source: EPA's eGRID database for calendar year 2004

hydroelectric sources. Partners can meet EPA green power purchase requirements using any combination of three different product options: (1) Renewable Energy Certificates, (2) On-site generation, and (3) Utility green power products. An institution can begin to pursue EPA's five-step procedure to becoming a green power partner: (i) Assess the amount of annual electricity use (kilowatt-hours) (ii) Determine the percentage purchase requirement for the organization to be met to qualify as a Green Power Partner (iii) Find and buy green power products (iv) Complete partnership agreements and (v) Work with EPA on identifying products that meet the organization's objectives and goals, making purchases and submitting purchase data to EPA. Participants or so-called partners include a wide variety of leading organizations including Fortune 500 companies, small and medium sized businesses, local, state, and federal governments, and colleges and universities. Currently, there are 86 higher education institutions and 24 other educational institutions participating in this program (<http://www.epa.gov/greenpower/partners/index.htm>).

GREEN POWER ON CAMPUS

Getting motivated

The economic literature on environmental performance of firms finds that financial performance, stakeholder pressures, regulatory compliance, economic opportunities, ethical concerns, competitive advantage and appeal to consumers motivate participation in energy efficiency programs such as Green Power Partnership and Energy Star. As for educational institutions, benefits lie in stabilizing and reducing their ecological footprint and long-term energy costs, attracting excellent students and faculty, developing new sources of funding, and increasing support of alumni and local communities. In addition, there are some program-specific incentives; for example, EPA has developed the College and University Green Power Challenge and the Green Power Leadership awards that provide publicity and recognition opportunities for institutions and help increase awareness about green power among organizations in the sector.

Therefore an institution's green energy policy can be leveraged to maximize its economic, environmental, social and educational benefits. However, before signing a heavy-load commitment of this nature, it is crucial to weigh the benefits against short- and long-term costs.

Building the framework

In the summer of 2007, Bridgewater State College became one of the 400 charter signatories of the American College and University Presidents Climate Commitment (ACUPCC), a national initiative focused on using the physical and intellectual resources of higher education to reduce greenhouse gas emissions. This commitment will draw upon the talent and creativity of every segment of the campus community as the college continues to construct green buildings, support

climate-friendly purchasing, and infuse sustainability into its curriculum, scholarship and community. It is important to have the basic institutional framework in place before taking the necessary steps toward making any commitments to achieve the goals of a specific program. To be specific, any green program involves five main aspects of the university community—the administration, facilities and operations department, academic departments (students and faculty), the university research effort, and the local community. A committee or council such as the Center for Sustainability at

Bridgewater State College is vital for sharing and understanding the various aspects of this program, developing plans for program initiatives, coordinating projects and monitoring the program's progress in achieving its goals.

However, identifying and adopting energy efficiency programs that will be the "best-fit" for the institution as well as render a competitive-edge over peer-institutions is a challenging task. The success of this endeavor clearly depends on the integrated efforts of the campus community working toward a common goal.

Identifying sources and setting targets

On-campus production of green power accounts for a relatively small fraction of campus green electricity. This is mainly due to the limits to the economies of scale (especially on small and urban campuses) and the large-scale investment in technology. EPA provides a list of green power products available in each state and nationally available renewable energy certificate products (<http://www.epa.gov/greenpower/pubs/gplocator.htm>). Partnerships with green energy producers and suppliers in the local community stimulates the local economy, supports local green energy production and creates a greater sense of connection between the members of the institution and their source of energy. For many institutions, the green energy purchases meets less than 5% of campus electricity needs (e.g., University

**TABLE 2
INSTITUTIONS USING
100% GREEN ELECTRICITY**

*Bainbridge Graduate Institute
Colby College
Concordia U. at Austin
Connecticut College
Evergreen State College
Lander University
New York University
Paul Smiths College of Arts and Sciences
St. Marys College of Maryland
Saint Xavier University
Southern New Hampshire University
Southern Oregon University
Unity College
University of California at Santa Cruz
University of Central Oklahoma
Warren Wilson College
Western Washington U*

*Source: EPA's Green Power Program website
<http://www.epa.gov/greenpower/>*

**FIGURE 1
FUEL MIX FOR
U.S. ELECTRICITY
GENERATION**

Coal **49%**
Natural Gas **20%**
Other Gases **.4%**
Nuclear **19.4%**
Hydroelectric **7%**
Petroleum **1.6%**
Other **.3%**
Other Renewables **2.4%**

Source: Energy Information Administration. 2007. Electric Power Annual 2006. DOE/EIA-0348 (2006). Washington, DC.

TABLE 3
THE TOP 10 LARGEST PURCHASERS WITHIN THE GREEN POWER PARTNERSHIP AS OF JULY, 2008

Annual Green Power Usage (kWh)	GP% of Total Electricity Use*	Green Power Resources	Providers	Athletic Conference
1. University of Pennsylvania 192,727,000	46%	Wind	Community Energy	Ivy League
2. New York University 132,000,000	100%	Wind	FPL Energy	University Athletic Association (UAA)
3. Pennsylvania State University 83,600,000	20%	Biomass, Small-hydro, Wind	3Degrees, Community Energy, Sterling Planet	Big 10
4. Oregon State University 66,680,400	74%	Biogas, Biomass, Wind	Bonneville Environmental Foundation	Pacific 10
5. California State University System 66,189,000	9%	Biomass, Geothermal, Solar, Wind	APS Energy Services, On-site Generation	Numerous
6. University of California, Santa Cruz 57,000,000	100%	Small-hydro, Wind	Sterling Planet	Association of Division III Independents
7. Texas A&M University System 43,350,000	15%	Wind	TXU Energy	Numerous
8. (tie) Northwestern University 40,000,000	20%	Wind	3Degrees	Big 10
8. (tie) Western Washington University 40,000,000	100%	Wind	Puget Sound Energy	Great Northwest Athletic Conference GNAC
10. University of Utah 36,666,000	15%	Wind	Sterling Planet	Mountain West

*Reflects the amount of green power as a percentage of total purchased electricity use. Source: <http://www.epa.gov/greenpower/toplists/top10ed.htm>

of Michigan-Flint, American University and University of Rochester) whereas a large number of institutions, particularly smaller schools, have committed to meeting 100% of campus needs with green electricity (Table 2). It is important to recognize, however, that for a large state school, a small percentage can result in a large total purchase. For example, the 9% multi-campus usage of green power by California State University System equates to a 66, 189, 000 kWh annual purchase and makes it the fifth largest user of green power among the higher education institutions in the nation (Table 3).

Choosing among the financing options

Financing green energy purchases using funds from general operating budgets is extremely unpopular. The most common approach is to use savings from conservation efforts to pay for the initial cost of switching to clean energy. Many states across the US now offer tax deductions for projects promoting clean energy production such as through wind and solar devices. As of 2005, the federal government offers an incentive payment under the Renewable Energy Production Incentive (REPI) to municipal, not-for-profit, and cooperatively-owned energy facilities for up to 10 years. Performance contracts through an energy-service company such as *Noresco* has become a popular way for institutions to save energy without incurring upfront costs (e.g., URI

chose *Noresco* to implement its \$18 million initiative in reducing energy consumption). Under the terms of such deals, the energy-service company, or “*esco*,” performs the work and guarantees a certain amount of savings over the course of the contract. The *esco* collects a set annual fee, paid for by the energy savings. Private donors and funds available from the U.S. Department of Energy and state agencies such as the Massachusetts Renewable Energy Trust Fund are used widely. In many instances, students have successfully passed referenda that finance the purchase of green energy and/or RECs through increases in student tuition or fees (e.g., the Student Environmental Initiatives Fee of \$5 per semester for in-state students at University of Tennessee, Knoxville funded the purchase of 3,375 blocks of green power from the TVA/KUB Green Power Switch Program). Long term savings from such programs can be used for future projects that encourage new energy conservation efforts, renewable energy research, carbon sequestration and other activities that will further motivate the green movement on campus and benefit the college and the local community.

Reaping the program-specific benefits

The EPA offers several benefits including expert advice on identifying green power

products that best meets the institution’s goals. It also provides tools and resources for communicating and marketing the achievements of participating in the program. Several awards and rating systems for colleges interested in comparing their conservation efforts with others serve as a source of pride for campuses (e.g., Green Mountain College earned an Energy Star Showcase award from the EPA in 1999). The publicity and recognition provides a competitive advantage and helps in attracting new sources of funding and recruiting students and faculty who have an interest in pursuing their educational and research efforts focused on environmental issues.

Continuing on the green path

There is a lot that can be saved just by eliminating energy waste (energy management) before we get to reducing the level of service and optimizing the use (energy conservation). Proponents of green programs are often criticized for attempting to re-define people’s tastes and preferences and the habits in their day-to-day life. Thus the social-responsibility angle needs lot more emphasis as an integral part of every aspect of the movement of transitioning to a green campus and no one is better equipped to carry out this role than the institutions of higher education.

—Soma Ghosh is Assistant Professor of Economics.

Climate Change

Photographs by Ivana George



Houston, 2200 A.D.



Miami, 2200 A.D.





Boston, 2200 A.D.

Ivana George is an interdisciplinary artist working in photography, mixed media, sound, and video. She has exhibited her work in over 40 national and international exhibitions. She has been the recipient of numerous grants for the creation of artworks. She holds a MFA degree from the joint program of The School of the Museum of Fine Arts, Boston/Tufts University. She is an Assistant Professor of Art at Bridgewater State College (Massachusetts), where she teaches all levels of traditional and digital photography.

In this series of photomontages I depict the looming threat of global warming and the resulting sea level rise. By creating these images I intend to evoke emotional responses from the viewer by making images that are both seductively beautiful and conceptually horrifying. I hope to encourage viewers of this work to become more aware and actively engaged in preventing global warming.

I hope to find opportunities to display the artworks from this series as public art in highly trafficked spaces, such as projections on buildings, billboards and public transit. This strategy of taking the works outside the context of a gallery or museum and into public spaces is important for work that addresses contemporary issues because it takes art to the masses rather than waiting for the masses to come view the art. Often attendees to art museums and galleries tend to fit into narrowly defined race and class groups, who in general are likely to already share the concerns expressed in my artworks. The outcome I intend to achieve is to invigorate discussions about the issues addressed in my artworks among a wide variety of people by showing the art in public places.

The Federal Courts and Constitutional Interpretation

A Second Amendment Case Study

Mark Kemper



During the recent presidential election campaign, political commentators and voters speculated on the type of jurists that the candidates would, if elected, nominate to serve in the federal judiciary.

Unsurprisingly, since it sits at the apex of the federal judiciary, most attention was placed on the type of Supreme Court justices the candidates would select. At the moment, 5 members of the Supreme Court are age seventy or older, so there is a significant likelihood that President-elect Barack Obama will have the opportunity to nominate at least 1 or 2 persons to fill vacancies on that court. And, on a court that has decided many of its most important cases over the last several years by either 5–4 or 6–3 votes, altering the direction of 1 or 2 votes is important; it means that Mr. Obama’s ability to influence the direction of constitutional policy enunciated by the Supreme Court (and the federal judiciary in general) could be immense.

Concern with how the new president can, through his nominations of federal judges, influence the nation’s public policy was on display at one campaign event at which both candidates appeared, and during which the host asked the candidates which members of the current Supreme Court he would not have nominated. The answers were telling. Barack Obama said he would not have nominated Clarence Thomas because he did not think that Justice Thomas possessed the distinguished legal resumé to merit an appointment to the U.S. Supreme Court. One might speculate on why Mr. Obama, the more liberal of the two major party candidates running for president, chose Justice Thomas. Is it because Justice Thomas happens to cast more conservative votes than any other member of the current Supreme Court? In contrast, John McCain said that he would not have nominated Justices Ruth Bader Ginsburg, Stephen Breyer, David Souter, and John Paul Stevens. These justices, perhaps (not) coincidentally, are the 4 who cast the most liberal votes in cases, and thus constitute the entire left flank of the current Supreme Court.

What do these answers provided by Obama and McCain say about the presidential candidates’ views (and, by extension, the views of public officials in general) about the proper role of courts in our political

system, about how courts should decide cases, and about the type of judicial philosophies that judges should possess? In particular, are presidents and members of the U.S. Senate (the body that must confirm, by a majority vote, a president’s nominations to fill vacant judgeships) interested in finding the most qualified and capable jurists? Or, alternatively, are presidents, senators, and their political supporters more concerned with finding individuals who have a propensity to decide cases consistent with a favored political ideology? Perhaps political elites believe that both goals are possible, and that judges who use the “proper method” of judicial decision making—and thus fulfill the definition of “qualified and capable”—will have a natural propensity to decide cases consistent with a particular political ideology?

To help answer these questions, one must first identify the various types of methods that one would want judges to use when identifying and interpreting the laws that are relevant to the resolution of cases appearing before their respective courts. This is a substantial undertaking. In an effort to make it more manageable, we can narrow our focus to identifying the methods that we think judges might use when they interpret constitutional provisions. After all, many people are most concerned with the authority that judges have to interpret the U.S. Constitution and the power that that gives them to shape public policy in the United States. So this seems like a good place to start.

What types of legal methods, or “tools,” might judges use to interpret constitutional provisions? What devices do they have in their “tool box of constitutional interpretation”? There are many possible interpretive tools, but many students of law agree that a focus on a constitution’s text, its original understanding at the time it was enacted, legal precedent (i.e., case law), and the nation’s historical practices and traditions are



legitimate factors for consideration by judges. Legal scholars might disagree about how much each of these interpretive tools should be emphasized, as well as what constitutes the proper use of each tool, but they typically agree that such tools constitute valid methods for interpreting constitutional provisions. More controversial are the arguments encouraging judges to incorporate into their constitutional decisions the latest developments in political, economic, and moral philosophy, general pragmatic considerations about what constitutes “good public policy,” the domestic legal policies of foreign nations, and the various treaties and agreements that comprise the vast realm of international law.

The U.S. Supreme Court’s decision in *District of Columbia vs. Heller*, announced on June 26, 2008, provides a useful example of the justices using several of these tools of constitutional interpretation. Since the Court was divided over the proper resolution of the case, the *Heller* decision also illustrates how the justices can use the same methods of constitutional interpretation to reach starkly different conclusions about the correct interpretation of the law. At issue in *Heller* was a District of Columbia regulation that prohibited individuals, outside of a few narrow exceptions, from possessing handguns either on their person or in their homes. *Heller*, a resident of the District, wanted to carry a firearm as well as keep it in his home, and so he instigated a lawsuit in which he asked the courts to issue an injunction prohibiting the District from enforcing its firearms regulation against him and other similarly situated residents.

The U.S. District Court for the District of Columbia dismissed *Heller*’s claim, after which he appealed to the U.S. Court of Appeals for the District of Columbia. The appellate court subsequently ruled in his favor by arguing that the Second Amendment to the U.S. Constitution protects an individual’s right to possess firearms, and that the D.C. handgun regulation was in violation of this right. The District of Columbia appealed the case to the U.S. Supreme Court and that court affirmed the Circuit Court’s ruling, concluding that individuals have a constitutional right to possess handguns in their homes and that complete bans on such possession are unconstitutional. Let’s take a closer look at how the majority and dissenting opinions in the case used several of the interpretive tools mentioned above to justify their very different conclusions about the proper construction of the Second Amendment.

CONSTITUTIONAL TEXT

Not surprisingly, most people agree that an examination of the Constitution’s text is the first place to start in a

case involving a constitutional challenge to governmental actions. But, if one is seeking clarity, the Constitution’s text can often disappoint. In fact, even the provisions of the document that appear clear on first inspection turn out to be fraught with potential ambiguity. For example, the Constitution says that the President must be 35 years of age. Simple enough. But how do we know what constitutes the proper method for calculating the age of a person running for that office? When, precisely, does the age clock start? The text of the Constitution does not tell us. This means that we will have to go outside of the text to derive meaning from even the most “simple” constitutional provision.

Of course, this problem is compounded when the text is manifestly ambiguous. The Second Amendment is this type of text. As that amendment states: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” In *Heller*, the majority argued that settled principles of legal interpretation in the United States require that the amendment be construed by placing primary emphasis on the operative clause that addresses the right of the people to “keep and bear Arms,” and that the prefatory clause discussing a “well regulated Militia” should be examined only to the extent necessary to clarify ambiguities in the operative clause. The one caveat is that judges should not interpret the operative text in a way that contradicts the prefatory text.

So here we see the majority drawing instantly from something outside of the text (i.e., the interpretive rule about how judges should treat prefatory and operative provisions in laws) to provide meaning to the Second Amendment. The majority went on to argue that, because there were no ambiguities in the meaning of the operative clause given its original understanding at the time of enactment (more on this below), the prefatory clause had limited impact on the proper resolution of this case. The majority also argued that the consistency requirement between the prefatory and operative clause was also satisfied, for recognizing that the operative clause protects an individual’s right to keep and bear arms is not inconsistent with the prefatory clause’s focus on well-regulated Militias. After all, citizens who possess firearms in their homes can readily participate in a citizen militia.

In contrast, the dissenting justices thought that the prefatory and operative clauses should be read together (particularly since they thought the operative clause was ambiguous), and that the meaning of the latter is strongly shaped by the former. According to Justice Stevens, the prefatory clause constitutes the overriding purpose of the Second Amendment, and that purpose

was to protect the state's interest in maintaining an armed militia comprised of its citizens. State militias would serve to counter any effort by the national government to institute a standing national army, and to use that army in a tyrannical fashion to destroy the sovereignty of state governments and the liberty of its citizens. The amendment was not designed, nor was it understood by citizens at the time of its enactment, to constitutionalize an individual right to possess firearms for one's personal defense.

ORIGINAL UNDERSTANDING

This brings us to the tool of original understanding. Justice Scalia, the author of the majority opinion, wrote in *Heller* that "we are guided by the principle that '[t]he Constitution was written to be understood by the voters; its words and phrases were used in their normal and ordinary as distinguished from technical meaning.' Normal meaning may of course include an idiomatic meaning, but it excludes secret or technical meanings that would not have been known to ordinary citizens in the founding generation." According to Justice Antonin Scalia and the other members of the majority, judges should interpret the words in constitutional provisions as they were generally and typically understood by ordinary citizens at their respective time of enactment.

After examining founding era dictionary definitions of words such as "keep," "bear," and "arms," along with the English common law, state constitutions, state and federal statutes, and legal commentary circa 1791, the *Heller* majority concluded that the Second Amendment was designed to protect both state militias and the individual's right to use firearms to defend one's home. The majority emphasized how the founding generation was aware of the historical tendency of governments to disarm their citizens and then, using standing armies, to impose tyrannical rule. And, again, since the possession of firearms was useful toward the maintenance of state militias and self-defense, there is no conflict between the prefatory and operative clauses of the Second Amendment.

Reviewing the same historical record as the majority, the four justices in dissent disagreed with the majority's conclusions about the founding era's understanding of the Second Amendment. In particular, they argued that the term "bear arms" was typically understood as bearing arms as a soldier in a military context, and that the term "keep" was inseparable from the term bear—



it did not add anything to the Second Amendment's sole purpose of protecting state militias. As such, the Second Amendment recognizes a collective right to keep and bear arms, not the individual right that the majority identifies.

The dissenting justices understood that individuals may keep arms in their homes as part of a well-regulated state militia so that they can "bear" them on a moment's notice when the militia is mustered as part of a defensive effort to keep the peace in the state. Yet because the drafters of the Second Amendment recognized that state militias need to be well regulated in order to be effective, they left it ultimately in the hands of state governments to decide how firearms should be distributed. As such, a state government (but not the federal government) has the authority to unilaterally limit the degree to which its citizens may keep arms in their homes; in fact, as Judge Richard Posner has noted, it might in some circumstances make more public security sense for the state to store arms at a central depot where they are easily retrieved rather than let them be scattered throughout the land in private homes. In short, the dissenting justices thought that the Second Amendment, as ordinarily understood at the time of its enactment, was designed to prevent the federal government from disarming state militias. Nor more, and no less.

LEGAL PRECEDENT

The *Heller* majority examined 19th century case law, and concluded that those "cases that interpreted the Second Amendment universally support an individual right unconnected to militia service." The majority also concluded that its interpretation of the Second Amendment was not inconsistent with the limited number of Supreme Court decisions interpreting that amendment. The most important of these precedents is

a 1939 case, *United States vs. Miller*, in which the Court unanimously held that an individual could be prosecuted for violating a federal law prohibiting the transportation of certain guns across state lines. In that case, Miller was prosecuted for transporting a sawed-off shotgun, and the Court upheld his conviction by emphasizing that the weapon was not one typically used in a military context. In reviewing this case, the *Heller* majority argued that the *Miller* decision was not inconsistent with the notion that individuals have Second Amendment rights to possess weapons for self-defense, as long as those weapons have a reasonable military use and are the type that are ordinarily possessed by the citizenry (thus, sawed-off shotguns, fully automatic machine guns, and shoulder-mounted rocket launchers would not qualify). The majority concluded that most handguns meet these two requirements.

In contrast, the dissenting opinion in *Heller* thought that the *Miller* precedent was based on the principle that the Second Amendment was designed to protect state militias, and that it did not in any way support the idea that individuals have the right to possess firearms independent from their participation in a state's militia. After all, the dissent argued, many firearms that do not have a common military use could be used to protect one's personal safety inside or outside of their home (including sawed-off shotguns, machine guns, and, conceivably, shoulder-mounted rocket launchers!). Therefore, the Second Amendment's sole mission must be that of protecting state militias, otherwise the *Miller* decision's focus on weapons that are suitable for military use does not make sense. If the amendment was designed to protect both state militias and provide for personal self-defense, then it would not be sensible for courts to recognize only those weapons that are useful for one of those purposes.

HISTORY AND TRADITION

The majority in *Heller* also spent considerable time examining 18th, 19th and 20th century laws, legal commentary and customs pertaining to the regulation of firearms. On balance, it concluded from its analysis that there was a long practice recognizing the individual's right to possess firearms—including handguns. Indeed, the majority emphasizes that a culture of handgun ownership has evolved to make handguns "the most popular weapon chosen by Americans for self-defense in the home." In dissent, Justice Breyer took issue with this approach. He wrote: "*According to the majority's reasoning, if Congress and the States lift restrictions on the possession and use of machine guns, and people buy machine guns to protect their homes, the Court will have to reverse course and find that the Second Amendment does, in fact, protect the individual self-defense-related right to possess a machine gun. On the majority's reasoning, if tomorrow*

someone invents a particularly useful, highly dangerous self-defense weapon, Congress and the States had better ban it immediately, for once it becomes popular Congress will no longer possess the constitutional authority to do so. In essence, the majority determines what regulations are permissible by looking to see what existing regulations permit. There is no basis for believing that the Framers intended such circular reasoning."

WHAT LEGAL DOCTRINE WAS ESTABLISHED IN *HELLER*?

In his dissent, Justice Breyer argued that the majority did not provide a clear enunciation of the rule or standard that it was using to reach its conclusion that the D.C. regulation violated the Second Amendment. Yet a variety of standards exist that the Court might have adopted. For instance, in some contexts courts will assess the constitutionality of governmental actions by applying what is known as the rational-basis test. When using this test, the court asks whether the government is acting in a way to promote its interests (which we hope, in a democracy, are aligned with the public's interests!) by (1) exercising its authority to promote government interests that are reasonably related to a power granted to the government in the Constitution, where (2) the law in question is rationally related to furthering those interests. This is a very deferential standard of judicial review and it normally results in a court upholding the constitutionality of the government's action. In *Heller*, the majority stated that the Second Amendment requires a standard more demanding than rational-basis review, but it declined to specify what that standard is.

Justice Breyer did not think that the majority was advocating the adoption of the most stringent standard of judicial review, commonly referred to as strict scrutiny (although the majority didn't explicitly say that it was not using this standard). This standard of review is used when a litigant challenges a government's actions by arguing that the government has infringed upon a fundamental constitutional right and/or acted on the basis of "suspect" classifications (e.g., the government has discriminated along racial/ethnic or religious lines). When using strict scrutiny, a court will evaluate whether the government has acted constitutionally by asking whether the government's actions are designed to promote a compelling state interest (not just an ordinary, hum-drum state interest), and whether its actions are narrowly tailored to promote that interest (e.g., does the government encroach upon the fundamental right or discriminate along racial or religious lines more than is necessary to effectively accomplish its compelling state interest). The court will declare the government's actions unconstitutional if it

concludes that the government is not seeking to further a compelling interest or if the law is not narrowly tailored to further that interest.

So, for the majority in *Heller*, the rational-basis test was not sufficiently protective of the individual's right to "keep and bear arms," while the strict scrutiny standard was seemingly too protective. Since the Court did not identify what standard of review or legal doctrine would be employed in Second Amendment cases, one can only guess that it is something in between rational-basis review and strict scrutiny. Justice Breyer argued, in dissent, that the Court should adopt an "interest balancing" approach by asking "whether the statute burdens a protected interest in a way or to an extent that is out of proportion to the statute's salutary effects upon other important governmental interests." But the majority did not think much of Justice Breyer's standard (referring to it as "judge-empowering" and a "freestanding" approach that provides "no constitutional guarantee at all" to Second Amendment rights), and instead explained that the standard of review in these types of cases will need to be developed over time, on a case-by-case basis, as the Court decides cases involving Second Amendment challenges to firearms regulations.

CONCLUDING THOUGHTS

The rule of law has many facets but one critical component is that neutral judges decide cases based on legitimate sources of law rather than their personal policy preferences or some other arbitrary, non-legal criteria. With this in mind, many of the tools of constitutional interpretation are designed to constrain the discretion that judges have when deciding constitutional cases. When judges encounter ambiguous constitutional text, they are expected to turn to things such as the text's original understanding, legal precedent, and historical practice and tradition—as opposed to considering their own ideological leanings or personal biases. In *Heller*, we see both the majority and dissenting justices attempting to utilize such tools, yet, in doing so, reaching very different conclusions.

One can speculate on why this is the case. For instance, one might surmise that these tools are merely window dressings designed to hide the fact that the personal policy preferences of the justices are the principal forces behind their votes. There is a significant body of research arguing—and supporting with empirical data—that this is indeed the case. Specifically, Judge Richard Posner has questioned the validity of originalism as a tool of constitutional interpretation by arguing that its results are typically the product of shoddy "law office history," and that it serves as nothing more than "the historicizing glaze on personal values and preferences." Yet Judge Posner does not offer an alternative

method for interpreting constitutional texts that does not have its own serious problems—particularly that of granting judges even more discretion than they have when using the methods discussed above.

What we did not see in *Heller* was a member of the Court resorting to some of the more controversial methods for deriving the meaning of constitutional text, such as by examining the domestic laws in other nations or those of the international order, by examining current social mores and opinions (although to some extent the *Heller* majority did this when it mentioned the prevalence of handguns in the contemporary United States) or by delving into the latest developments in moral and political philosophy. These criteria have been used by judges in other cases, but they often trigger intense opposition from critics who contend that the judges are exceeding their legitimate authority by not applying previously established laws, and that they are instead legislating from the bench (something that many find inappropriate behavior for life-tenured federal judges in a constitutional democracy premised on the rule of law).

In any event, one thing is clear: citizens need to pay more attention to what courts are doing and how judges attempt to justify and explain their decisions. Public officials and political activists have long recognized the importance of the judiciary and that is why we hear the courts being discussed so frequently during presidential campaigns. It also explains the vicious battles over judicial nominations that we have witnessed during the last 25 years. For better or for worse, the power that judges have to interpret the U.S. Constitution gives them the ability to radically shape the contours of public policy in the nation.

This is clearly demonstrated in the *Heller* case; the menu of gun regulation policies available to federal policy makers was truncated substantially by the Court's decision in that case (and if the decision is extended to cover state and local governments—as most suspect it will be—its effect on public policy will be even more pronounced). But other areas of public policy can be equally constrained (or unconstrained if the courts do not limit the scope of governmental power) by the constitutional decisions of courts. Consequently, it is imperative that citizens pay critical attention to the work of courts and judges if they want to preserve for future generations the rights and liberties of individuals, the republican system of government, and the core principles of the rule of law that are provided by the U.S. Constitution.

—Mark Kemper is Associate Professor of Political Science.

'Absolutely part of what we should be doing'

Kevin Curry, Water Filters and the International Mission of the Modern University

Andrew Holman



"When you're in the muck you can only see muck. If you somehow manage to float above it, you still see the muck but you see it from a different perspective. And you see other things too."

—Filmmaker David Cronenberg

Kevin Curry knows muck. Bridgewater State College's prominent biologist has spent much of the last 15 years of his career in mucky places, in his hipwaders, thigh-deep in the region's rivers and streams, taking water samples and teaching students how to test for water quality. Indeed, Curry's hipwaders have become, in a way, an odd symbol of his presence and record at the College and the prospects for what it can do. The winner of the 2001 V. James DiNardo Prize for Excellence in Teaching, there is Curry in his Boyden Hall portrait stationed alongside his more formally clad colleagues in the pantheon of teaching excellence, hipwaders strapped, snug and ready for work. Kevin Curry knows muck. And, lately, that knowledge has propelled him to a new perspective; to see other things too.

§ § §

A few years ago, the dawn of the new millennium prompted many Americans to consider the notion that we are and must be at the beginning a new age of existence. Americans welcome new beginnings. If one is to believe their novelists and historians, they have a cultural predisposition, even a penchant, for rebirth. But the idea of the 21st century as a new era seems to be really confirmed by the new challenges and prospects that all Americans now face: global warming, the energy crunch, the credit crisis, post 9/11 terrorism and

the bugbear of security, and the historic election of the first-ever African-American president. In a recent Boston Globe editorial about the meaning of Barack Obama's landslide victory over John McCain, one prominent historian declared that the election symbolized "the end of the '60s." For good or ill, the idea of change is in the air.

*Of course, periodization is tricky business; change of any sort must always be cast in relief against the evidence of continuity. Even as some things change, other things remain the same. Nowhere is this more evident than with recent musings about the shape and purpose of the modern university in the new millennium. The dominant condition of American colleges, former University of Michigan President James Duderstadt argues in his book *A University for the 21st Century* (2000), is change. "The question is not whether the university must change, but how ... and by whom." And a host of other millennial students of higher education have agreed. The turn of the century provides a convenient hook for those of this opinion, those who can benefit—in policy-making, in career-building and in book sales—from the impression that the university is newly, even urgently, at risk.*

The truth, however, is that the mission of the American university has been remarkably stable in the past fifty years, even as it has grown quantitatively at a mercurial pace. And it probably will remain so for some time. The modern American university remains an institution born of the centripetal energy and the turmoil that came with the baby boom generation, the Civil Rights and feminist movements, Cold War-inspired research and development, the computer (now digital age), critiques of the "multiversity," and the growth of the university as a service institution that has responsibilities beyond the ivied walls. In the final third of the 20th century, the American university expanded along the definitive lines of its new raisons d'être. Alongside its more traditional function, the incubation of a technically and morally knowledgeable citizenry, came others things: research and development for government and industry, the relocation of policy think tanks, the broadening of admissions and the university's "reach", the expansion of professional schools and career training and an emphasis on public service. For the modern university, the '60s aren't over at all.

The modern university has become a rather dynamic place, an institution whose modern identity comes from pushing its late 20th-century missions to their logical extremes. In this way, some of our most celebrated millennial innovations—service

learning, action research and international cooperation, for example—are not really departures but extensions of core functions articulated decades ago. For some, the danger is that this centripetal impetus has gone too far. “Today’s university has no acknowledged center,” former Cornell University President Frank Rhodes asserted in his millennial reckoning, The Creation of the Future (2001). “It is all periphery.” But many others are quite comfortable with the shape and scope of the university’s expanding purview.

A child of the ‘60s, the modern university has become a multi-functioned complex that serves in two ways: first, traditionally and indirectly, by educating its society’s selected and sending them out into the world to lead; and second, directly, by feeding, shaping, and engaging industry, government and, especially, ordinary people in their communities in “hands-on” ways. And the province of the university has become a global one.

§ § §

There are two events that, perhaps more than any others, have shaped the recent trajectory of Kevin Curry’s work as a professor of biology at Bridgewater State College. The first preceded not only his arrival on campus, but his decision to become a biologist in the first place. In his senior year at tiny Central College in Pella, Iowa in 1973, he joined Professor John Bowles and a group of student volunteers who traveled to the Yucatan for a trimester of study at the college’s branch in Merida. For a 20-year-old New Yorker, the sight of thousands of people living in cardboard houses and children playing near open sewers was alarming. “That’s how it started ... I saw what some in rest of the world had to contend with to live life. It changed me forever.” The second event was more fleeting but equally consequential. In 2003, Dr. Fran Jeffries, then Director of Grants and Sponsored Projects at BSC, put Curry in contact with members of the Middletown, Rhode Island Rotary Club, a service institution that had

adopted as one of its causes the prevention of child mortality from water-borne illnesses. The organization had already established a health, pure-water and literacy program in Cambodia. “What they needed was a laboratory to test the long-term performance of bio-sand water filters,” Curry recalled. Fran Jeffries knew of Curry’s leadership in the BSC RiverNet Watershed Access Lab, and suspected that she had found a good match. She had.

The water filters in question were developed by a University of Calgary scientist named David Manz. Called Bio-Sand Filters, they are made of simple, local



materials: concrete boxes that contain layers of gravel and sand and a diffuser plate to displace water. Use for one month develops a biological layer of bacteria, or microbes, that, put simply, “eat” or break down most water-borne viruses. Their use of simple science and basic materials makes them potentially broadly effective, especially in developing countries. And testing revealed that they have at least 90% rates of bacteria removal.

The prospect of combining his scientific research with international service captivated Curry. Funding from the college’s Faculty and Librarian Research Grant program in spring 2007 enabled him to take the first steps, including two trips to Cambodia, in July 2007 and March 2008. Funding from the Canadian Studies

Program enabled him to travel to the University of Victoria, British Columbia, where he met William Duke, an emergency-room physician and dedicated public health crusader, who had already done clean-water infrastructure work in Haiti and Bangladesh. In the ensuing months, equipped with funds from Rotary,

whelmed by their personal warmth and interest in the project. When I would visit them with the Siem Reap Laboratory staff, they would talk to me in Khmer as if I had lived there all my life.”

This enterprise relies upon what Curry calls a “triangle of international cooperation,” but in truth, it is even



Curry and Duke worked long distance with Mieko Morgan to construct a water-quality lab in Siem Reap, Cambodia, in an 800-square-foot building that was the servants’ quarters of a former military officer’s household. They both traveled to Siem Reap in July 2007 to install the lab equipment and begin training the laboratory staff.

That lab has become the locus for a significant community water-quality project in the region. Staffed by two fulltime employees (paid by Rotary funds), it is home to an ongoing community-health survey, and a distribution center for Bio-Sand filters to households near Siem Reap. By November 2008, more than 1,500 filters had been distributed and installed and the regimen of testing continues. The project is having real results; it is saving Cambodian lives and they clearly recognize the difference. “They are truly open to what will help improve the quality of life for their families,” Curry noted. And it is a gift that gives back. “I was over-

more complex than that—a hexagon of people and institutions. In addition to Rotary’s humanitarianism and funding are Manz’s technology, Duke’s commitment and know-how and the critical institutional backing of the University and Victoria and Bridgewater State College. And centrally involved is Curry himself. It is difficult to imagine how this project could have come about otherwise.

As much as this collaborative effort has already accomplished, Curry sees in it even greater potential. He plans to travel to Calgary in fall 2009, where there is a nexus of people involved in water projects in developing nations, including the members of the Centre for Affordable Water and Sanitation Technology (CAWST), a charitable organization that offers education, training and consulting in the field, and academics at the University of Calgary.

But his most ambitious goal involves his own institution: to establish an international community-service program for BSC students focusing on water quality in the developing world. Curry envisions an annual student study tour in Cambodia focusing on the mission of the water-quality project at Siem Reap. Students would combine their own research with public education and outreach: testing water samples, helping distribute and install Bio-Sand filters and engaging in the work of community education. Curry suspects that the reward of living and working in

means by which it might respond to that moving target. How can the millennial university continue to “do good”? The answer it seems is pretty simple. More—much more—of the same and in many more places. The centripetal forces that began to shape the modern university fifty years ago continue to propel it and the range of legitimate activities of the university (in teaching, research and advocacy) continues to expand. It’s just that the “public”—the university’s constituency—has become much bigger. In the 2000s, the modern university does more than study and teach about the world; it serves the world.



Cambodia for a few weeks would be much greater than any course outcome assessment could measure. “It would expose our students to the plight of those in our world who have considerably less. It will change the way that our students look at the world.” Curry predicts these things with confidence, but he should know all about them; it was a similar change in him that Professor Bowles helped engineer many years ago.

§ §

The American university has long attached itself to the concept of advancing the public good. What has changed in its mission in the past century is not this attachment, but the

Kevin Curry’s vision is a bold one and no small undertaking for a regional state college. The real, applied work of international cooperation—in infrastructure building, abatement of poverty, conflict resolution and many other endeavors—has only just begun to be embraced by American schools, New York University and Stanford University among those in the vanguard. Perhaps they understand, like Curry, that addressing the needs and problems of foreign others is well within the university’s modern mission. In the words of Kevin Curry, BSC muckmeister: “this is absolutely part of what we should be doing.”

—Andrew Holman is Professor of History and Associate Editor of the Bridgewater Review.

Cultural Commentary

Race and The Race

William C. Levin

Supporters of Barack Obama's run for the Presidency of the United States seem to have set new records for anxiety in the last days before the election. In our house, it was a twenty-Tums week. Despite poll results that consistently predicted Obama would win the popular vote by three to five percentage points, and the Electoral College race by a large margin, fans of his candidacy seemed certain that something awful would happen. He was bound to lose. For a long while the likely scenario for the fall was of the revelation of an Obama skeleton so grotesque as to sink his chances entirely. Forget about those silly little dirt bombs like the rumors that he was a Muslim, Arab, a friend to radicals of various sorts, or that he was hard-heartedly unconcerned about the fate of his poor Auntie Welfare. No, this was to be a really nasty one that would blow the whole thing apart. Bigamy, perhaps, with pictures for proof? None of these fears proved real, of course.

By far the most common source of anxiety for the nail-biters was the certainty that the polls were wrong. Apparently, the fear was that a percentage of white respondents to pollsters were saying publicly that they were either undecided or were planning on voting for Obama, but once in the voting booth they would vote for McCain. The polling experts told us that this had happened before, and has come to be termed the "Bradley effect."⁴ In 1982 Tom Bradley, the African-American, Democratic Mayor of Los Angeles, lost his race for the Governorship of California to George Deukmejian, a white Republican. Polls predicted that Bradley would win comfortably, but he narrowly lost. It was suggested in some post-election studies that white voters had voted for Bradley at a lower rate than they had indicated in polls, and that a statistically unlikely percent of those who had said they were undecided, ultimately voted for Deukmejian.

Feeding the fears of a Bradley effect in the Obama-McCain race was the list of other contests between black and white candidates in which vote tallies were consistently lower for black candidates than polls had predicted. Among the black candidates who appear to have experienced this phenomenon were Harold Washington in his 1983 bid to be Mayor of Chicago, Jesse Jackson in the 1988 Democratic presidential

primary, David Dinkins' race for Mayor of New York in 1989, Douglas Wilder in the 1989 race for Governor of Virginia, and Carol Mosely Braun in her 1992 Senate race in Illinois.

When Obama won the election, it seemed that the fears of his supporters had been unfounded. Polls just before the election had predicted that he would win by 7.5% in the national popular vote. He won by about 1% less than that, well within the small (2%) margin of error that even polls using massive samples must accept. Perhaps white Americans who told pollsters that they planned to vote for Obama actually did.

But why should Obama supporters waste a perfectly good fear of disaster on rational interpretations of the outcome? A closer, and more tortured, view of vote patterns allows us to have our victory and fear it too. Perhaps there was a real Bradley effect, but Obama won anyway.

We sociologists are all too familiar with the forces that underlie the Bradley effect. It's called "social desirability effect," the tendency of a survey respondent to tell the interviewer what he or she thinks is socially acceptable rather than the truth. We have lots of evidence that this happens in all sorts of surveys, including political polls. For example, Americans routinely exaggerate how often they attend church and minimize how much alcohol they drink in order to reflect what they think are American standards of behavior. In studies of racial attitudes, some of our best data about social desirability effect goes back at least eighty years.

Beginning in 1926, the sociologist Emory Bogardus started collecting survey data on racial attitudes in America. He devised a measure of prejudice in which he asked a sample of white college students to indicate how "socially close" they would allow members of specific groups. For example, asking a respondent to think of black Americans in general, would the respondent allow such a person to marry into his or her family? If not, then would close friendship be ok? No? How about letting a black American live in the neighborhood with you? The actual social distance scale items looked like the following.

- As close relatives by marriage
- As my close personal friends
- As neighbors on the same street
- As co-workers in the same occupation
- As citizens in my country
- As only visitors in my country
- Would exclude from my country

In 1926 Bogardus, using thirty target groups for his study, found clear patterns of prejudice in his sample of white college students. They would allow very close social distance to white, western European "targets"

such as white, English people. However, as the named groups of people moved farther east and south of England, and as their skin colors got darker and their cultures less “Western”, their social distance scores declined. Mediterranean groups were less acceptable than western Europeans, and African and Asian groups least acceptable of all. Bogardus repeated his studies in 1946, 1956 and 1966 using the same sorts of college student samples. Though he found that levels of prejudice declined over time, the same overall pattern of group preferences remained. These patterns were extremely stable, withstanding even cataclysmic events such as World War II. For example, the standing of Germans took a hit in the 1946 data. Germans had dropped four places, from their standing at seventh of thirty groups in 1926, to tenth place. But only ten years later, the 1956 data had them back in eighth position on the list. I believe it is a measure of the extreme stability of these social distance rankings that fighting a desperate war against Germany only diminished their relative standing by a few places in the estimation of the white Americans in Bogardus’ study.

Scientists value highly such data that tracks important phenomena over time. It is rare that we have the resources and foresight to collect it consistently. So it seemed strange to me that after 1966 no one collected social distance data using Bogardus’ scale. (Bogardus died in 1973, but he had lots of graduate students and colleagues who could have continued the research.) The reason, it is clear, was the rise of social desirability effect.

After World War II a number of intense cultural and political movements combined to influence what was socially acceptable for Americans to say and do. For example, stating that women should stay at home, or that black Americans were best suited to physical labor, would have raised few eyebrows before the 1960’s. But after the widespread successes of the movements for racial civil rights and sexual equality in America, such comments became increasingly unacceptable here. The effect was clear in the attempt to measure prejudice with Bogardus’ scale. Respondents were no longer willing to state that one group was preferable to another, even if they privately held such beliefs.

This brings us back to the Bradley effect. Pollsters were well aware that Americans who would not vote for a black candidate would likely not admit it. In order to appear to be without racial prejudice, they would lie about their intentions. So when Obama won the election by about the percentage that the polls had predicted, those of us who had been tracking the life of social desirability effect in America thought it might have finally expired. I say, not so much.

**PRESIDENTIAL ELECTION 2008
OBAMA/BIDEN CAMPAIGN
POLLING RESPONSE FORM**

Instructions for field interviewers: *After reading the following question to a respondent, check one of the spaces that follow.*

“If the election for President of the United States were being held today, for which of the following candidates would you be most likely to vote?”

- ___ Respondent will vote for McCain/Palin
- ___ Respondent will vote for Obama/Biden
- ___ Respondent says he/she will vote for Obama/Biden, but is wearing a McCain/Palin button
- ___ Respondent says he/she will vote for Obama/Biden, but has his or her fingers crossed
- ___ Respondent says he/she will vote for Obama/Biden, but is smirking
- ___ Respondent says he/she will vote for Obama/Biden, but is rolling on the floor helpless with mirth

It is entirely possible that this election had the usual proportion of people who told pollsters that they were undecided or intending to vote for Obama, then voted against him. It’s just that this fact was masked by a number of other, unprecedented voting patterns. Among these were the following sorts of voters. There were, apparently, many who voted for Obama because he was black. They told pollsters that they could help make history for America by putting a minority candidate into office. Increased participation among black and Latino voters who voted disproportionately for Obama influenced the outcome. And there were young voters, who also voted disproportionately for Obama. In fact, young voters were underrepresented in pre-election polling because polling organizations had poor access to cell phone numbers in their random-digit dialing sampling procedures.

So, from this sociologist’s point of view, the Bradley effect is probably alive and well in America. There has been too long a history of documented social desirability effect in other research to conclude that the election of a black American to the presidency is evidence of its demise. And, lest you think that I am sorry to come to this conclusion, I want to make it clear that I think the unwillingness of Americans to publicly express their prejudices is a very good thing. To me it is a measure of our national disapproval of group hatreds. How can that be anything but a source of pride in our culture?

—William C. Levin is Professor of Sociology and Associate Editor of the Bridgewater Review.

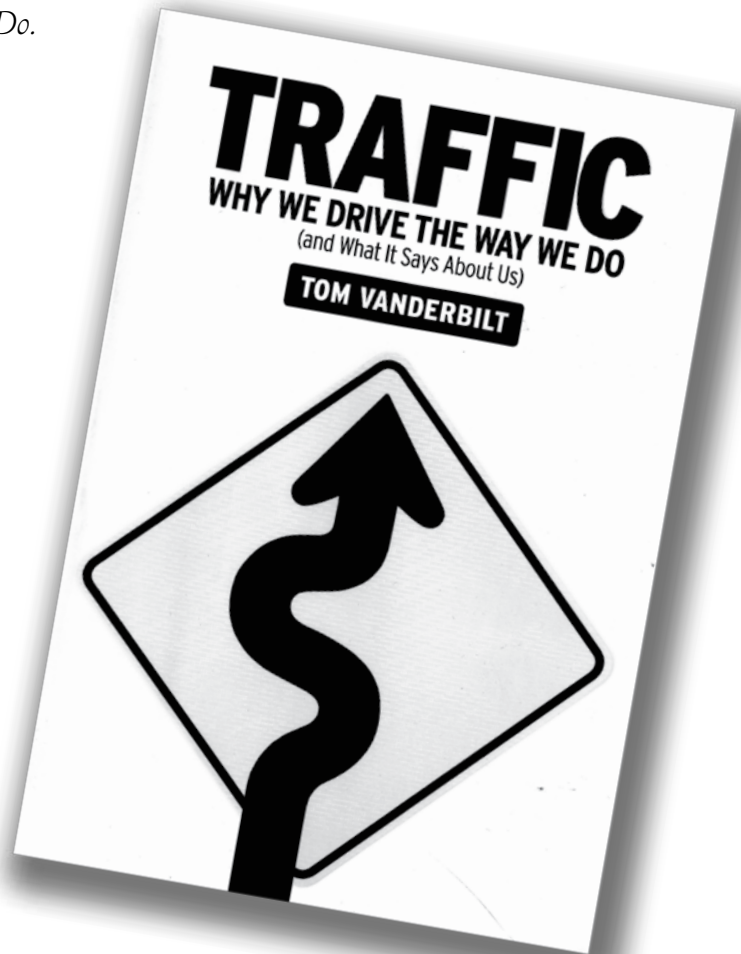
Wrong Way

Tom Vanderbilt, *Traffic: Why We Drive the Way We Do*. Knopf, ©2008

Charles Angell

A good friend who worked for the transportation department of McDonnell-Douglas in Los Angeles once told me about a meeting called by her corporate vice president who wanted to know what civic project each division was working on to improve conditions on the Los Angeles freeways. She was seated next to a gentleman neatly dressed wearing a bow tie and shirt with a pocket full of pens. One manager explained that his division had decided to locate tow trucks at key highway points in order to respond quickly to whatever traffic emergencies and accidents might occur during the morning and afternoon rush hours. “What did he say?” the gentleman asked my friend. She repeated in his ear what the manager had said. “Why are they doing that?” he asked. Thinking her colleague was hard of hearing, she explained the rapid response rationale for the tow trucks. “Well,” he said, “why didn’t they come to us first for an algorithm that would tell them where the accidents were going to happen?” Said my friend: “he was a rocket scientist.”

I recalled this story as I read Tom Vanderbilt’s *Traffic*. Vanderbilt examines traffic engineers’ efforts to discover an algorithm (though he doesn’t call it that) or at the least some concept that will explain traffic movement and patterns. A number of conceptual ideas offer themselves. Highway traffic resembles water flowing in a river and, as water responds to obstacles interrupting the flow, so traffic responds to roadwork or accidents. Or, traffic mimics social insect—ants, locusts—behavior where “large patterns contain all kinds of hidden interactions.” Then again, traffic operates as a network where, like a spider’s web disturbance (think gridlock) in one part of the network affects the other parts. Traffic, however, doesn’t fit neatly into any conceptual



framework. Where the road tells drivers they’re part of a traffic system, the drivers act as part of a social system. One traffic engineer notes that when he leaves home for work, he drives slowly through his neighborhood, his social world, but as he travels farther from home and enters the anonymity of the traffic world he speeds up, slowing down only when he reenters the social world defined by his destination. The two worlds defy traffic engineers’ efforts to mesh them.

Much of what we experience in the traffic world is counterintuitive. We’ve all, I suspect, had the experience of the sign warning us of a lane closure ahead. In preparation we dutifully move into the open lane only to have more impatient drivers pass us in the soon to be

WRONG WAY

closed lane. We fume, mutter imprecations and vow not to let them merge when we reach the lane closure.

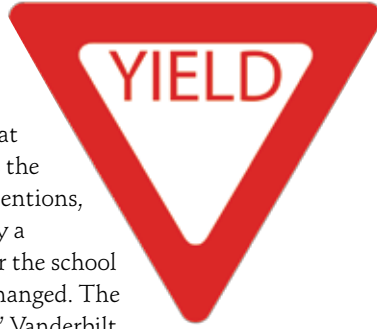
However, traffic engineers point out that it's an inefficient use of highway space to leave one lane unoccupied and that at the merge point drivers in a quite orderly way will alternate to let cars in the closed lane into the traffic flow. Another instance, which is safer in a densely populated area—a wide berm that separates pedestrians from the traffic? Or a narrower berm that keeps pedestrians and drivers more proximate? It turns out the keeping the social world of the sidewalk in some proximity to the traffic world of the street forces drivers and pedestrians to maintain eye contact and thus retain awareness of each other's presence. Drivers slow down; pedestrians watch for cars. Which is safer? More signs? Fewer signs? Too many signs either overload the driver with information (where the hell does Interstate 93 go?) or promulgate useless information (sorry Bambi, I was looking at the 'deer crossing sign'). Which is more efficient? 'Cycling' the lot looking for the best—i.e. nearest the entrance—parking space at the mall? Or pick a row and take the first available space and walk directly to the door? "Research," Vanderbilt notes, "has shown that people tend to underestimate the time it will take to get somewhere in a car and overestimate the time it will take to walk somewhere." Research also supports what every suburban husband intuitively knows: women 'cycle'; men pick a row. Which is more efficient and safer? The intersection? The traffic circle/roundabout? "Intersections are crash magnets—in the United States 50 percent of all road crashes occur at intersections." (The intersection in my neighborhood which includes state routes 18 and 106 and a local street has made me a star on 911.) Four way intersections are the most dangerous of all. (Bring back the Sagamore rotary?) Does a new vehicle with advanced safety features make us safer on the road? Not necessarily. Many drivers of these vehicles, considering themselves safer, will start taking greater risks.

This brings us to accidents. Vanderbilt points out that if you're driving down a country road and a tree limb falls on the car, that's an accident. Accidents, he correctly notes, are "unintended or unforeseen events." Drunk driving and hitting someone or something, talking on the cell phone and hitting someone or something, not wearing a seat belt and being ejected from the vehicle in a crash; these are not accidents. These are the consequences of risky and preventable behavior. Regardless, drivers continue to engage and indulge in these behaviors, in part because they've gotten away with them in the past and expect to get away with them in the future. "The word accident, however, has been sent skittering down a slippery slope, to the point where it seems to provide protective cover for the worst and most negligent driving behaviors." Vanderbilt observes that news reports, when they say of a fatal crash that no drugs or alcohol were involved, "subtly [absolve] the driver from full responsibility—even if the driver was flagrantly exceeding the speed limit." He also notes that TV commercials for SUVs and pick-up trucks display these vehicles being driven in conditions that no suburban driver is ever likely to encounter and in a manner that no driver in any conditions ought to emulate. We incubate the context for our own risky and irresponsible driving.

Vanderbilt reports that since the State Department began keeping records in the 1960s of people in the United States killed by terrorists, the deaths total less than 5000—"roughly the same number...as those who have been struck by lightning." (Three thousand of that total died on a single day—9/11.) Yet, each year 40,000 people, give or take, die in automobile crashes. In response to 9/11 "many citizens thought it was acceptable to curtail civil liberties...to help preserve our 'way of life'" against terrorist threats. Those same citizens when polled, Vanderbilt writes, "have routinely resisted traffic measures designed to reduce the annual death toll." Since 9/11 nearly 200,000 people have died on the nation's roads.



Studies have shown that drivers, “when...asked to compare themselves to the ‘average driver,’ a majority respond[ed] that they were ‘better.’” We all self-enhance, Vanderbilt says, and “inflate our own driving abilities simply because we are not actually capable of rendering an accurate judgment.” We do not realize that tailgating is dangerous, that failure to use directional signals leaves the driver behind us clueless about our intentions, that running the red light is ultimately a zero-sum game, that failure to stop for the school bus ought to get the offending driver hanged. The result? Road rage. “In an 1982 survey,” Vanderbilt says, “a majority of [American] drivers found that the majority of other people were ‘courteous’ on the road. When the same survey was repeated in 1998, the rude drivers outnumbered the courteous.” Add into the mix all the distractions that auto makers have introduced as features for their products and one has to conclude that traffic engineers, in their quest to make our roads as safe as possible, confront a daunting task.



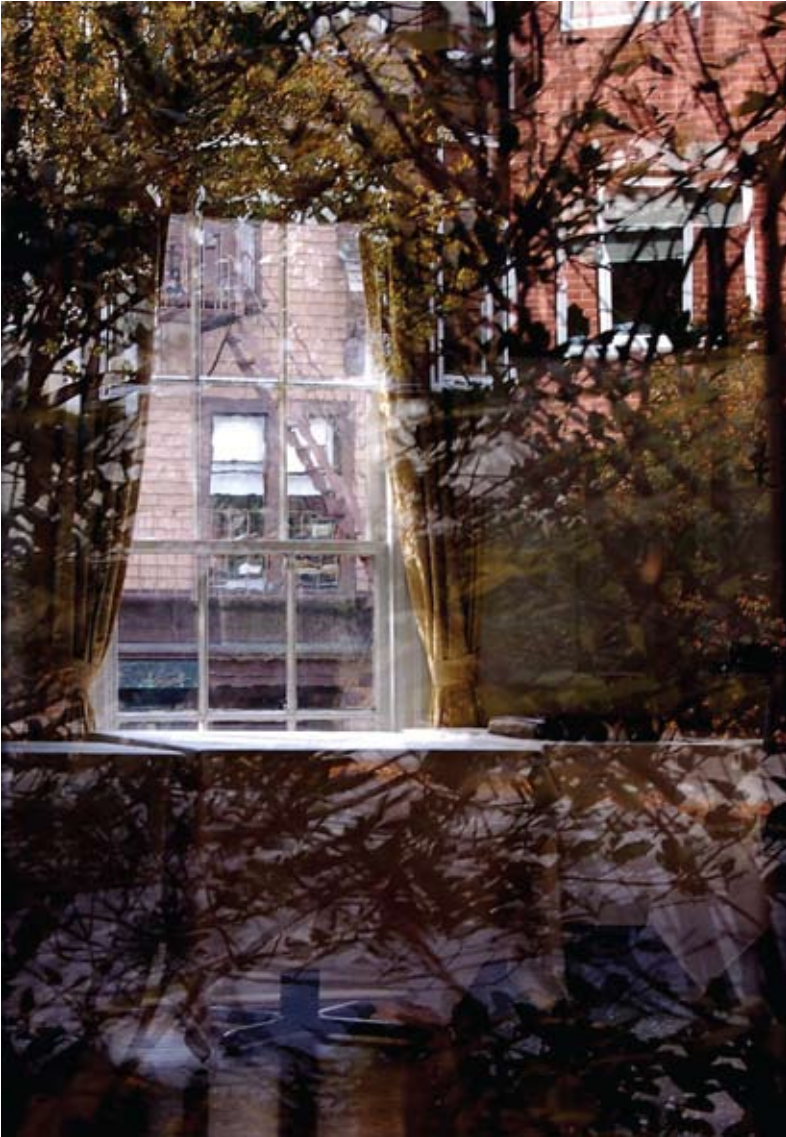
Living in a state where the basic traffic rule often seems to be “I’m-insured-you’re insured; back-up-until-you-hear-the-glass-shatter,” I did approach Tom Vanderbilt’s *Traffic* with something of a chip on my shoulder. With 50 years experience driving on the Commonwealth’s highways, roads, and Boston city streets, what could his study possibly tell me that would alter, amend, or improve my driving? “I would study not only the traffic signals we obey,” Vanderbilt promises, “but also the traffic signals we send.” It’s these latter, the signals we send, that concern me. The *Boston Globe* will occasionally run a letter from an out-of-town visitor complaining about Massachusetts drivers, their rudeness and disregard for the rules of the road, or excoriating the confusing signage and unfilled potholes. “Wimp,” I’d think; “you got on the southeast expressway with pros and couldn’t hack it.” I’m more patient behind the wheel than I used to be, never talk on the phone when driving and, since I assume all the other drivers are packing, have eliminated hand signals from my repertoire. Still, when I come across the Zakim bridge in my F-150 and drop into the tunnel, finding myself behind some confused out-of-towner clogging the left hand lane, I cannot resist the temptation to show ‘em how it’s done. In the words of the immortal Chuck Berry,

*As I was motivatin over the hill
I saw Mabelene in a Coup de Ville
A Cadillac arollin’ on the open road
Nothin’ will outrun my V8 Ford
The Cadillac doin’ about ninetyfive
She’s bumper to bumper, rollin’ side by side*

Yeah!

—Charles Angell is Professor of English and
Book Review Editor of the Bridgewater Review.

Jungle Room.



Fractured.



Wall to Wall.

These photos are part of an ongoing series of images captured through and on windows. The series combines a couple of interests of mine: architectural elements and reflective surfaces. What intrigues me is the way the objects in front of me in the interior merge with objects behind me that are reflected in the window glass, which serves as a canvas for a new, unique image.

*—Karen Callan is Assistant Director, Editorial Services,
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