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Reich: The Greening of American and Skinner: Beyond Freedom and Dignity

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RECENT BOOKS

BOOK REVIEWS

THE GREENING OF AMERICA. By *Charles A. Reich*. New York: Random House. 1970. Pp. 399. \$7.95.

BEYOND FREEDOM AND DIGNITY. By *B. F. Skinner*. New York: Alfred A. Knopf. 1971. Pp. 225. \$6.95.

And now—the Beatles . . . and suddenly Ghhhhhhwoooooo oowwwwww, it is like the whole thing has snapped, and the whole front section of the arena becomes a writhing, seething mass of little girls waving their arms in the air, this mass of pink arms, it is all you can see, it is like a single colonial animal with a thousand waving pink tentacles . . . vibrating poison madness and filling the universe with the teeny agony torn out of them. . . . [I]t is *one being*. They have all been transformed into one being. . . .

Control—it is perfectly obvious—they have brought this whole mass of human beings to the point where they are one, out of their skulls, one psyche, and they have utter control over them—but they don't know what in the hell to do with it, they haven't the first idea, and they will lose it.¹

I. THE ANTAGONISTS

Charles Reich and B. F. Skinner, from diametrically opposed positions, argue for a society in which individualistic Western man will be transformed into a "new" man, into one being with the society of which he is a part. Reich exalts the new individual who rejects authority and custom on the simple premise that "[a]ccepted patterns of thought must be broken; what is considered 'rational thought' must be opposed by 'nonrational thought'—drug-thought, mysticism, impulses."² But this individuality is not individuality in any traditional sense, that is, the development of a complex personality resulting from genetic and experiential factors, but an individuality that sees each man as conforming to a model and taking his place, much as an interchangeable part, in the cosmos society. Reich warns:

The basis of a Consciousness III [the new man] . . . must be agreement on major values. The oppressiveness of the Corporate State [liberal democratic society] is due in large part to the lack of such values The V-signal, the recognition of strangers as friends, the intense feeling of community, all bespeak shared values.³

1. Tom Wolfe's description of the crowd reaction to the Beatles' appearance at the Cow Palace, San Francisco. T. WOLFE, *Cloud*, in *THE ELECTRIC KOOL-AID ACID TEST* 182 (Bantam, ed. 1969).

2. C. REICH, *THE GREENING OF AMERICA* 362 (1970) [hereinafter REICH].

3. REICH at 384. Reich's demand for a society of shared values reflect his reading

Reich's eschatological vision is of man's return to the state of the "tribal animal" in which would be realized "[t]he spirit inherent in the Consciousness III idea of community, combining the feeling of together, an organic relationship, a shared set of laws or values, and a shared quest for experience and wisdom."⁴

Skinner, on the other hand, sees the need for a new society. This does not mean the transformation of traditional Western individualistic society into a new unified state. Rather, Skinner rejects the very existence of autonomous man and extols a "new awareness" that man is not the product of free choice and that his dignity and freedom are not the reasons for his existence. This new, behavioral understanding of man provides the possibility of a scientifically planned society. The individual, whose purpose is satisfaction and survival, is the result of interaction between the human organism and the environment: "Behavior is shaped and maintained by its consequences [It] operates upon the environment to produce consequences."⁵ The existence of this interaction compels the conclusion that "the environment can be manipulated."⁶ But this manipulation is never free in the sense of being the selection of a rational alternative but rather is a reaction to either reinforcing or aversive stimuli.⁷ The effect of the environment on the individual is referred to as "operant conditioning,"⁸ and individual behavior that operates upon the environment to produce a consequence is

of Marcuse, *Repressive Tolerance*, in *A CRITIQUE OF PURE TOLERANCE* 81-123 (1969), in which Marcuse argues:

[T]olerance cannot be indiscriminate and equal with respect to the contents of expression, neither in word nor in deed; it cannot protect false words and wrong deeds which demonstrate that they contradict and counteract the possibilities of liberation. Such indiscriminate tolerance is justified in harmless debates, in conversation, in academic discussion; it is indispensable in the scientific enterprise, in private religion. But society cannot be indiscriminate where the pacification of existence, where freedom and happiness themselves are at stake: here, certain things cannot be said, certain ideas cannot be expressed, certain policies cannot be proposed, certain behavior cannot be permitted without making tolerance an instrument for the continuation of servitude.

Id. at 88. Implicit in both Reich's and Marcuse's position is the belief that the survival or existence of society, as they see society, is dependent upon shared values or repressive tolerance. The establishment of these values or the limitation of tolerance is not the result of a civil libertarian neutral principle or even such a general guide as provided by Bentham's Utilitarianism; rather, it is the setting of values and the establishment of a society in conformity with *their own* values and objectives. Both Reich and Marcuse operate from a clearly elitist premise.

4. REICH at 387.

5. B. SKINNER, *BEYOND FREEDOM AND DIGNITY* 18 (1971) [hereinafter SKINNER].

6. SKINNER at 18.

7. Thus Skinner observes:

When a bit of behavior is followed by a certain kind of consequence, it is more likely to occur again, and a consequence having this effect is called a reinforcer. Food, for example, is a reinforcer to a hungry organism Negative reinforcers are called aversive in the sense that they are the things organisms "turn away from." . . . Thus, if a person escapes from a hot sun when he moves under cover, he is more likely to move under cover when the sun again is hot.

SKINNER at 27.

8. SKINNER at 27.

"operant behavior."⁹ This recognition of the symbiotic relationship between individual and environment and the rejection of the myth of human freedom and dignity (which is said to be inconsistent with this scientific view of man)¹⁰ results in the possibility of social planning, the product of a technology of behavior that views the individual as "the carrier of both his species and his culture."¹¹ Yet Skinner's new society does not require the uniformity or regimentation implicit in Reich's concept of a society of shared values among men.¹² Thus Skinner argues: "If men were very much alike, they would be less likely to hit upon or design new practices, and a culture which made people as much alike as possible might slip into a standard pattern from which there would be no escape," and concludes: "The only hope is *planned* diversification, in which the importance of variety is recognized."¹³ However, Skinner's planning is not to be done on the basis of values such as justice or equality; rather, it is planning with the mere objective of social survival.

II. A CONSCIOUSNESS OF NEW VALUES AS BOTH ENDS AND MEANS

Charles Reich's view of history is lineal and evolutionary. According to Reich, man is progressing from the laissez-faire or individ-

9. SKINNER at 18.

10. SKINNER at 25.

11. SKINNER at 209. The notion is that the individual personality is like a chromosome upon which genetic traits are transmitted: Cultural practices, like genetic traits, are transmitted from individual to individual. A new practice, like a new genetic trait, appears first in an individual and tends to be transmitted if it contributes to his survival as an individual. *Id.*

12. Reich asserts that these values will be shared in the world of the new individual by "protean" men, that is, men who live several different lives and have a variety of different work experiences but who do not, as do today's "role-playing men" keep those lives "schizophrenically separated" from each other. REICH at 373, 384. See generally R. LIFTON, *Protean Man*, in HISTORY AND HUMAN SURVIVAL 311-31 (1970). Lifton describes a constant transformation of the individual personality toward which he, unlike Reich, maintains an ambivalent attitude:

The protean style of self-process, then, is characterized by an interminable series of experiments and explorations—some shallow, some profound—each of which may be readily abandoned in favor of still new psychological quests.

... The increased dependency needs resulting from the breakdown of traditional institutions lead protean man to seek out replacements wherever he can find them. The large organizations (government, business, academic, etc.) to which he turns, and which contemporary society increasingly holds out as a substitute for traditional institutions, present an ambivalent threat to his autonomy in one way; and the intense individual relationships in which he seeks to anchor himself in another. Both are therefore likely to be perceived as counterfeit. But the obverse of this tendency is an expanding sensitivity to the inauthentic, which may be just beginning to exert its general creative force on man's behalf.

... Involved in all of these patterns is a profound psychic struggle with the idea of change itself. For here too protean man finds himself ambivalent in the extreme. He is profoundly attracted to the idea of making all things, including himself, totally new—to what I have elsewhere called the "mode of transformation." But he is equally drawn to an image of a mythical past of perfect harmony and prescientific wholeness, to the "mode of restoration."

R. LIFTON at 319, 327, 329.

13. SKINNER at 162.

ualized and competitive man (Consciousness I), to the bureaucratic organization man of liberal society (Consciousness II), to the atomic individualized man, that is, to the perfection of man in post-industrial society as the undifferentiated man, who is in harmony with a pacific society (Consciousness III). Reich ignores the hard evidentiary fact of the complexity of the human personality, perhaps in order to emphasize what he believes to be the vast differences in the world view of his three historically typed characters. This classification scheme bespeaks the lawyer's, and especially the law teacher's, mania for simplification and pigeonholing and has caught the fancy of the popular mind, which is presently engaged in applying its labels to friends, celebrities, and national leaders much as a previous generation applied the diagnostic labels of psychiatry. It should be noted that Reich, lawyer turned amateur sociologist, was preceded by David Reisman, lawyer turned professional sociologist, who over two decades ago developed a much more sophisticated and empirically based scheme with his "tradition-directed type" (the primitive socially based individual), the "inner-directed" man (the nineteenth-century person who had a clear personal moral code and fixed objectives that he pursued), and the "other-directed" man (who looks to others for clues on how to live, especially on how to consume and spend his leisure).¹⁴ Reisman's analysis, while subject to the criticism of oversimplification, was at least based on the observable behavior of individuals as they related to society in its various stages of economic development. Reisman recounted the work habits, the political style, and even the child-rearing habits of each of his "types." Reich has instead constructed his "types" chiefly on cerebral differentiation, which is manifested by differences in dress and aesthetic taste that may in themselves be nothing more than style fads with which the culture has experience with increasing frequency.

Part of the popular fascination with Reich's book is created by those who find in it a basis for understanding youth and their rebellion; in a sense it is a hornbook on the New Left. But as all readers of texts and hornbooks know, there is great danger in their oversimplification: the reduction or abstraction of ideas results in the loss of much that is critical. Marcuse, Galbraith, Polanyi, Malcolm X, Kesey, and Bob Dylan are a few of the major intellectual forces at work in the New Left that provide much of the basis of Reich's work, but his treatment of them is at best superficial. Missing entirely is any explicit treatment of such pamphleteers and writers as Tom Hayden, Carl Oglesby, Hal Draper, and Staunton Lynd, whose influence on the political philosophy of the young has been immeasurable. Reich would have been more honest—if his objective was to inform the uninitiated about the "youth cult"—to have pre-

14. See generally D. RIESMAN, *THE LONELY CROWD* (1950).

pared an annotated bibliography of the literature being read by and influencing youth rather than to have written a tract of romantic pap.

The importance of Reich's book is not in its restatement or descriptive value but in its analysis, based on his reading of Marcuse, Polanyi, Galbraith, and Jacques Ellul, of the origins and problems of democratic capitalistic society and in its vision of a new social community. Reich sees modern man beset by vast problems that threaten his existence: disorder, corruption, hypocrisy, war, poverty, uncontrolled technology, environmental destruction, alienation, and depersonalization.¹⁵ To Reich, no individual or group is to blame for this situation; it is not the consequence of power-mad leaders, nor the result of class stratification, nor even of a "dark" side of man. Reich argues:

Power, in the second half of the twentieth century, resides in organization, in technology, in the machine. . . .

The crucial fact to realize about all the powerful machinery of the Corporate State—its laws, structure, political system—is that it possesses no mind. All that is needed to bring about change is to capture its control—and they are held by nobody. It is not a case for revolution. It is a case for filling a void, for supplying a mind where none exists. No political revolution is possible in the United States right now, but no such revolution is needed.¹⁶

In rejecting the existence and influence of the power, prestige, and wealth actually held by individuals and groups of people, Reich rejects empirical data collected and analyzed by C. Wright Mills,¹⁷ Gregory Kolko,¹⁸ and William Domhoff.¹⁹ This denial of the reality of social stratification and power leverage may have been induced by Reich's accurate perception that revolution in America is unlikely. But it is the pernicious effect of this denial, the gospel of change by conversion among the oppressed and exploited, that presses Reich into an optimism of social change through a "new consciousness" and that, as read and believed by the young, threatens to become the opiate of the youth culture.²⁰

15. REICH at 6-9.

16. REICH at 303, 305.

17. C. MILLS, *THE POWER ELITE* (Oxford ed. 1959).

18. G. KOLKO, *WEALTH AND POWER IN AMERICA* (1962).

19. G. DOMHOFF, *WHO RULES AMERICA?* (1967).

20. Reich's proposition of the possibility of passive revolution coincides with a period of disillusionment following active but nonproductive protests against American involvement in Vietnam, particularly the Kent and Jackson State malaise preceded by the frustration with the electoral process in 1968. The appearance of *The Greening of America* was greeted exuberantly by the inhabitants of pot-smoking communes that have taken refuge in rural and agrarian America and by the "Jesus freaks" and "Krishna consciousness" street people. This plight of youth is recounted

Reich's perception of the existence of a vast array of social problems is accurate; so too is his awareness that solutions to these problems are not being achieved. One reason for Reich's search for new solutions is his rejection of the "leader's" or the bureaucrat's right or ability to make socially significant decisions.²¹ The search for a

in a recent popular song, a piece which stands in stark contrast to the protest music of the last decade:

Look out of my window
 See the world passing by
 See the look in her eye
 One more time to live and I have made it mine
 Leave the wise to write for they write wordly rhymes
 And he who wants to fight begins the end of time . . .
 For I have riches more than these
 For I have riches more than these

Desolation	
Creation	Tell me someone why there's only confusion
Evolution	Tell me someone that this is all an illusion
Pollution	Tell me someone
Saturation	Tell me someone
Population	
Annihilation	
Revolution	Tell me someone why this talk of revolution
Confusion	Tell me someone when we're changing evolution
Illusion	Tell me someone
Conclusion	Tell me someone
Starvation	
Degradation	
Humiliation	
Contemplation	Changes in my life
Inspiration	
Elation	Changes in my life
Salvation	
Communication	
Compassion	
Solution	

J. Lodge, "One More Time To Live," from EVERY GOOD BOY DESERVES FAVOR (Threshold Records, Ltd. 1971) (as performed by The Moody Blues). For a comparison with the protest music of the sixties, see A. Guthrie, "Alice's Restaurant" and B. Dylan, THE TIMES THEY ARE A-CHANGIN', reviewed, Salter & Von Blum, 57 CALIF. L. REV. 295-300 (1969).

21. REICH at 97-101. Reich's distrust of national leaders, the President and the executive department, in establishing plans and seeking conformity is manifested in his criticism of President Kennedy's coercion and intimidation of the steel companies in 1962 in connection with his anti-inflationary program. See Reich, *Another Such Victory* . . . *The President's Short War Against Steel*, THE NEW REPUBLIC April 30, 1962, at 8, 9-10, in which Reich argued:

Such use of power [by the President], whether its objectives are good or bad, is dangerous. . . .

That citizens in general, and giant basic industries in particular, should attempt to act in a manner which will promote the common good is beyond debate; society could not exist otherwise. But who is to define the public good? . . .

But conceding all of this, the President has no right to *force* his economic policies on an unwilling industry *without legislation*. Unless Congress acts, the fact is that in a free society there can be no unitary public interest, no single, authoritatively fixed idea of "the public good." Freedom has little meaning if it only allows action that "responsibly" conforms to the President's idea of the national interest. It should be noted that in *The Greening of America* it is the setting of the "unitary public interest" or the fixed, single idea of "the public good" by the leader or expert that is rejected. The existence of the unitary interest or fixed single idea is not viewed as

resolution of these problems in the youth cult also stems from his rejection of planning, which is a result of both his disillusionment with the failure of the New Deal experiments and his dissatisfaction with the post World War II application of "scientific" and "bureaucratic" planning.²²

For Reich, the real enemy is the "Corporate State," which is viewed as "an immensely powerful machine, ordered, legalistic, rational, yet utterly out of human control, wholly and perfectly indifferent to any human values."²³ Again, according to Reich, no person, group, or faction exploits or dominates, and no single factor, such as technological domination or government bureaucracy, has led to the current social crisis:

What we have is technology, organization, and administration out of control, running for their own sake, but at the same time subject to manipulation and profiteering by the power interests of our society for their own nonhuman ends. And we have turned over to this system the control and direction of everything—the natural environment, our minds, our lives.²⁴

The enemy then is threefold: technology, organization, and administration. They have produced wars, pollution, and alienation; they must be controlled. The influence of these impersonal forces must cease. Planning, expert direction, and national leadership are the products of and the conditions for the existence of these forces and therefore can offer no solution. Salvation will come only in the "new consciousness"—that is, in the loss of the sense of alienation, which will apparently be achieved by mutation or evolution, or even by a more extraordinary historical occurrence much like the conversion of Saint Paul. This "new consciousness" is both the solution and means to human survival.

Conversion to the new consciousness does not result from dissatisfaction but from the adoption of a nonmaterial set of values.²⁵

per se intolerable; in fact, the existence of shared values is posited as a necessary element of the new consciousness. REICH at 387.

22. REICH at 45-58. A much more satisfactory presentation of his position can be found in Reich, *The Law of the Planned Society*, 75 YALE L.J. 1227 (1966), in which Reich applauded a trend toward direct political expression and pressure as an alternative and countervailing force to bureaucratic planning and the activities of the detached expert. Reich accepted the notion of planning as necessary and inevitable but called for greater public participation in the process of planning, a broadening of the list of values to be considered by planners, a sense of equality that would protect individual concerns from simple judgments of societal priority and the establishment of minimum standards of individual well-being, and, finally, the placing of a limit on the concerns that can be subjected to planning (in a sense, the maintenance of individuality).

23. REICH at 88.

24. REICH at 88-89.

25. REICH at 266-67, 279. Reich specifically rejects the notion that what is required is a "process of radicalization: a growing dissatisfaction with one's own life and

The existence of the new state of consciousness is manifested by the manner of dress, in clothes that are functional (with no distinction of wealth or status) and that express sensuality, freedom, and wholeness of self;²⁶ by a new music, which is a multimedia experience and thus a part of a total environment;²⁷ and by the use of drugs, which causes a concentration on what is immediately present and thus creates a new awareness and sensitivity.²⁸ This new consciousness is viewed by Reich as both the precondition of, and the means for, a new society that will be humane and just: "Consciousness is *prior* to structure."²⁹ The blueprint for change is simple:

And so the way to destroy the power of the Corporate State is to live differently now. The plan, the program, the grand strategy, is this: resist the State, when you must; avoid it, when you can; but listen to music, dance, seek out nature, laugh, be happy, be beautiful, help others whenever you can, work for them as best you can, take them in, the old and the bitter as well as the young, live fully in each moment, love and cherish each other, love and cherish yourselves, stay together.³⁰

circumstances, plus an awareness that society is run on wrong or unjust principles." *Id.* at 272. It is here that Reich parts company with the political radicals of the New Left. This disagreement seems to be a consequence of Reich's rejection of violence as a tactic for producing radicalization.

26. REICH at 234-39. Reich considers the symbols of the new consciousness as intrinsic to and expressive of its existence. The new mode of dress is expressive of the new values:

Jeans express the shape of legs, heavy or thin, straight or bowed. As jeans get more wrinkled, they adapt even more to the particular legs that are wearing them. . . . Consciousness III believes that a person's body is one of the essential parts of his self, not something to be ignored.

. . . .
Bell bottoms have to be worn to be understood. They express the body, as jeans do, but they say much more. They give the ankles a special freedom as if to invite dancing right on the street. . . . No one can take himself entirely serious in bell bottoms. . . .

REICH at 236-37. Reich apparently is unaware of or could not predict the acceptance of flared slacks by the professional man; perhaps a fuller acquaintance with Marcuse's notion of "co-optation" would have caused him to put less reliance in any outward or material sign of a new consciousness. See H. MARCUSE, *ONE DIMENSIONAL MAN: STUDIES IN THE IDEOLOGY OF ADVANCED INDUSTRIAL SOCIETY* (1964).

27. REICH at 244.

28. REICH at 260.

29. REICH at 334.

30. REICH at 347. The retreat from political activism praised and advocated by Reich is manifested in a new apathy that accepts social problems as beyond solution except to the extent of living an authentic life that involves a commitment to love:

I'm going to sing my song
And sing it all day long
A song that never ends
How can I tell you, all the things inside my head

The change in these past years
Has made me see our world
In many different ways
How can I tell you, love can change our destiny

The spreading of the new consciousness requires neither efforts at conversion, at least nothing beyond "simply living one's own life according to one's own needs,"³¹ nor a strategy or plan for turning the new consciousness into something effective in structural terms.³² There is much of the Christian message in this prescription of "faith" and "witness." It is this very fact that compels the conclusion that Reich is a naive utopian. By now, all men should have learned, as did Job, that in this life goodness without more does not necessarily triumph over evil.³³ Nevertheless, it is this "witness" that Reich exalts as the tactic of social change and that he illustrates by the example of marijuana users:

Simply by using marijuana in defiance of the law, young people:
1) maintain their own community and radical consciousness; 2) give a demonstration of the hypocrisy and irrationality of society; 3) make this showing effective by forcing it on public notice through what is in effect civil disobedience; 4) affirmatively demonstrate cultural liberation to the rest of the society; 5) produce a repressive reaction that involves others and eventually makes these others realize their own lack of freedom.³⁴

The failure of Reich's panacea stems from his overestimation of the

Love can change the world
Love can change your life
Do what you know is right
And love with all your might
Before it's too late

M. Pinder, "My Song," from EVERY GOOD BOY DESERVES FAVOR (Threshold Records, Ltd. 1971) (as performed by the Moody Blues). One is reminded by the lyrics of "My Song" of the Counterreformationist's rule that "faith without works is dead." Love of mankind without a commitment to social action will be barren of any fruit of reform or of social betterment.

31. REICH at 295.

32. Reich describes the needlessness of a strategy for social change:

How can our society be changed? . . . There is no convincing plan, no political strategy, for turning new consciousness into something effective in structural terms. . . . The Corporate State cannot be fought by the legal, political, or power methods that are the only means ever used up to now by revolutionists or proponents of social change. We must no longer depend wholly upon political or legal activism, upon structural change, upon liberal or even radical assaults on existing power. Such methods, used exclusively, are certain to fail. The only plan that will succeed is one that will be greeted by most social activists with disbelief and disparagement, yet it is entirely realistic—the only means that is realistic, given the nature of the contemporary State: revolution by consciousness.

REICH at 299-300. Reich reveals some ambivalence about his technique of social reform by qualifying his rejection of reformist activities and suggesting that such methods should not be relied upon "exclusively." The negative implication of these statements is that they should be relied upon to some extent. Nevertheless, nowhere in *The Greening of America* does Reich demonstrate any faith or confidence in reform activities. Moreover, Reich's argument proceeds from an acknowledgement that his position seems unbelievable, but he then concludes that in fact his position is realistic and promises inevitable success.

33. See Job 24:1-12.

34. REICH at 327.

vitality and promise of the youth cult, from his underestimation of the complexity of society, and from his failure to see the need for articulated values that can serve as the objectives of social reform.

The ambiguity of man's nature in its possibility for good as well as its potential for evil has long been the concern of the democratic reformer³⁵ and is of no less concern as man adopts a new consciousness.³⁶ Reich mistakenly bases his faith in a new politics and a new society on the outward manifestations of the youth culture and its experimentation with new life styles and drugs. He fails to see that this new life style can offer promise only if it serves as a basis for a new social ideology and a subsequent social reorganization. Moreover, Reich uncritically accepts drug experimentation and new social forms that may pose tremendous dangers both to individuals and society. He exalts youth-cult celebrities who urge liberation through the use of psychedelic drugs;³⁷ in fact, he sanctions the use of drugs as a means to achieve Consciousness III: "[O]ne of the most important means for restoring dulled consciousness is psychedelic drugs."³⁸ Reich fails to anticipate the self-destruction of such celebrities as singers Janis Joplin and Jimi Hendrix who, in contemporary lingo, "burned themselves out." More importantly, Reich ignores the empirical data of such researchers as Philip Zimbardo of Stanford University, who has demonstrated the need for real concern about the antisocial consequences of drug use and the catastrophe that threatens those who place faith in drugs as a solution to personal and social problems:

We need look no further than the innumerable drug subcultures of our nation to find the embodiment of acting upon impulses for immediate gratification—the total immersion in the moment, in

35. See, e.g., R. NIEBUHR, *THE NATURE AND DESTINY OF MAN* (2 vols.) (1949). Niebuhr presents the contradictions implicit in human nature, which an idealized view of man ignores in its projection of specific "virtues" as promising resolution of human conflict or misery. Niebuhr concludes that "every new human potency may be an instrument of chaos as well as of order; and . . . history, therefore, has no solution of its own problems." Vol. II at 155.

36. See generally T. ROSZAK, *THE MAKING OF COUNTER CULTURE* (1969). Roszak notes both the promise and the danger of the youth culture: the possibilities that lie in transformation of consciousness and the need to identify the social objectives of change and to develop a satisfactory system of values:

The young, miserably educated as they are, bring with them almost nothing but healthy instincts. The project of building a sophisticated framework of thought atop those instincts is rather like trying to graft an oak tree upon a wildflower. How to sustain the oak tree? More important, how to avoid crushing the wildflower? And yet such is the project that confronts those of us who are concerned with radical social change. For the young have become one of the very few social levers dissent has to work with. This is that "significant soil" in which the Great Refusal has begun to take root. If we reject it in frustration for the youthful follies that also sprout there, where do we turn?

Id. at 41.

37. REICH at 336. See generally T. WOLFE, *supra* note 1.

38. REICH at 258.

today's trip, in the high in the sky. . . . [T]he change from a "flower-peace" culture to one of violence can be traced to a transition from use of LSD ("acid") to methamphetamines ("speed"). The pseudo-religious, self-analytic, creative, transcendental, nonviolent "acid heads" have been replaced by a new generation of young, white, middle-class teenagers and adults who become hyperactive, irrational, paranoid, and violent. These are the reactions caused by excessive reliance upon speed. After the initial exhilaration of the injected speed and the well-being of the ride up comes an acute anxiety reaction on the ride down. To avoid this, speed users go on a speed "ride," "shooting up" again and again, up to ten times a day for several days, or in some cases a week or two. "Speed freaks" develop paranoid reactions (maybe as a side effect of prolonged sleep deprivation) which make them suspicious of and hostile toward everyone. The combination of agitation, anxiety, irritability, and paranoia experienced in the threatening environment of such a subculture makes violence a common, prepotent reaction to any type of real or imagined provocation.³⁹

It is perhaps the "deindividuation"⁴⁰ and propensity for violent reaction occurring in the youth culture (and observed by Zimbardo) that explains the transformation from the myth of Woodstock praised by Reich⁴¹ to the tragedy of Altamont. There, before a crowd of 300,000 Consciousness III types and their headmen, The Rolling Stones, a spectator was murdered by a member of the Hells Angels, who had been commissioned to guard the Stones⁴²—all while the

39. Zimbardo, *The Human Choice: Individuation, Reason, and Order versus Deindividuation, Impulse, and Chaos*, in NEBRASKA SYMPOSIUM ON MOTIVATION 237, 295 (1969).

40. Zimbardo reviews experimental data on the self-reinforcing aspects—the search and need for immediate gratification and the rejection of control by external stimuli—of "Consciousness III," which he calls "deindividuated" man. While this process permits impulse gratification, which can be regarded as psychotically beneficial in some cases, it poses dangers to societal order:

Deindividuation is a complex, hypothesized process in which a series of antecedent social conditions lead to changes in perception of self and others, and thereby to a lowered threshold of normally restrained behavior. Under appropriate conditions what results is the "release" of behavior in violation of established norms of appropriateness.

Such conditions permit overt expression of antisocial behavior, characterized as selfish, greedy, power-seeking, hostile, lustful, and destructive. However, they also allow a range of "positive" behaviors which we normally do not express overtly, such as intense feelings of happiness or sorrow, and open love for others.

Zimbardo, *supra* note 39, at 251.

41. Reich observes enthusiastically: "Consciousness III therefore rejects the idea that man's relation to man is to be governed primarily by law or politics, and instead posits an extended family in the spirit of the Woodstock Festival, without individual 'ego trips' or 'power trips.'" REICH at 384.

42. See generally Bess, *The Altamont Trial*, in ROLLING STONE, April 1, 1971, at 28. See also J. EISEN, ALTAMONT: DEATH OF INNOCENCE IN THE WOODSTOCK NATION 15, 22 (1970), in which an attempt is made to evaluate the significance of the actual state of the new youth culture:

What the hip community has done then is to create for itself, or have created for

"heavy sounds" played on.⁴³

Most importantly, Reich's failings stem from his rejection of the existence of, and indeed the necessity for, a highly complex and interdependent society that demands rational planning and leadership. There is a need for planning and leadership with concern for the future, not for the mere self-satisfaction and immediate gratification of living the here and now. Technology, industrialization, and our complicated system of economic interdependencies are no longer options; they are actualities. The ends to which these social realities will be put will depend on the ideology of the social and political leadership. It is not enough that individuals have a feeling about the machine or a sensitivity toward others. Certainly the development of a new awareness of previously neglected interests is crucial. But awareness without power is impotent vision. Moreover, conflict, which Reich declaims, is also a social reality. Given the fact of finite resources—natural, economic, and human—planning, allocation, and distribution of these resources and the benefits of their development are and will remain a social necessity. These problems will not be resolved by retreat to a commune.

III. SOCIAL PLANNING AS BOTH ENDS AND MEANS

While Reich calls for an end to the bureaucratic and administrative state that obstructs the individual in realizing a new sense of community, Skinner demands an end to the myth of individuality that frustrates the realization of a planned community. Skinner argues that the notions of freedom and dignity give rise to the myth of the "autonomous man" who "presumably controls himself in accordance with a built-in set of values; he works for what he finds good."⁴⁴ It is a mistaken notion, says Skinner, that men are free because of a will to be free: "Man's struggle for freedom is not due to a will to be free, but to certain behavioral processes characteristic of the hu-

it, festivals, which are billed as tribal gatherings, but which are in reality nothing more than very good reasons to forget that the real tribes have yet to be created, and to forget the frustration and rage at not being able or perhaps willing to change any of the repressive conditions. . . . Whatever the reason, they have become an instant institution in and of themselves, taking the place of the hard work of building the kind of society where having a groovy time is an integral part of everyday life. They are in the true tradition of American instant. . . .

. . . .
Altamont was nothing in itself. It was not very special except to make people realize how similar we all are to the society we have no choice but to abhor. . . . For many it destroyed in a few moments the dichotomies our people have been making with increasing relish, and sent them back to thinking about how alike, how close, and how reflective everyone is of everything else, despite the hair, despite the acid and the music.

43. See REICH at 244-50, in which he observes that rock music not only is vital but also is the "medium that expresses the whole range of the new generation's experience and feeling." *Id.* at 248. Perhaps it does, but then the Rolling Stones and the Altamont murder must be regarded as part of the legacy and promise of Consciousness III.

44. SKINNER at 22.

man organism, the chief effect of which is the avoidance of or escape from so-called 'aversive' features of the environment."⁴⁵ Man's belief in his personal dignity is threatened by the growing awareness of a "behavioral technology" that explains individual conduct as the product of "controlling conditions" or "reinforcement from the environment" rather than as the result of praiseworthy personal choice and individual commitment to a system of personal values.⁴⁶ This scientific analysis of behavior destroys the myth of autonomous man. But this does not mean that man is the victim of nature or the environment, nor does it mean that man has or should have a passive role in history: "It is only autonomous man who has reached a dead end. Man himself may be controlled by his environment, but it is an environment which is almost wholly of his own making."⁴⁷ The physical environment (pavement, shelter, clothing, tools, vehicles), the social environment (language, customs, ethics, religion, government, law, the economy), and even the evolution of culture reflect man's participation in constructing his environment: "As the individual controls himself by manipulating the world in which he lives, so the human species has constructed an environment in which its members behave in a highly effective way."⁴⁸ It is as though nature and social necessity impose alternative means of satisfying human needs. The act of choosing one of the alternatives does not mean that man's value system has led him to conclude that the chosen alternative is the "good" one. Instead, the choice either may indicate that the chosen means reflect a greater satisfaction of a particular need, or, more drastically, that the choice was dictated by the necessities of the evolutionary survival of the chooser's group. The choice of another individual may have resulted in his group's extinction. Existence defines the choice, but man must make the choice in order to exist.

As Skinner repeatedly points out, this analysis undermines the idealized view of man as the creator of his own destiny: this is not man as the creator of himself in accordance with humanistic values. Nevertheless, Skinner argues that the humanist must be primarily interested in the survival of man before he can question the value content of a surviving society. There can be no humanistic society without a surviving society. According to Skinner, once this is recognized social choices will be made, not on the basis of a value choice, but on the basis of positively reinforcing environmental consequences.⁴⁹

45. SKINNER at 42.

46. SKINNER at 45-57.

47. SKINNER at 205-06.

48. SKINNER at 206.

49. SKINNER at 136. Skinner concludes: "Survival is the only value according to

Skinner argues that the failure to abandon the myth of autonomous man threatens the existence of society because without such abandonment we will not have the kind of social planning necessary for survival. It is this planning that frightens the self-proclaimed humanists such as Reich who, according to Skinner, see planning not only as destructive of the notions of freedom and dignity but also as instrumental in bringing an end to personal privacy, individual responsibility, and those other values that give man purpose and occasion praiseworthy human conduct. Skinner responds that planning is necessary for survival⁵⁰ and that the scientific analysis of behavior and the utilization of planning do not compromise the real character of human individuality.⁵¹ Uniformity of values—exalted by Reich, the opponent of planning—is rejected by Skinner, who views a system of shared values and individual conformity as social suicide.⁵² Indeed, Skinner is arguing for a scientific view of man that results in planned diversification.

Finally, Skinner, in contrast to Reich, rejects the possibility of man developing a new state of consciousness that is clear and distinct from that of his ancestors. Skinner sees man in a much clearer psychoanalytic sense as a compound of his reactions to his present condition, a reflection of his species' past history, and an anticipation of his satisfaction from future acts:

A complete break with the past is impossible. The designer of a new culture will always be culture-bound [for comparison perhaps we should say consciousness-bound], since he will not be able to free himself entirely from the predispositions which have been engendered by the social environment in which he has lived. To some extent he will necessarily design a world *he* likes. Moreover, a new

which a culture is eventually to be judged, and any practice that furthers survival has survival value by definition."

50. SKINNER at 144. The operation of planning is seen as constructing an environment that presents, either as alternatives for action or as inducements to action, a reinforcing situation which will compel necessary action:

A culture which *for any reason* induces its members to work for its survival is more likely to survive. It is a matter of the good of the culture, not of the individual. Explicit design promotes that good by accelerating the evolutionary process, and since a science and a technology of behavior make for better design, they are important "mutations" in the evolution of a culture. If there is any purpose or direction in the evolution of a culture, it has to do with bringing people under the control of more and more of the consequences of their behavior.

Id.

51. SKINNER at 209. Skinner's argument can be understood by an analogy to the atom, which has a place in the universe and yet remains an individual atom as long as it exists; so too the individual exists in the culture or society:

A culture has no existence apart from the behavior of the individuals who maintain its practices. It is always an individual who behaves, who acts upon the environment and is changed by the consequences of his action, and who maintains the social contingencies which *are* a culture.

Id.

52. See note 13 *supra* and accompanying text.

culture must appeal to those who are to move into it, and they are necessarily the products of an older culture.⁵³

IV. HUMANISM AND SURVIVAL

Certainly a behavioral analysis of man is empirically justified. Clearly there are major problems bearing on the existence of society and our culture. Planning, whether or not centralized, is a social actuality in every industrialized society.⁵⁴ Nevertheless, questions remain: What objectives are to guide the planners? What restraints are to be placed on those who construct and manipulate the environment? Who is to do the planning? Skinner begins his book with a question that remains largely unanswered: "Who will use a technology [of behavior] and to what ends?"⁵⁵

It is these questions that have led Charles Reich to reject planning in favor of a new consciousness infused with the shared values of freedom and dignity. Skinner's answer is all too simple:

Self-government often seems to solve the problem by identifying the controller with the controlled. The principle of making the controller a member of the group he controls should apply to the designer of a culture. A person who designs a piece of equipment for his own use presumably takes the interests of the user into account, and the person who designs a social environment in which he is to live will presumably do the same. He will select goods or values which are important to him and arrange the kind of contingencies to which he can adapt.⁵⁶

Skinner views the planner as a member of the culture, who draws his objectives from the common values of that culture. Yet as this position is more literally accurate, less change will occur, thus producing fewer solutions to the problems that Skinner agrees exist. Decisions based on the "sociology of knowledge"⁵⁷ will of necessity

53. SKINNER at 164.

54. No one will dispute efforts at planning in noncapitalist countries. But the myth of the "free economy" continues to have some vitality in the United States despite the New Deal, the gradual embracing of Keynesian economics, and a movement toward greater economic planning, not only through tax laws and business regulation, but also through such evident activities as price and wage controls. What has occurred in the economy parallels the developments in education (through government aid and accreditation), in health (from vaccinations to fluoridated water), and in intimate personal relations (from computer dating to planned parenthood).

55. SKINNER at 25.

56. SKINNER at 172.

57. See generally K. MANNHEIM, *IDEOLOGY AND UTOPIA* (Wirth & Shils transl. 1936). Mannheim urges that comprehension of the "sociology of knowledge" is necessary for planning:

[T]he sociology of knowledge seeks to comprehend thought in the concrete setting of an historical-social situation out of which individually differentiated thought only very gradually emerges. . . . The significance of social knowledge grows proportionately with the increasing necessity of regulatory intervention in the social process.

be less dramatic and more sustaining of the status quo than of "utopian" objectives.⁵⁸ Secondly, Skinner's view fails to appraise accurately the character of the modern planner—the expert.⁵⁹ The expert brings to bear knowledge and the values of his expertise in a very singular way, which gives direction to planning and which may undermine the "sociology of values" of his community. Moreover, the expert as planner may not feel the impact of his planning decisions in any immediate way; certainly this is increasingly the case as national or centralized planning takes place.

Kenneth Boulding, a professor of economics at the University of Colorado, has become identified with the view, increasingly held by social scientists as well as by those working in the natural sciences, that the objectives and values of the expert must be mitigated by the values of ethics, religion, and politics.⁶⁰ Just as a decision to reject proposals reflects a choice to maintain the status quo, a decision to disregard pleading for such values as equality, fairness, and humanness means a choice of those values implicit in social engineering, such as efficiency, and means disregard of those individual values that are irrelevant except as one becomes concerned with the quality of life, including personal satisfaction. Moreover, Skinner errs in calling for an end to the myth of the autonomous man and for the unmasking of the fictitious nature of human freedom and dignity because it is these myths that act as restraints on the controllers. Freedom and dignity, the liberal humanistic value base, may in fact be myths. But myths, as Skinner implicitly concedes, have force.⁶¹

Id. at 2-3. Nevertheless, the development of the "sociology of knowledge" and its utilization through the application of human scientific methods does not ensure any breakthroughs in the solution of social problems:

For it is not to be denied that the carrying over of the methods of natural science to the social sciences gradually leads to a situation where one no longer asks what one would like to know and what will be of decisive significance for the next step in social development, but attempts only to deal with those complexes of facts which are measurable according to a certain already existent method. Instead of attempting to discover what is most significant with the highest degree of precision possible under the existing circumstances, one tends to be content to attribute importance to what is measurable merely because it happens to be measurable.

Id. at 51-52.

58. Mannheim sees innovation coming about as a consequence of thought that goes beyond the "sociology of knowledge" to utopian thought:

A state of mind is utopian when it is incongruous with the state of reality within which it occurs.

This incongruence is always evident in the fact that such a state of mind in experience, in thought, and in practice, is oriented towards objects which do not exist in the actual situation. . . . Only those orientations transcending reality will be referred to by us as utopian which, when they pass over into conduct, tend to shatter, either partially or wholly, the order of things prevailing at the time.

K. MANNHEIM, *supra* note 57, at 192.

59. See W. BENNIS, K. BENNE & R. CHIN, *THE PLANNING OF CHANGE* 11-59 (2d ed. 1969), in which major emphasis is placed on the role of the expert as instrumental in facilitating planned change.

60. See generally K. BOULDING, *BEYOND ECONOMICS* (1968).

61. While Skinner argues for the replacement of freedom and dignity (in his terms

Rather than being mere impediments to scientific behavioral planning, these liberal myths act as a restraint on expert planning. These myths may block a mere "will to power" or even a "final solution." Planning by its nature demands the efficient realization of the planner's objectives. Freedom, concern with individual dignity, and happiness are *obstacles* to such desired efficiency. Just as the environment imposes restraints on human choice, the myth of values may provide the limits within which planners in a democracy must work. These values are the source of the feelings of human purpose and satisfaction, which in turn are the source of the mettle of human resistance to the totalitarian threats that would extinguish the human spirit, not from a desire for social preservation but from a thirst for power and the personal aggrandizement of those individuals or groups that gain political control.

Law, in turn, may be the most vital institution through which the value myth can best operate, especially in a society that has had a recession in religious and moral influences. However, both Reich and Skinner regard law as a negative factor. Reich views law as the force through which technology and the administrative state perpetuate themselves without concern for the shared, humanitarian values.⁶² Although Reich recognizes the importance of values such as freedom and dignity, his distrust of the effectiveness of law as a restraint results in total alienation from planning. To Skinner, law tends to reflect traditional values and is the result of an attempt to resolve specific problems. As such, law is an obstacle to the solution of ongoing social problems and serves as an impediment to planning on the basis of scientific behaviorism.⁶³ Skinner's rejection of law per-

prescientific views) with a technology of behavior, he implicitly recognizes that the maintenance of these beliefs puts a limitation on the application of what he considers to be scientific views. SKINNER at 25.

62. Reich views law as an instrument of state control that offers no protection to the individual except as it benefits the state:

The State is subject neither to democratic controls, constitutional limits, or legal regulation. Instead, the organizations in the Corporate State are motivated primarily by the demands of technology and of their own internal structure. . . . The medium through which these forces operate is law. The legal system is not primarily concerned with justice, equality, or individual rights; it functions as an instrument of State domination, and it acts to prevent the intervention of human values or individual choice.

REICH at 89-90. See also Reich, *The Tragedy of Justice in Billy Budd*, 56 YALE REV. 368 (1967), in which Reich approves of his understanding of Melville: "The law, designed to be the protector of man's highest aspirations against the savagery of nature, has become instead the irrational destroyer of man." *Id.* at 386. Reich argues that "[l]aw, as a *creation* of man, needs the imagination and the insight of art so that it is not drawn in such a way as to imprison the human spirit." *Id.* at 389.

63. Skinner views law of limited utility in the solution of social problems because of its orientation to the past, at present offering no real contribution to scientific planning, and at its worst an obstacle to change:

There is a similar problem in jurisprudence when laws continue to be enforced which are no longer appropriate to the practices of the community. *Rules never generate behavior exactly appropriate to the contingencies from which they are*

haps stems more fundamentally from his antipathy to the force of values and of rational choice based on those values. Nevertheless, law as a social institution facilitates that delicate balance between the individual and those values that give him his personal dignity and the society with its need for efficiency and planning. Law in the dialectical manner resolves the competing demands of individual dignity and social survival by producing civilization.⁶⁴

Charles Fried of the Harvard Law School in a rather extensive preliminary analysis has suggested that man has a natural urge for order and that the constraints of justice provide the limits within which society acts as an ordering institution.⁶⁵ For Fried, society, which to Skinner requires planning for survival, is itself a system for ordering ends, for the orderly seeking of objectives. Law serves society both as satisfaction of its objective, order, and as a device for the accomplishment of that objective.⁶⁶ As such, law is given content by the values of the society; law as a value is an objective, and law as an instrument is a means of achieving that objective. Fried properly perceives that there is a systematic and rational structure that underlies man's objectives. His point is that

Morality [values] is to a greater or lesser degree (moving along the spectrum from justice to love) an instrumental structure permitting

derived, and the discrepancy grows worse if the contingencies change while the rules remain inviolate. . . . In short, an organized agency which is insensitive to the consequences of its practices is not subject to important kinds of counter-control.

SKINNER at 172 (emphasis added).

64. See generally S. Freud, *Civilization and Its Discontents*, in 21 THE STANDARD EDITION OF THE COMPLETE PSYCHOLOGICAL WORKS OF SIGMUND FREUD 95-96 (J. Strachey, ed. 1961), in which the resolution of the drive of individualism and the need for social order is analyzed in terms of civilization:

[T]he element of civilization enters on the scene with the first attempt to regulate these social relationships. If the attempt were not made, the relationships would be subject to the arbitrary will of the individual: that is to say, the physically stronger man would decide them in the sense of his own interests and instinctual impulses. . . . The power of this community is then set up as "right" in opposition to the power of the individual, which is condemned as "brute force." This replacement of the power of the individual by the power of a community constitutes the decisive step of civilization. . . . The first requisite of civilization, therefore, is that of justice—that is, the assurance that a law once made will not be broken in favour of an individual. . . . The final outcome should be a rule of law to which all—except those who are not capable of entering a community—have contributed by a sacrifice of their instincts, and which leaves no one—again with the same exception—at the mercy of brute force.

The liberty of the individual is no gift of civilization. It was greatest before there was any civilization. . . . What makes itself felt in a human community as a desire for freedom may be their revolt against some existing injustice, and so may prove favourable to a further development of civilization; it may remain compatible with civilization. But it may also spring from the remains of their original personality, which is still untamed by civilization. . . . No doubt he will always defend his claim to individual liberty against the will of the group.

65. See generally C. FRIED, AN ANATOMY OF VALUES: PROBLEMS OF PERSONAL AND SOCIAL CHOICE (1970).

66. *Id.* at 116-36.

the attainment of ends beyond itself. The constraints it imposes on the pursuit of external ends make for whatever instrumental efficacy morality has, but at the same time these constraints are expressive of principles which are ends in themselves. Moreover, as has been seen, it is only if the instrumental aspect of morality is subordinated to its expressive aspect that its instrumental efficacy obtains at all. And this predominance of the expressive in the system of morality is also exhibited by a disposition to build on the expressive content of morality more and more purely expressive structures, as in the case of friendship and love. Thus as society is constituted by instrumental relations under the constraints of justice, so these very relations will have an expressive aspect.⁶⁷

Justice, freedom, and dignity then are instrumental in humanistic planning and are in fact necessary if society, that is, civilization, is to survive. These values are integral aspects of society.

To bring order out of chaos: A civilized society will require those humanistic values so lauded by Reich. But a belief in those values—and no more—will not produce social order. Planning and order, as recognized by Skinner, are necessary for survival. Yet, order without humanism does not constitute a culture. Law as an ordering instrument based on a system of humanistic values, such as freedom, justice, and human dignity, provides the only hope for a civilized society.

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67. *Id.* at 114.