Packard: The Naked Society

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popular representation in the legislature and the right to jury trial are indis-
pensable ingredients in the free government." At the time the book was pub-
published the right to popular representation was not fully established as a consti-
tutional principle. The right to a jury trial on the state level has not been
assimilated into the fourteenth amendment, and the legal literature is not as
positive as is Mr. Dumbauld on the indispensability of jury trials.

The author says that for diversity purposes "a corporation is to be deemed a
citizen of the state where it is incorporated." He ignores citizenship at its
principal place of business.

In spite of the volume's shortcomings, the student of constitutional law will
find useful the combination "in quick reference fashion" of the how and why
of the various individual portions of our fundamental law along with the law
itself.

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The Naked Society. By VANCE PACKARD. New York: David McKay Company,
1964. Pp. xii, 369. $5.95.

Vance Packard, author of The Hidden Persuaders, The Status Seekers, The
Waste Makers and The Pyramid Climbers, examines privacy in The Naked
Society. In searching detail, Packard examines surveillance practices of big
government, big business and big education. Everywhere, Packard finds the
right of the individual to be let alone consumed or threatened by the wire tap,
the tape, the personality test, the credit, crime, marital and loyalty investigator,
the mail order house, the census taker, the police informer, the post office, the
transistor, the tax collector and the optical industry. Peeping Tom has gone
public. In fascinating particularity, Packard describes the most sophisticated of
surveillance equipment commercially available. There is, for example, the wrist-
watch mike, the men's room camera (to detect wall poets), the spike mike, the
snooper button and the anti-snooper button. For the curious child (or parent)
o no family should be without "Little Miss Echo," a cute little children's doll
with a tape recorder hidden in her tummy.

In society today, Packard writes, facts, names and the personal histories of
individuals are regularly traded, sold or rented to the mail house, the insurance
company or just about anyone interested enough to pay for another's personal
or private records. Some information, like an individual's arrest record, is cheap
($10). Except for very unpopular individuals, an income tax report is more
expensive ($1,000). In respect to fact trading, the United States Census Bureau
is a prime offender. The bureau makes available (for a fee) its compulsory*1
"Household Questionnaire" (165 questions), which lists neighborhood figures
on such items as bathrooms, stillbirths and clothes dryers.

There are, of course, no census statistics on neighborhood religious prefer-
ences.

In one lively chapter, Mr. Packard traces the rise of the now truly giant pri-

vate detective industry. Today, many job applicants and in-company promo-
tion prospects face the most personal scrutiny by a host of detectives and in-
vestigators whose number grows much faster than their salary. Individuals

everywhere are becoming accustomed to the polygraph interview. Others must answer the alarmingly nosey personality, group and in-group adjustment tests. Had history always demanded such scrutiny, Alexander the Great probably would not qualify for an office boy in the world he almost conquered. Small wonder that one employer would write that his most faithful employee was his lie detector.

Mr. Packard very correctly sees in today's society many threats to the privacy and freedom of the individual; but Packard writes too much. His index to *The Naked Society* reads like an abridged syntopicon. The individual is menaced, for example, by, among other things, Credit Bureaus, the Connecticut Anti-Contraceptive Law, H.U.A.C., the mail cover, the Police dragnet, summary commitment, state department travel restrictions, the Smith Act, military discharge labels, the "Septal Button" (a social science marvel best described as a portable happiness self-stimulator), state licensing boards and, yes, the bugged jury.

No individual is too insignificant, important, notorious or popular to escape concern in *The Naked Society*. Mr. Packard writes with feeling for the businessman spied upon by a loose-tongued elevator operator in his building, and for the elevator operator too, when automation takes his job. (The Wastemaker would probably want both.) Elizabeth Taylor sued a chain store which sold the "Elizabeth Taylor Blouse," promising to give wearers the "Liz Look." Miss Taylor's suit, writes Packard, was a privacy case (her lawyer's theory was unfair competition).

*The Naked Society's* concern for privacy is like a veritable unending, limitless, expansive, rain puddle; and just about as deep. Mr. Packard wants a world of free speech, less noise, an end to "licensed happiness," in a commodious, unregulated but well-planned city where the individual may repose in his soundproof apartment and enjoy simple luxuries purchased at cheaper prices in a neighborhood store. Mr. Packard also wants everyone to enjoy precisely the same freedom and equality. But how? The author sees a problem, but his solution creates just one more. If only we had more free speech and more privacy rights, enshrined in more absolute fifth and sixth amendments, writes Packard. But query: Whether a more absolute right to self expression would really console the individual in search of freedom from another's self expression? Read *The Naked Society* and you will never know. Instead, one will find Packard writing with simply ecstatic adulation for those libertarians, activists, or absolutist members of the United States Supreme Court whose unwillingness to balance social or community rights with individual rights has insured, for privacy law, arrested development. Chapter six of *The Naked Society* is entitled "The Very Public Lives of Public Servants"; yet Packard would side with those Justices who recently urged that the Bill of Rights accords, as a constitutional matter, an absolute privilege to the "free press" to knowingly and


maliciously defame any public figure. In another chapter, Packard writes about "Conditioning Students to Police State Tactics"; yet the constitutional world of Vance Packard is a little too inflexible for the encouragement in public schools of meaningful, person-to-person humanism taught by the major religions. Mr. Packard complains that private defense contractors are forced by the government to conduct loyalty checks, but The Naked Society proposes that the same government force private defense contractors to accord to their employees the right of confrontation and other guarantees of the fifth and sixth amendments in every private dismissal hearing.

The relationship between power and privacy eludes Mr. Packard. Nowhere is there mention of the need for village, city or state privacy. Now Mr. Packard sees problems, but he reacts much like some who know that absolute freedom to distribute hard-core pornography ought to end with the juvenile or adolescent, but propose and advocate that no line at all should be drawn because some juveniles grow up and develop faster than others. Packard fails in The Naked Society to see that a government can promote pluralism or destroy pluralism by one and the same concern for it.

The Naked Society veritably mirrors that kind of fashionable but soulless concern which in the real world breeds only suspicion. True it is that in our society some people are over-dressed and some not dressed at all. Some have good taste in dress, some bad and many can't afford to know the difference. Now all this creates problems, for clothes are significant and people know it. The clothes problem will not be solved by people tearing each other's garments; but, ask any women: Will it help to force people simply to tell each other that everyone is wearing the same thing? Packard's solution for the "Shabby Society" (if I may coin a phrase) is marked by a frightened retreat into the primordial world of primitive absolutes where problems and answers are indistinguishable. His message to an individual in society seeking solace and perfection consists, in the main, of tired, unoriginal, neutral abstractions, emotive totems or empty clichés about freedom and conformity.

In short, the book's one merit is that it succeeds in demonstrating that the great majority of individuals in America has little or no inviolate clothing of their own. Unfortunately, Vance Packard's only message to the rest is to move to a warmer climate.

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The New York Times of August 16th carries a story about the "Green Acres Plan Lagging in Jersey"; the New York Times of August 23rd carries a story that "Chicago Unveils a Master Plan" and one that "Moscow is Host for Cities Study." These are but a few of the many stories appearing daily in newspapers