

Note from the Editor

None of the essays in this issue would be worth writing apart from the suspicion that historians and other social scientists developed over the past two generations toward schematic models of political and institutional development, such as classic theories of modernization. If, for example, the trajectory of the law indeed followed Henry Maine's formula of status-to-contract, Laura Phillips Sawyer's analysis of the 1886 *Godcharles* ruling would be besides the point. Phillips Sawyer's article builds upon the considerable energy that legal historians have been devoting to concepts of law and justice that existed prior to or alongside formalistic doctrines of individualism, property, and contract. This familiar reasoning, identified with the Gilded Age defense of *laissez-faire* capitalism, justified the Pennsylvania Supreme Court in overturning that state's 1881 anti-truck law as unconstitutional class legislation. Labor leaders and their political supporters had drawn upon old-fashioned doctrines of equity in arguing that workers should be protected from being compelled to accept wages in company-store scrip. Given unequal relations between employer and employee, the argument that workers had agreed to such conditions when accepting employment had no real-world meaning. Principles of equity implied that the state had authority to prevent such manifest unfairness. Phillips Sawyer notes that labor activists and their allies did move toward an historicist, public-health-and-safety argument linked to the state's police power, as models of legal modernization suggest they would. But such shifts do not amount to the legal system fitfully coming to terms with corporate industrialism, at least not in a direct way. One can imagine an alternate system of state involvement in the workplace and in political economy generally, had equity jurisprudence not come to seem old-fashioned.

Megan Birk, meanwhile, provides contemporary context to the bureaucratization of child welfare, a trend that historians have sometimes portrayed as modernization out of control. Few child-welfare officials in the midwestern states that Birk studies imagined paid foster care monitored by social workers to be a cure-all for the problems of displaced children dependent on the state. But they had to do something. The wishful thinking behind the older system of farm placement had become ever more apparent; the supposed special kindness of farm families and the benefits to urban children of being placed in such families were manifest myths. The scattering of children across the countryside made it impossible to keep track whether children received adequate care and education, whether they were protected from exploitation, or even, in a deplorable

number of cases, where placed-out children were. And by the early twentieth century, rural life itself seemed increasingly beset by ills, hardly a cure for the pathologies of the city. Child-welfare workers, to be sure, continued to impose their notions—bound by class, religion, and ethnicity—of a proper, respectable upbringing. They saw their reforms as progress, and to some degree they conceived themselves as agents of rationalization. But they understood that they were imposing imperfect solutions on messy realities.

Jonathan Chaousovsky's account of the bureaucratic politics that went into the movement for the Federal Trade Commission Act brings readers into more familiar territory with regard to the contingent aspects of modernization and the state. Most readers of the journal are aware of the lines of analysis that straddle the disciplines of political science and history known as "new institutionalism" and "American political development." These models inspire Chaousovsky to concentrate on direct and indirect ways that Theodore Roosevelt's Bureau of Corporations survived to shape the broader regulatory agency adopted as part of Woodrow Wilson's New Freedom. The trajectory in the essay remains a regulatory state limited by both corporate capitalism and the federal system's dispersal of authority, not that different from what older models envisioned. But the details of agencies, their histories, and how they operate are factors in the evolution of divergent political and economic systems. Organization yields no synthesis.

Contingent views of modernity call into question such assumed realities as the international system of nation-states. It has been a long time, certainly, since social scientists have treated the system of nation-states as a product of the march of civilization. Jason McDonald's essay furthers this enterprise of dissolution by delving into what various categories of World War I-era internationalists conceived as mainstream or eccentric and possibly disreputable. As a eugenicist, Harry Laughlin was a respectable, if controversial, participant in the social policy debates of his era. When he drew upon his eugenicist mindset in contriving schemes for world government, all factions of internationalists saw him as an amateur out of his depth. But only those already inclined to question the racial, ethnocultural, and imperialist basis of existing nation-states honed in on the eugenicist assumptions behind his schemes. Modernization may be more of an inexorable set of processes than the theory's critics will concede. But we have come a long way from the assumption that modernity's schemes for classifying people and dividing peoples are desirable.

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