

**THE
TWENTY-FIRST CENTURY LEFT**

THE
TWENTY-FIRST CENTURY LEFT

*Cognitions In The Constitution
And Why Buckley Is Wrong*

Second Edition

William P. Kreml

CAROLINA ACADEMIC PRESS
Durham, North Carolina

Copyright © 2006
William P. Kreml
All Rights Reserved

Library of Congress Cataloging-in-Publication Data

Kreml, William P.

The twenty-first century left : cognitions in the Constitution and why
Buckley is wrong / By William P. Kreml.

p. cm.

Includes bibliographical references and index.

ISBN 1-59460-251-4 (alk. paper)

1. Political science--Philosophy. 2. Right and left (Political science)--United States. 3. Buckley, James Lane, 1923- 4. Campaign funds--Law and legislation--United States. I. Title.

JA71.K74 2006

320.51'30973--dc22

2006010123

Carolina Academic Press
700 Kent Street
Durham, North Carolina 27701
Telephone (919) 489-7486
Fax (919) 493-5668
www.cap-press.com

Printed in the United States of America

For
My Late Brother
and the
Early Syndicalists

TABLE OF CONTENTS

Table of Cases	ix
Acknowledgments	xi
Introduction	xiii
Chapter 1. The Subatomic Tier	3
Chapter 2. Forms of Understanding	25
Chapter 3. Limits to Knowledge and How to Get There	35
Chapter 4. The Cognitive Triumph—Fission and Fusion	65
Chapter 5. Aristotle and America	85
Chapter 6. The Supreme Court and Cognition	125
Chapter 7. <i>Buckley v. Valeo</i>	147
Chapter 8. A Strategy	167
Notes	195
Bibliography	203
Index	207

TABLE OF CASES

Baker v. Carr, 369 U S 549 (1962).
Brown v. Board of Education of Topeka, Kansas, 347 U S 483 (1954).
Buckley v. Valeo, 424 U S 1 (1976).
Carter v. Carter Coal Co., 298 US 238 (1936).
Charles River Bridge Co. v. Warren Bridge Co., 36 U S (11 Peters) 420 (1837).
Colegrove v. Green, 328 U S 549 (1946).
Dartmouth College v. Woodward, 17 U S (4 Wheaton) 518 (1819).
Dred Scott v. Sandford, 60 U S (39 Howard) 393 (1857).
Griswold v. Connecticut, 381 U S 479 (1965).
Marbury v. Madison, 5 U S (1 Cranch) 137 (1803).
McCulloch v. Maryland, 17 U S (Wheat) 316 (1819).
Miranda v. Arizona, 384 U S 384 (1966).
Moose Lodge No. 107 v. Irvis, 407 U S 163 (1972).
National Labor Relations Board v. Jones and Laughlin Steel Corp., 301 U S 1 (1937).
Nebbia v. New York, 291 US 502 (1934).
Reynolds v. Sims, 377 U S 533 (1964).
Richmond v. Croson, 109 S. Ct. 706 (1989).
Roe v. Wade, 410 U S 113 (1973).
Schechter Poultry Corp. v. The United States, 295 U S 495 (1936).
Shelley v. Kraemer, 334 U S 1 (1948).
Smith v. Allwright, 321 U S 649 (1944).

ACKNOWLEDGMENTS

My thanks to the Department of Political Science at The University of South Carolina for assistance with this work, as well as to Daniel Sabia, Robert Thompson and Peter Sederberg of that department for their helpful comments. My thanks as well to Meili Steele and Bill Matalene of South Carolina's Department of English for their stylistic as well as substantive suggestions. My research assistant, Deniz Sevgili, helped with footnotes and bibliography while Pat Coate and Nancy Kreml assisted enormously with copy editing. Becci Robbins of Harbinger Publications assisted with the layout and substantive editing of the first edition. My thanks also to Chicago's Bob Rudner for his assistance with the Red/Green coalition literature in Chapter One. Finally, I wish to thank the late Mike Avey, Chair of South Carolina's courageous United Citizens Party, for an early reading of this manuscript. Any errors are my responsibility alone.

INTRODUCTION

This work does two things. It describes an original political theory, and it applies that theory both to the structurally induced problems of the American government and the continuing problems caused by the way political campaigns are financed in this country. Rather naturally for a political scientist, I have always been concerned with what citizens think about politics and why they believe what they do. I have also been concerned with the degree to which citizens, at various levels of political interest, have been able to encase their beliefs in something of a theoretical framework. Influenced in my early academic years by the Yale political scientist Robert Lane's insistence that average citizens did have political ideologies, I have also tried to find to what degree such citizens understand why they believe what they do.¹

Generally, most citizens' conscious political identifications are centered around their objective groupings. That is, citizens typically place themselves within the political arena as members of economic, ethnic, racial, gender, religious, sexual orientations, and the like. Frequently, they find more than one such objective identity to be politically important for them. Such identifications are significant and will continue to be significant.

But I am a theorist. For years I have worked on the development of a subjectively— that is psychologically based—political philosophy. We have known for some time that citizens' psychological orientations impact their political attitudes. What I try to do here is build a full-blown political philosophy on the bedrock of human psychology.

This work does four things. First, the work briefly assimilates what has until now been available only in separate, earlier writings that began my work toward a psychologically based political philosophy. Second, it adds substantial new material to the theory, essentially completing the broad philosophical outline. Third, it applies the theory to a specific area of public concern, that of campaign finance reform. Fourth, it intersperses the theoretical writings with brief descriptions of my own political experiences. I hope that these experiences, and the lessons I drew from them, further illuminate the theory by

demonstrating how the kinds of things I have been involved in within the real political world reflect a new framework for political understanding.

Though not a member of the Green Party, then or now, I sat in on the final meeting of the Illinois Greens convention during the summer of 2000 in Chicago. The thirty to thirty-five people there were of different ages and occupations, and very different personal histories. The session seemed to be a wrap-up, reviewing what had been talked about and decided on in earlier conference meetings. The participants' ease of speech with each other and the group as a whole bespoke a harmony that I found inviting. These were people at peace with themselves.

What was only a little troubling, but disturbing nonetheless, was what so many of the participants said concerning their own theoretical orientations. In a session wherein individuals spoke frankly about specific concerns and unique political histories, all of them were stretching, I thought, to find a theoretical grounding for their current, in many cases still evolving, political beliefs. In the main, they seemed to be wrestling with how their new political identifications may or may not square with earlier theoretical orientations. Cognitive maps die hard. It is so much easier, particularly when one is well into adulthood, to make an adjustment or two to what one has built up over many years than it is to tear down the old model entirely and begin anew.

Many of the convention participants spoke of their former party affiliations, and I particularly remember one youngish man who described his experiences with the syndicalist Socialist Labor Party. The early syndicalists, influenced by the teachings of Daniel De Leon in this country, believed in a kind of cooperative orientation toward production, rather than a state socialism. They advocated worker ownership and worker management. Sitting there, I recalled that my late brother had gone to Socialist Labor Party meetings in Chicago and liked the people he met there. If you think of early syndicalism as being terribly radical, think again. United Airlines, America's second-largest air carrier in spite of its recent troubles, and the Chicago and Northwestern Railway, now part of the Union Pacific aggregation but once America's seventh largest railroad, were both founded on syndicalist principles. You can still see the faint "Employee Owned" medallion on the old, yellow CNW boxcars that haven't been repainted. And you can see the shame on the faces of a selfish management, and even on those of the selfish pilots and machinists unions, who after September 11, 2001, brought United to much of its current difficulty.

At the Greens' meeting, virtually all who spoke included mention of their prior affiliations with the "Old Left" of the 1930s and 1940s or, as frequently, the "New Left" of the 1960s and 1970s. They all seemed to be bending those

orientations now, at least partially, because of concerns over contemporary issues, such as the environment, international human rights, and industrial and postindustrial worker justice. At the same time, they maintained strong ties to past orientations, particularly those orientations that surrounded the always-knotty issue of the very justness of the political system itself.

So many of those who spoke that night incanted almost religiously about such things as the air and the water, the excesses of logging and mining companies, developers, and other ecological problems. But they also talked about larger inequities, the worker who does not receive her just due, civil rights protections not being enforced, and of course the problems of an American government that they saw as increasingly distant from them and ever closer to the large private corporations. Both as reminiscences and as statements of contemporary concern, their statements were powerful, almost in the sense of that wonderful Norman Rockwell painting of the young man speaking at a public meeting, which was on display at that time in the Chicago Historical Society, two miles away on Clark Street.

But, again, I found a troubling side to their heartfelt message. It was troubling because in spite of their struggle there was a disconnection, a failure of linkage really, between the grand, if now dated political theories that each of them may have held for a long time and the pattern of concerns that currently bedeviled them. Each speaker felt strongly about worthwhile things, but all seemed to fail at the task of fitting those concerns into their old political theories or creating a new theoretical understanding. Some realized it, speaking almost sadly of “what I used to believe” or “when I was a _____.” What was going on was not so much a matter of old wine in new bottles, but more a matter of grapes and bottles, with no wine in between. I felt their need for a new theoretical map.

Indeed, in political meetings of all stripes that I have attended, and in individual discussions with citizens who are troubled by America’s campaign finance scandals, the prostitution of our government by large private interests, and the increasing apathy of citizens as reflected by the decline in voting percentages, the absence of a theoretical framework always strikes me. Thus, what I offer here is a new theory, one that is based on who we are, not what we are. We have come to that time in history, I think, when we are entitled not only to know a great deal more about our own psychologies, but also to have our psychologies be much part of our political orientations. Ultimately, those psychologies should serve as the underpinning of an entirely new political philosophy. This is what I offer.

Please do not misunderstand. I know the risk of giving the political left one more theory to argue over. Anyone with the slightest knowledge of the left’s

history understands that ideologically based disputes have far too often crippled the efforts of those who meant to do much good. At most, I write what I do because I believe an increasingly complex twenty-first-century world needs a new left-of-center political philosophy. At a minimum, I believe the left needs at least a skeletal statement of novel theoretical principles that help to reestablish basic equities within the United States, and within the increasingly interdependent human family.

What I have created, then, is an original political philosophy, a philosophy that I have struggled with over the years and that I fervently hope will be useful to what I have come to call the “Psychological Left” or, preferably, the “Natural Left”. Partly to demonstrate how the theoretical insights I share grew within me, and partly to demonstrate how the necessary dialectic between the real world and the world of the mind works, at least for me, I will be interspersing my description of this political philosophy with brief remembrances of my own political activities. I have been involved in the real world of politics for a long time. My running for office and my being a part of other political activities, have been instructive for me. I hope the inclusion of such events will help illuminate my theoretical perspective.

I am concerned about the deep imbalances that have grown up recently in the American constitutional order. I am concerned, for example, that so much of the Bill of Rights is now misunderstood, perhaps deliberately, by those who see it as containing solely individual rights. The Bill of Rights contains far more than that, it being the foundation for the aggregated, small “d” democratic political activity of a free people. It is my hope that the sectoral and cognitive analysis I lend to constitutional interpretation, couched in the original political philosophy that I describe herein, will make clear what the Bill of Rights is really all about, and why the campaign finance reform denying case of *Buckley v. Valeo* (1976) is tragically wrong.