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"CIVILIZATION AND LIBERTY"*

BY JUDGE GEORGE T. PAGE

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IN all the world of words, the two at the head of this paper, more, perhaps than any others, stand for democracy.

Civilization is the Constitution of democracy and Liberty is its Bill of Rights.

There can be no democracy without civilization. Neither can there be a democracy where the people do not have liberty. Collectively and individually we in America believe in democracy, and claim that our government is a democracy; that is, that the supreme power and the divine right to govern are not in some king, but are in and to be exercised by the people.

In fact, all the civilized peoples of the world, no matter by what name their particular scheme of government is called, and struggling for and toward some sort of democracy.

When our parent colonies tore themselves loose from England by the seven hard years of the Revolutionary War, they did it because the things which they had fled from Europe to escape had pursued them into this country and had made conditions so unbearable that the bitter cold, and hunger and rags, and death itself in the American army of freedom seemed preferable.

When that freedom from the old world domination and tyranny of taxation without representation was won, Washington and Hamilton and Madison and the other delegates, set out to write a constitution and institute a democratic form of government, for the purpose of making secure to all the people those rights which Hancock and Adams and Franklin and Jefferson and their associates had written into the Declaration of Independence as unalienable,—“Life, Liberty and the pursuit of Happiness.”

These things are the very fundamentals of our civil life; and yet how many people know anything about the quality or the quantity of civilizing that a man must have to fit him to be one of the people who rule? What man is there among us who is willing to so limit his own desires that he can write a single definition of liberty that he will say shall be the controlling rule of conduct and civil association not only for himself and his friends, but also for those who differ with him, and for the stranger?

It is because the lives of men and the history of day-by-day events show that men either know little about the course and growth of a civilization, and little about the true meaning of Liberty, or else that they are willing to ignore the warnings of even visible danger signals, that I want to talk to you about Civilization and Liberty, not scientifically and abstrusely, but as close-up, intimate, every-day matters that must be known to and understood by every man and every woman, too, who belongs to the ruling class,—the people,—if our democracy shall survive to us and our children.

Addresses on occasions like this are valuable, chiefly because they may start some new line of thought, which ripens into action by the hearer.

The consequences that flow from the unwise conduct of ignorant men are no worse than the consequences that flow from the conduct of those who

know better but who purposely or carelessly do a wrong; but the processes that must be gone through to work a correction are quite different. The first must have his *knowledge* improved, and the latter must have his *moral standards* corrected. Unfortunately the world just now is confronted by serious conditions that are the product of a combination in many instances of ignorance and conscious wrongdoing.

While we are inclined to charge up all our present embarrassments to those responsible for the late war, yet this is an erroneous process that must not be indulged; and if we do not know the real cause of our troubles we shall never find our way to work an efficacious cure. In any field of healing the man, who, by diagnosis, is able to discover the cause and seat of the ailment must go before the man who applies the remedy. The war may have hastened results, because the weakening or breaking up of the old established order caused by the necessity of waging war on an unheard-of scale, gave opportunity for the crystallization of forces long in the making and opposed to government in almost every country. Some governments were strong enough to resist; others went by the board. A socialistic government was established in Germany, and the so-called bolshevist government in Russia; and through the outcroppings during the war and the activities in our own country following the revolutions abroad, we have come to a realization of the fact that we have taken into the national body an indigestible and irritating mass of foreign matter.

I have not the time and it is not my purpose to discuss the Russian soviets or the so-called People's Councils; but just as food for thought for those who believe that we ought to have something of that sort in America, it may be noted in passing what John Spargo said in the May "Harper's." He showed that placing factories and other means of production under the control of the soviets was followed by utter inefficiency and demoralization through inattention and incompetency. This resulted in turning the industries over to managers and giving them dictatorial powers, and finally the nationalization of industry. Strikes were declared to be treason against the state and were suppressed with all its power. A leading social-democrat, reporting to his fellows in Germany, said that soviet government no longer existed in Russia; that capitalism had been reintroduced in Russia. A Bolshevist organ published the statement that in a town of less than 140,000 inhabitants 41,000 persons were employed in administrative departments alone, while nearly 20,000 more were connected with various public service commissions, etc. These conspicuous failures of a kind of government which some among us seem to think would be a fine experiment for America led Spargo to say:

As one of the millions who have seen in Socialism the hope of a larger individualism, I frankly admit that I would rather be hungry in any capitalistic nation I know of than to be ever so well fed in such a servile Utopia.

Reports from an American newspaper's foreign service go farther and say more damning things:

The Russian revolution in the hands of Lenin and Trotsky has fastened upon the Russian people a new tyranny, which is not restoring the Russian

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energies but sapping them, * * * and which has maintained itself by the cruelties and oppressions of a ruthless minority. No private liberties which western capitalistic democracies have set up have been respected under the dictatorship of the proletariat; neither free speech, free press, nor free assembly.

A foreign correspondent of the Chicago Tribune, who wrote the above, said to Emma Goldman, deported by the United States to Russia, speaking of the Russian government, "It is rotten," to which she replied:

You are right, it is rotten, but it is what we should have expected. We always knew the Marxian theory was impossible, a breeder of tyranny.

The above statements and conclusions lead one to suspect that the following humorous quotation from a New York paper may contain quite as much of fact as of humor:

A correspondent of the New York Sun quotes a Russian as declaring: "In our Russia there is no religion, no czar, no money, no property, no commerce, no happiness, no safety, only freedom."

So far as possible we should keep informed as to civil and political conditions everywhere in the world, but I am today chiefly concerned about conditions within our own borders,—our civilization and our liberties.

If I believed in the total depravity of man, I would believe that all civilization is artificial; but I do not believe in either proposition.

I believe that at the very bottom of the brain power in man to think, to reason, to do things and to direct the course of life, there is, as a necessary part of that power, the capacity to appreciate the moral quality of truth. Civilization is but the growth of man's knowledge of the truths of nature. "Know the truth and the truth shall make you free," is only a short way of saying, "Know the truth and thereby you will become civilized, and by becoming civilized you will be free."

Our liberties must increase with the improvement of civilization. If we neglect our duty to civilization we endanger our liberties.

These statements seem commonplace, and I would not have the temerity to recall them to your attention if it were not for the fact that most men who use the word "Liberty" seem to have no conception of any relation between it and "Civilization" and no realization of the fact that our "jungle" definition of it must be much restricted.

I saw carried down one of the great thoroughfares of Chicago, during the crowded hour, and by a young woman, a banner upon which were printed in big bold type the words, "There is no liberty in America." She was not promulgating the foolish idea of a single ignorant brain, but seemed to be one of a numerous band of women presenting a variety of banners, each bearing some criticism of our government. If I had not seen this with my own eyes I would not have believed that any woman or any body of women could have any such belief,—in the face of the fact that the limitations upon the rights of women and the disabilities under which they have lived for centuries, and to which they are still subject in many countries, have been almost wholly swept away under the freedom of our Constitution and our flag. But the fact that women think that way, and the fact that there are many similarly foolish notions that are influencing the conduct and utterances of many people within our borders,—some of them our own citizens and some of them not,—makes it proper for us to find out whether our

civilization is the thing the fathers planned for us, and whether our liberties are in any way impaired or even endangered.

The fact that there are people who have lost confidence in our government need neither discourage nor alarm us. The fact that some believe, or at least affect to believe, that all our democracy is gone, and our liberties have been taken from us, that our scheme of government is a failure, and that some half tried and wholly experimental scheme from beyond the seas is worthy of trial here, should be recognized and studied but not feared. No good red-blooded American should be afraid of anything but himself. No timid person, who knows the history of his country, will see anything in any existing condition that cannot be corrected and overcome by a little of that courage, a little of that devotion to duty that have always characterized the American people and knit them together as a unit—both in peace and in war—when confronted by any great issue. Our people have seldom been of one mind on any great question; but in almost all cases the spirit of give and take, the spirit of compromise,—a truly American spirit—has actuated and controlled the deliberations of men and brought them to sane and safe conclusions.

Whoever knows the history of our national constitution in the making knows that it was the product of concessions and compromise on every hand, and that there were many difficult gaps that it was thought never could be either closed or bridged,—and we gained therefrom the greatest and best instrument for the protection of human rights known to the world.

But a fine Declaration of Independence and a Constitution did not necessarily make a strong government, and many discouraging things confronted our new government.

In 1793, when Genet, the new ambassador from France, came to this country, he started in to influence our people against their own government, which led Hamilton to say:

We too have our disorganizers. But I trust there is enough of virtue and good sense in the people of America to baffle every attempt against their prosperity, though masked under a spacious pretense of an extraordinary zeal for liberty.

There were then men trying to discountenance and set at naught the power and authority of government, and it is not worse now.

There are only four real difficulties confronting us: The first is that love of money which is the root of all evil; second, our great cities; third, the great number of aliens, who know nothing of our standards and care nothing about our institutions, and many of whom have become citizens without becoming Americans; fourth, indifference to and ignorance of the great body of our people as to the burdens and responsibilities that rest upon every individual in a country where the individual is the source of government itself.

We have heard much used in recent months the word "Americanization."

Webster defines Americanize as—to render American. Some one defined an American as "One who rules because he labors for the benefit of all."

What has happened to us in America that we must establish all sorts of Americanization schemes? Is it not in part because we have loved money more than we have loved America? Is it not because we have gone in for making money, every man Jack of us, and have left our Constitution and our flag, and our liberties, to shift for themselves?

Hark back to the land of the Pilgrim fathers on

the bleak Atlantic coast,—not enticed but driven there by the hard conditions in their homes beyond the sea. They were willing to pay and readily did pay any price for even a chance for freedom. Neither the bitter cold of a houseless winter, nor separation from home and friends, nor sickness on a barren and inhospitable coast, nor Indian massacres, nor any price, was too much for our forefathers to pay to escape the old conditions. And then oppression followed, and was visited upon them relentlessly. But they had learned that eternal vigilance was not only the price of liberty, but that eternal vigilance and eternal diligence were the price of food and clothing and life itself.

Those were the days when "Adam delved and Eve span." The Indians were not kindlier than the climate or the soil. At work, at play or at worship men lived with the rifle ever at their side. But they were yet to learn more. They learned that to their already too hard conditions there was to be added the bloody war, waged upon them by the parent country, that saw that to keep them it must break them,—break that spirit of self-reliance, that spirit of independence, that love of liberty, which was theirs because they had earned it,—bought not with gold, but with individual, self-reliant sacrifice and effort, by courage and endurance, in the face of every privation, discouragement and hardship to which men and women could be subjected.

The experiences of the fathers brought them to the writing of the Declaration of Independence, with the keenest sort of appreciation of their position and exactly what is meant when they wrote down their endowment as Life, Liberty and the Pursuit of Happiness, and they knew what it meant when they flung out to the world the then unacknowledged truth that to secure those rights governments deriving their just powers from the consent of the governed were established among them. They recognized, when Patrick Henry said, "The battle is not to the strong" that he referred to their small numbers and their illy equipped colonies as compared to the vastly greater numbers and power of the mother country. They recognized, without vanity but with a just pride, that he referred to them and to their life and experiences in the colonies when he said, "The battle is to the vigilant, the active and the brave," and when he concluded that ringing speech that I hope will be learned and understood by every school boy in this land, with the words:

Is life so dear or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take; but as for me, give me liberty or give me death.

When he had spoken those words the spirit of '76 was crystallized, the Declaration of Independence was written in the hearts of men, and the war for independence was won, before a gun was fired.

When the war was concluded, the Constitution written and adopted, and Washington elected, our democracy was instituted among men, by the consent of the governed, to secure to the fathers and their posterity the fundamentals of every society among men who are born equal, to establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare and secure the blessings of Liberty.

It hardly seems possible that with such a start, with such high purposes, we could in less than a century and a half be in danger of seeing Liberty and

Justice superseded by money. I presume many will resent the very suggestion that such a change has taken place or is possible; but no amount of protestation will change the facts. Time will not permit me to trace the growth of business, and of the money power, through a long course of years.

Our foreign commerce was less than \$50,000,000 in 1790, and did not reach \$100,000,000 of exports or imports until 1801, and it was fifty years before either imports or exports reached \$200,000,000. In the next fifty years the totals out and in were \$2,200,000,000. In seventeen years thereafter they had reached \$10,300,000,000.

Our bank clearings for yesterday in New York were \$1,077,293,617; in Chicago, \$130,005,598. New York is the second city in the world and Chicago presses Paris hard for third place. Detroit, through making automobiles, has become the fourth city in the United States, having increased half a million, much more than 100 per cent in ten years. There is one automobile to every fourteen of our continental population, that has grown from less than 5,000,000 at the close of the Revolutionary War to over 110,000,000 now. To accommodate immense business, buildings from 20 to 25 stories high are common, and there is at least one over 50 stories high. Seventy-five miles per hour by rail is too slow for the mail of the business man, and it now travels by air.

We are all very proud of these things and the big money they represent. But where are we? Where are the things we had? No nation on earth ever had such a heritage of lake and stream, and forest and plain, of silver and gold and copper and coal, and iron. Where is that heritage gone? The public domain has gone almost without price to enrich individuals. The forests went at the same price, in the same way, and have been cut down, sawed into lumber, that men might build in feverish haste, not only to make greater cities, but to push the frontier swiftly on to the Pacific slope. It reached there long ago. Immense private fortunes have been made out of timber, the deposits of gold, and silver, and copper and lead, and oil, and coal. Our water power, our fisheries, have gone to make vast fortunes for individuals. The Nation, for the things it gave away and now needs, must pay the profiteer his price.

But I do not think those things represent the worst phase of the money madness of our generation. The question as to the relations between so-called capital and labor, which is largely one of money, is by far the most serious menace to our democratic institutions now confronting the American people.

When the settlements began to push back from the Atlantic coast and manufactures were first sold and then distributed, transactions spread over many months and over an extended territory, and our internal commerce had its birth, then it was that somebody had to furnish the necessary money to carry on these transactions and somebody had to do the work of manufacturing and somebody the work of the commerce or business end. There began to be separated the work of the head from the work of the hand. The head worker began to be known as the capitalist and the hand worker as the workman or laborer.

When we are studying what is likely to come out of Russia, where they are trying to throw away the head and use only the hand, it may be well to study conditions as they once existed in our own country,—when there was no commerce over an extended territory. Then every man was a workman; the boss, where there

was a boss, worked beside his men and did the same manual labor. In other words, men who labored with their hands made, owned and controlled the situation, and the so-called capitalist came into existence because changing conditions made it impossible to carry on manufacture and commerce on the new scale without the use of money, and without the aid of many men who did not work with their hands.

The Russian people will learn sometime, and the sooner the better for them and the world, that a society ruled by men's hands and not by their brains, is a foolish and an idle dream.

The antagonism between the men who worked and the men who owned was slow in developing.

But for years there has been avowed hostility between that which has come to be known as labor and that which has come to be known as capital.

The history of that antagonism is too long to be recounted here. It is enough to say that out of the struggle of a century there have grown vast organizations of labor, involving in their memberships millions of men; and these are offset and opposed by organizations among the employer groups.

Time and time again disputes between labor and capital have stopped the wheels in many industries, caused all concerned immense loss, and not infrequently destroyed either the business or the labor organization involved. In these disputes the public has never been considered; but has always been involved, either through danger, loss, inconvenience or deprivation, and oftentimes in all those ways.

These antagonisms have grown more frequent, more bitter, more dangerous, and more expensive, every year. It seems to me that by this time everybody should have reached certain conclusions:

First: That the relation between capital and labor is undemocratic and fundamentally wrong, because no considerable society can progress unless both work together with some reasonable co-operation.

Second, That no body of men have any right to precipitate and engage in civil strife, thereby disregarding not only law and order but also trespassing upon the rights of a great majority of the community, whose only immediate interest in the matter is in the inconvenience and injury thus inflicted.

Third: That persistence in the controversies between capital and labor are subversive of law and justice and destructive of our liberties under the law. Have not commerce and trade, and big business warped our vision and dwarfed our patriotism? Have we not endangered our liberties by adding desire to desire, and luxury to luxury, until we are necessarily become slaves to such extravagant notions? Is not the outrageous trend of prices, the abnormal wages, the enormous fortunes made from fuel and food and clothing and all the necessities of life justification for the very general belief that we, whether workmen or capitalists, are become mere money grabbers?

Are we not confronted with the fact that millions gave up their homes and friends and went into foreign lands to fight, to suffer, to die if necessary for liberty, and that women gave up lives of comfort and ease to toil for and with those boys who went to fight, and all in the name of Liberty? And parallel with those facts is there not that other bald and shameless fact that thousands upon thousands became unconscionable profiteers? In these latter facts, namely, that there are by the millions those who are willing to sacrifice and

serve and die for liberty, while there are at the same time those who are willing, seemingly, to destroy our liberties because of selfish greed for gain, is at once the hope and despair of every student of government.

But love of liberty is in my opinion far stronger than the love of money, and when we can teach the people that these two cannot exist together, the men and women of America will emulate our forefathers, and not the young ruler who went away sorrowing because he was very rich.

Our great cities, and the many aliens who know nothing of our standards and the indifference of vast numbers of our people towards their public rights and responsibilities are so bound up together, in their influences upon our civilization, and our liberties, that they may in a general way be treated together. The increase of population in the cities has far outrun the increase in the country districts.

A list of nineteen cities in the United States shows that they contain nearly 19,000,000 people, over one-sixth of the total population of the United States. The smallest city listed has over 314,000 inhabitants. The largest city, New York, has 5,600,000 and has gained 854,000 population in ten years. Chicago has 2,700,000 and has gained over 500,000 in ten years. Philadelphia, 1,800,000, has gained 274,000. Los Angeles, 575,000, has gained 256,000 in ten years. Detroit, Michigan, with a little less than a million, has gained over 500,000 in ten years.

It can be easily seen that, at this ratio of gain, it is quite probable that 50 per cent of the population within the next fifty years will be in a few large cities.

I have not the figures upon the foreign-born population of the various cities. In 1910, 2,748,000 in New York were rated as foreigners, 600,000 over ten years of age were unable to speak English, and 360,000 were illiterate.

Chicago statistics seem to show that about one-third of the population are American born, of American parents; another one-third had either one or both parents who were foreign born; the other third was foreign born.

It is not unusual in our cities to find large groups where the inhabitants are all of one nationality. In cities like Chicago and New York there are many thousands, forming groups, or communities, who have no knowledge of the English language. What the President said in his Philadelphia speech in 1915, viz., that "America does not consist of groups. The man who thinks of himself as belonging to a particular national group in America has not yet become an American. A man who goes among you to trade upon his nationality is no worthy son to live under the Stars and Stripes," is literally true, except the first part of it. There are groups in the cities,—uneducated, un-Americanized groups, who not only do not understand anything about American institutions but do not understand the English language, and breaking up those groups would be a long and strenuous undertaking, but they will never become thoroughly Americanized until they are broken up.

A bad feature about such a condition of things is that those who come from various European countries where the English language is not spoken are really not accessible to Americanization efforts, but are easily accessible to those who read and speak their language and who many times have ideas and purposes wholly foreign to our form of government and no

knowledge about our scheme of civilization or our scheme of a constitutional democracy, where justice shall be done to every man and where the liberties of every man shall be protected. There are other ways in which the standard of citizenship is brought down, where there are large aggregations of people.

The basis for the best civilization and the highest degree of liberty must have its foundation in the home. For a large percentage of the people of every great city, the family life and the home life is wholly impossible. In every city of any considerable size there are continual accessions to the ranks of those who are not able to remain self-supporting and who become wholly or in part dependent upon charity; and this percentage, it is said, very frequently amounts to 10 or 15 per cent of the population, and sometimes as high as 25 per cent. People who are not self-supporting do not make good citizens, no matter how fine their ideas may be nor how high their purposes, because they are subjected repeatedly to many repelling influences which they cannot resist.

People who do not speak our language, people who do not read and write our language, people who come here and who do learn to read and write but who do not make any study of our institutions or desire to understand and bring themselves into harmony with them, the people who are in one way or another the objects of charity, do not, any of them, count for anything in the betterment of our civilization or the protection of our liberties.

In addition to these, there are in large cities bodies of men and women, who, while they escape the necessity of charity, are wholly absorbed trying to keep pace with the rush of things about them, so much so that they have neither time, opportunity nor desire to become public spirited or to have any vision of a better democracy among men. As they come in contact with government it is represented by the word "politician" or by some one a little higher in authority but with no greater moral purpose, and all such contact breeds discontent and dissatisfaction and opens the minds of all such to every influence adverse to our government.

If we had the time to analyze the constituent elements of large cities, and of large aggregations in cities of men whose education, training and experience have been under governments wholly different from ours, and under conditions where liberty and justice mean not things to which they have a right but which they only share in because somebody is willing to give them something, it could be easily demonstrated, as history has shown, that the great dangers to established government are in cities, and the greatest danger of all is from those elements in cities where the government is least understood. Those who do not understand the government and those who range all the way from the barely successful to those degraded by poverty, are often the first which, if unstayed will grow into general discontent and to be affected by discontent ultimately mean the overthrow of the government, unless conditions among them can be changed. It will not do for you, from whom the very large cities of the country are far removed, to feel that you do not have any intimate relation with or interest in the great cities or their problems. My conception of the dangers and difficulties in the great cities is, I think, warranted, because the serious problems which confront us as a people and as a government will be largely determined in their settlement by what happens in such cities.

Then what happens in such communities is of vital importance to every one of us because there most of the problems are developed, there the dangers are greatest, and no section of the country can escape the consequences of what is there done. These great concentrated populations are the bearing points of our civilization and our governmental system.

Our interest in all these things is that no fundamental error in any scheme of government, no fundamental wrong anywhere in the world to the rights of men, is so far removed that its consequences will not ultimately reach and affect our community, if its progress is not checked, and likewise fundamental wrongs in our community life must ultimately reach and affect others. In a democracy every man and every woman is to some extent a ruler, that is, the source of power of the government is in them, and what they do affects not only them but everybody who comes within the range of their influence.

I think that we should enlarge upon the slogan, "America for Americans," and add to it "Americans Everywhere for America." If we are to have a higher and a better civilization, if justice is to prevail among men, if our liberties are to be secure, every man in America must know and feel what his duty is, and, in the language of Lord Nelson, adapted to this situation, know that America expects every man to do his duty. Let us all strive to appreciate the great responsibilities as well as the privileges of citizenship and with high courage and loyal and patriotic purpose dedicate ourselves to the faithful discharge of the great tasks thus involved. Let each and all remember that through the old-fashioned virtues of courage, patriotism and, when necessary, the spirit of sacrifice, our fathers, building wiser than they knew, laid the foundations broad and deep for the mighty structure under whose ample canopy their children and children's children have dwelt and multiplied and prospered and developed into this mighty Republic, blessed as no people in history have ever been; and that all this is a sacred heritage which it is our high duty to preserve and transmit, unimpaired and undiminished in all its integrity and excellence, to the generations yet to come.

INVENTION OF GREAT MEN

The fact that in all the professions there is one first favorite means no more than the fact that there is only one editor of the London Times. It is not the man who is singular, but the position. The public imagination demands a best man everywhere, and if nature does not supply him, the public invents him. The art of humbug is the art of getting invented in this way. For example, there died a short time ago a barrister who once acquired extraordinary celebrity as an Old Bailey advocate, especially in murder cases. When he was at his zenith I read all his most famous defenses and can certify that he always missed the strong point in his client's case and the weak one in the case for the prosecution, and was in short the most homicidally incompetent impostor that ever bullied a witness or made a moving but useless appeal to a jury. Fortunately for him, the murderers were too stupid to see this; besides, their imaginations were powerfully impressed with the number of clients of his who were hanged, so they always engaged him and added to his fame by getting hanged themselves in due course.—*Fortnightly Review*.