

CORRESPONDENCE

SCHOOL OF THOUGHT

I AM WARY OF FRANKLIN FOER'S suggestion that Democrats should adopt the methods of College Republicans ("Swimming with Sharks," October 3). What he describes is a totally amoral, cannibalistic struggle for power and self-aggrandizement. Granted, this gives the GOP an advantage in political infighting. But it also renders them incapable of improving society. The Bolsheviks showed that the ruthless acquisition and exercise of power is not the way to a better world.

STEFAN PATEJAK
Washington, D.C.

FOER'S ARTICLE WAS A BIT OF UNpleasant déjà vu for me. As a member of the California College Republicans in the mid-'90's, I found that the aim was not so much to win—or even to defeat your opponent. It was to destroy your opponent and to humiliate him. The funny thing was that the enemy was usually fellow Republicans. In the College Republicans, you have up-and-coming Christian conservatives and people who believe in the importance of moral character. Among them, there are those oddly willing to do *anything* for the cause. Ten years later, I cannot say that the dirty tricks had anything to do with ideology, conservatism, or even patriotism. It was always about power: *Lord of the Flies* writ large.

When we entered politics, it was with the naïve notion that we could somehow do better. But what I discovered instead is that Richard Nixon and the rest of the Committee to Re-elect the President are alive and well and will probably be walking the halls at the next College Republicans convention.

DARREN BOUWMEESTER
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PREPARATION H5N1

WENDY ORENT SUGGESTS WE needn't worry about the next influenza pandemic, but her argument is no more than a dangerous case of hope mixed with ideology, masquerading as scientific fact ("Chicken Little," September 12). Flu pandemics occur every few decades. It has been 37 years since the last pandemic, and the H5N1 bird flu



virus has an unprecedented combination of traits that make it a prime candidate for causing the next one: It is broadly dispersed across Asia, it is highly pathogenic in humans and some birds, and it is highly prevalent in birds. No responsible scientist has predicted with certainty that the next pandemic will be as bad as 1918, when Philadelphia faced coffin shortages and San Francisco suspended garbage pickup because 80 percent of its sanitary workers failed to show up for work. But Orent is irresponsible to claim that the "new field called evolutionary epidemiology" is "proving" that another severe pandemic is impossible. This claim is based on a set of fringe scientific arguments that have been extensively tested—and largely refuted—over the past decade. A recent scientific review of the relevant studies from *Trends in Microbiology* concluded that there is "little theoretical justification and no empirical evidence" for the ideas Orent and her source, Dr. Paul W. Ewald, use in attributing the severity of the 1918 pandemic to the trench-warfare conditions of the Western Front. The argument also goes against common sense. The SARS virus, which was more deadly to infected people

than even the 1918 flu, emerged without trench warfare. Indeed, it appeared in conditions similar to those in which it is feared the next pandemic flu strain might arise.

SARS in Toronto showed us how a new and feared disease can put a whole city into economic and social crisis for several months, even by striking only a few hundred people. Dramatic as its effects were, however, SARS is easy to control, relative to pandemic flu. SARS patients can be diagnosed days before they are likely to infect others, making isolation and quarantine measures possible and ultimately successful. With flu, a person can infect others within a day of becoming infected, even before his own symptoms appear. Unlike SARS, pandemic flu will spread uncontrolled unless we have vaccine supplies dramatically larger than what we have now or those our health officials are contemplating. Counting on the alleged certainties of one scientist's unproven hypotheses to shield us from another severe flu pandemic is the height of faith-based policymaking. Hoping for the best, and planning accordingly, proved disastrous in New Orleans. We must do better in preparing for the next flu pandemic.

MARC LIPSITCH
CARL T. BERGSTROM

The authors are, respectively, an associate professor of epidemiology at the Harvard School of Public Health and an assistant professor of biology at the University of Washington.

WENDY ORENT RESPONDS:

Marc Lipsitch and Carl T. Bergstrom accuse me of peddling ideology in the guise of science. But there's little accurate science in their letter. First, they assert that flu pandemics occur every few decades. This is meaningless. The only three pandemics we can identify for certain are those of the twentieth century: 1918, 1957, 1968—hardly "every few decades."

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from the advanced positions the Federalists had tried to establish for the judiciary and federal law in the 1790s. In the trial of Aaron Burr in 1807, Marshall rejected the broad definition of treason the Federalists had used in the 1790s during the Whiskey and Fries rebellions, and instead interpreted the Constitution's definition of treason very strictly and narrowly.

THERE IS A LOT TO BE SAID for Ackerman's revisionist account of the early Marshall Court, especially in his emphasis on the significance of the *Stuart* decision. But when he declares that "by 1812 Marshall had lost control of his Court," he goes too far. It is true that by 1810 there were more Republicans than Federalists on the Court, but Marshall's amiable dominance continued. His convivial and robust personality, and his instinct for compromise, helped him to maintain his extraordinary influence. His practice of having the Court speak with one voice (usually his) built consensus and enhanced the authority of the institution. Although Ackerman concedes that the Marshall Court wove popular mandates into America's constitutional order, he does not do justice to Marshall's achievement.

Ultimately, Ackerman is less interested in the story of the Court and judicial review than he is in the rise of new forms of popular sovereignty in 1800. And on this point he has made a substantial contribution to our understanding of the early Republic. His account helps to make sense of the conflict between the Federalists' aristocratic and legalistic approach to politics and the Republicans' modern belief in having a mandate to carry out the will of the people. Jefferson's election as president in 1801, he says, marked "the birth-agonies of the plebiscitarian presidency: for the first time in American history, a president ascended to the office on the basis of a mandate from the People for sweeping transformation." But the Constitution of 1787 was not designed for such a plebiscitarian presidency, nor was it compatible with the development of parties. In fact, not only were the Founders opposed to parties, they struggled to prevent their development. It was the unanticipated emergence of political parties that created most of the difficulties with the electoral system that Ackerman dwells upon.

Ackerman understands that parties were the source of most of the problems, but he cannot help anachronistically criticizing the Founders for their many failures. His overemphasis on the Founders' blunders and mistakes, reflected in his hyperbolic title, skews his account and diminishes the significance of his often well-crafted historical scholarship.

Ackerman sees his book as "a cautionary tale," a warning to us that we have no substantial means of controlling the plebiscitarian presidency. Certainly worshipping "at the shrine of the Philadelphia Convention" will not help us. Not only did the Founders offer no answer to the problems of presidents' claiming popular mandates, but in 1801 they evaded re-thinking the issue of presidential selection (as we did in 2000). Consequently, he concludes that "we have never recovered from the early Republic's failure to undertake a thoroughgoing redesign of the presidential selection."

ACKERMAN IS TOO PREOCCUPIED with the letter of the Constitution and so he misses its spirit. He considers the Constitution to be a "technical mess" that still plagues us: the document, in his view, should have been longer and more de-

tailed. He believes the Founders should have anticipated many of the technical problems that arose in the following decades, and drafted the Constitution better. He implies that it was mainly a few serendipitous acts of statesmanship and "dumb luck" that kept the new nation from going the way of nineteenth-century Mexico or France, with constitutions following one upon another and no constitutional equilibrium established.

All this is not persuasive. The American leaders in 1801 were not Mexicans or Frenchmen, all of whom at the time had little or no experience with self-government. For the most part, the American leaders were former Britons with an acute sense of the English conceptions of law, liberty, and rights, and with a century or more of experience with elections and self-government. That heritage made all the difference. *They* were what got the United States through the crisis of 1801 and kept it from becoming another banana republic. No written constitution, even a long one with all the technical problems foreseen, can establish order and guarantee good government. Order and good government come from the experience and the common sense of the people, not from some cleverly crafted legal document. ■

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The idea of being overdue for a new pandemic led to the mass vaccination of over 40 million people during the swine flu scare of 1976. There was no pandemic, but at least 25 people died from the vaccine. Thirty-seven years after the pandemic of 1968, Dr. Edwin Kilbourne, who argued for periodicity and led the drive for swine flu vaccination, insists that the idea of periodicity is dead. There is now no logical reason to believe in it.

Lipsitch and Bergstrom claim that "an unprecedented combination of traits" make H5N1 a "prime candidate" for the next pandemic. But, as USDA poultry-flu expert David Swayne points out, no known pandemic has been caused by highly pathogenic avian flu. Over the past two years, H5N1 has spread in birds across Asia; why have only 62 people died of bird flu? Why haven't there been, at most, more than a few instances of probable person-to-person transmission? Why is there such a low rate of subclinical infection among health workers car-

ring for H5N1 patients—unlike SARS, where most cases spread in hospitals? Lipsitch and Bergstrom do not say.

The writers attack Ewald's explanation for the exceptional virulence of the 1918 flu as a "fringe" argument. They cite a 2003 article that says there is "little theoretical justification and no empirical evidence" for Ewald's argument. But its authors get that argument wrong. Ewald uses Darwinian logic to argue that the Western Front allowed the repeated infection of new hosts by people *immobilized by illness*. The precise conditions of the Front, the hospitals, trucks, trains, and trenches packed deathly ill soldiers shoulder to shoulder with the well. Normal flu depends on host mobility: It can't knock its host down, or it won't spread. But, in the trenches, those brakes to virulence were off, and lethal flu evolved. The study's authors think Ewald is talking about ordinary *crowding*: They announce that Ewald is wrong and crowding won't boost flu virulence. Of course it won't. That was never Ewald's argument—though Lipsitch and Bergstrom appear not to realize that. ■

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