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ABSTRACT

In this essay, the author presents a rationale (and opportunities) for anthropologists to study the middle and upper end of the social power structure, as well as the lower. Anthropologists have much to contribute to an understanding of the processes whereby power and responsibility are exercised in this country; indeed there is a certain urgency to this kind of anthropology. Among students at Berkeley, there is a tremendously energizing phenomenon in studying major institutions and organizations that affect everyday lives, such as the California Insurance Commission and the Better Business Bureau. (Reports of these studies are discussed and the value of this kind of research for citizenship education is pointed out.) "Studying up" as well as down would lead us to ask many "common sense" questions in reverse; and the consequences of not studying up as well as down are serious in terms of developing adequate theory and description. If one's pivot point is around those who have power/responsibility, then the questions change. It is particularly appropriate that anthropologists should lead the way in this work by virture of several characteristics of our discipline. There are those who would oppose such a reorientation of anthropology, and their reasons are discussed here. (Author/JLB)

UP THE ANTHROPOLOGIST

Perspectives gained from studying up

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I.

In this essay I will describe some opportunities that anthropologists have for "studying up" in their own society, hoping to generate further discussion of why we study what we do (Nader, 1964). Anthropologists have a great deal to contribute to our understanding of the processes whereby power and responsibility are exercised in the United States. Moreover, there is a certain urgency to this kind of anthropology concerned with power (cf. Wolf, 1969), for the quality of life and our lives themselves may depend upon the extent to which citizens understand those who shape attitudes and actually control institutional structures. The study of man is confronted with an unprecedented situation--never before have so few, by their actions and inactions, had the power of life and death over so many members of the species. I will present three reasons for "studying up"--its energizing and integrating effect for many students; scientific adequacy; and democratic relevance of scientific work. Finally I will consider some frequent obstacles and objections, and try to answer them.

II.

Many of our brighter students look at the anthropology journals of recent times and conclude that anthropology appears to be phasing out, content to make a living for the most part by rediscovering what has been discovered or by selling our wares to other disciplines and professions. The audience is too narrow; the nitpicking too precious. Making a living by selling one's wares is

not an inappropriate way to subsist; it is however, in this case, symptomatic that a talent, the perspective of a Mirror for Man, is being underused. Today we have anthropology students who are indignant about many problems affecting the future of homo sapiens, but they are studying problems about which they have no "feelings" Some think this is the only appropriate stance for a science. Yet the things that students are energetic about they do not study. I think we are losing something here. The normative impulse often leads one to ask important questions about a phenomenon that would not be asked otherwise, or to define a problem in a new context. A rapid growth in civil rights studies is directly attributable to activities whereby the victims of the system make their victimization visible. By a process of contagion this visibility spread moral indignation into the law schools and the legal profession, which in turn led to research into civil rights questions and the related area of poverty law. In anthropology we have the example of Ruth Benedict's Chrysanthemum and the Sword (1946), an effort to understand opponents in war. The normative impulse here, generated by patriotism and loyalty, considered appropriate in World War II was responsible for an insightful book and the development of new techniques for studying culture at a distance. Looking back towards an early founder of American anthropology (and the first anthropologist to become president of the AAAS), L.H. Morgan, we discover that he broke new ground in science as a result of having been interested in a social problem(Resek, 1960). Throughout his career, Morgan was indignant at how American Indians were being treated, and how they were being pushed off the land. It was his initial indignation which led him to study American Indians and his indignation preceded his curiosity about kinship systems and social structure. In Morgan's case indignation had an energizing effect.

As Jules Henry puts it:

> To think deeply in our culture is to grow angry and to anger others: and if you cannot tolerate this anger, you are wasting the time you spend thinking deeply. One of the rewards of deep thought is the hot glow of anger at discovering a wrong, but if anger is taboo, thought will starve to death (Henry, 1963:146).

I see among young students at Berkeley an energizing phenomenon in studying major institutions and organizations that affect everyday lives, such as the California insurance commission, the Better Business Bureau, Air Pollution agencies and the like. The following extended excerpts illustrate something about what motivated these students to study what they did.

> I chose to study the insurance industry primarily because it is one of those "things (there is no term) which is made of vast networks of people who have effects on many aspects of the lives of all people in California. most are affected in a direct way, by owning an insurance policy. All are affected in other ways, such as by the vast political influence of the "insurance industry" and its tremendous economic influence over our personal lives.
>
> For example, one drives to the market in one's car, which is itself insured. The market one arrives at is insured for loss, theft, damages and liability. The food was delivered by trucks which were insured for the cargo they carry, which is also protected against various problems. The price of these coverages also affects the price of your food. Incidently, the factories where the truck and your auto were manufactured is insured with various policies (as are all the employees). One of these, termed "pollution insurance," protects the company for liabilities incurred if they are sued for pollution damages: the price of this affects the other prices, as mentioned, but the ownership of the insurance permits the factor or the network of people who control the factory to pollute the air without economic risk to themselves. To extend this further, the auto company is probably owned in large part by insurance companies. To get an idea of the tremendous wealth of the insurance industry, consider that California owners of insurance policies paid over $6 billion in insurance premiums in 1970, which is over $300 per person in the State of California. This is greater than the per-capita income of most of the world's population. As a matter of fact, the annual amount of premiums taken in the U.S. by the insurance industry is greater than the gross national product of all but five nations in the world. (Serber, 1971, pp. 2-3)

Another student had the following to say about her study of the Oakland Better Business Bureau:

> In our complex society, we obtain many goods and services in a prepackaged state. Like the proverbial city child who grows up believing that milk grows in paper cartons, most consumers know little about what their purchases are made of, how they work, how to evaluate their potential before buying them, and how to repair them if they break down. This ignorance is not limited to goods but extends to services, investments, charities, to say nothing of the legal and medical professions. We rely on PG&E to install gas equipment, to check it for safety, even to relight the pilot if we cannot locate it when it is accidently extinguished. We take our special garments to a dry cleaner. When the transmission on an automobile doesn't work, the car must be towed to a transmission specialist. Goods are ordered by telephone or through the mail. Appointments at a photographer's studio, cosmetics, magazine subscriptions, and investments may be sold and contributions to charities collected by door-to-door solicitors. When a carpet is desired, the consumer depends on a salesman to explain the qualities of the constituent fibers, to calculate the number of yards needed to cover a given area, and to make sure that incidentals like matting, tacks, and labor are included in the quoted installation cost. We depend upon specialists to provide services and often even to give us the criteria by which we are to judge their work. Many of our transactions take place infrequently, which means that the consumer may be totally inexperienced in evaluating what he pays for when he buys a large appliance, an insurance policy, or a vacation trip.
>
> Likewise he may find himself incapable of obtaining redress of his grievances when he thinks he has been misled or cheated. Most contacts with businesses are limited to the disembodied voice of the switchboard operator, to the secretary or public relations representative in the front office, or to the salesman who happens to be on the floor when the customer walks into the store. The consumer phones the company to see what it will do for him, or he writes to a newspaper complaint column or a broadcasting station's "hotline" program. The services of these expediters are also "packaged"; the complainant sends in his story and waits for the machinery to grind out an answer. This situation extends even to the law enforcement and consumer aid organizations to which the irate customer may eventually refer his problem...
>
> I began this project on the BBB in total ignorance of what it is, what it does and does not do, and why. Like the typical citizen, I began with the simple knowledge that there is a business-supported organization called the Better Business Bureau and that it is customarily contacted by telephone when

> a person has a question about the dependability (or existance!) of a firm or has a complaint against a business that has failed to give satisfaction. Few people go beyond these facts to ask who the voice on the other end of the line is, where she gets her information, or what actually happens to the complaint form which arrives, is returned, and whose results are relayed back to the consumer by mail. And yet thousands of people use the BBB every year. (Eaton, 1971, pp. 2-3)

Maybe these are attempts to get behind the facelessness of a bureaucratic society, to get at the mechanisms whereby far away corporations and large scale industries are directing the everyday aspects of our lives. Whatever the motivation, the studies raise important questions as to responsibility, accountability, self-regulation, or on another level, questions relating to social structure, network analysis, library research, participant observation.

III.

If we look at the literature based on fieldwork in the United States, we find a relatively abundant literature on the poor, the ethnic groups, the disadvantaged; there is comparatively little field research on the middle class, and very little first hand work on the upper classes. Anthropologists might indeed ask themselves whether the entirety of fieldwork does not depend upon a certain power relationship in favor of the anthropologist, and whether indeed such dominant-subordinate relationships may not be affecting the kinds of theories that we are weaving. What if, in reinventing anthropology, anthropologists were to study the colonizers rather than the colonized, the culture of power rather than the culture of the powerless, the culture of affluence rather that the culture of poverty?

"Studying up" as well as down would lead us to ask many "common sense" questions in reverse. Instead of asking why some people are poor we would

ask why other people are so affluent? How on earth would a social scientist explain the hoarding patterns of the American rich and middle class? How can we explain the fantastic resistance to change among those whose options "appear to be many?" How has it come to be, we might ask, that anthropologists are more interested in why peasants don't change than why the auto industry doesn't innovate, or why the Pentagon or Universities cannot be more organizationally creative? The conservatism of such major institutions and bureaucratic organizations probably has wider implications for the species and for theories of change than does the conservatism of peasantry.

If in reinventing anthropology we were principally studying the most powerful strata of urban society our view of the ghetto might be largely in terms of those relationships larger than the ghetto. We would study the banks and the insurance industry that mark out areas of the city to which they will not sell insurance or extend credit. We would study the landlord class that "pays off" or "influences" enforcement of municipal officials so that building codes are not enforced. Slums are technically illegal; if building codes and other municipal laws were enforced our slums would not be slums (if enforcement were successful), or they might be called by another name which would indicate that they were results of white collar crime. One might say that if business crime is successful it will produce street crime. With this perspective on white collar crime our analysis of gang delinquency might be correspondingly affected, and in developing theories of slum gang behavior we might ask: is it sufficient to understand gangs as products of the value systems of that sub-culture alone? We might study the marketing systems or the transportation system which, as in Watts, creates virtual islands of some ghetto areas. We might study the degree to which legal practices, or the kind of legal services, mold the perceptions of law

that are present in the ghettos.

The consequences of not studying up as well as down are serious in terms of developing adequate theory and description. If one's pivot point is around those who have responsibility by virtue of being delegated power, then the questions change. From such a perspective one notices different facets of culture: the ghetto may be viewed as being without law, law-less. The courts are not geared to the complaints of the poor (which would fall in the 20 to 80 dollar range); furthermore they are not geared for cheap and quick resolution of conflict - crucial features for the poor. From this perspective ghetto communities may be said to be shut out of the legal system except as defendants, and indeed they are often shut off from other municipal services ranging from garbage collecting to police protection. From this orientation, then, the question may be raised again - in our studies of delinquency is it sufficient to understand gangs as products of the value systems of that sub-culture alone?

Let's ask another question. What have been the consequences of social science research on crime? By virtue of our concentration on lower class crimes we have aided in the public definition of the "law and order problem" in terms of lower class or street crimes. Let's assume that the taxpaying public in a democracy, after listening to a presidential speech calling for more tax money for enforcement and protection from street crimes, decides to see for itself. No matter what library they went to, the most they could get is some information on crimes committed by the lower class. They would have no way of evaluating, given present descriptive materials, whether, in a situation of limited money, they would do better to put their money on street crime or on white collar crime, both of which, after all, imperil the lives of all taxpayers everyday in many ways.

As Clyde Mitchell has noted, it was with such problems in mind that anthropologists first introduced the concept of "social field."

> The classical anthropological study takes a unit - a "tribe" or "society" or "community" - and presents the behavior of its members in terms of a series of interlocking institutions, structures, norms, and values. It is not only anthropologists working in urban areas who have found this sort of assumption difficult to maintain, but also those who have been conducting "tribal" studies in modern Africa (and presumably also elsewhere). They have found that the effect of groups and institutions not physically present in the tribal area influences the behavior of people in it. The unit of interacting relationships, in other words, is larger than the tribe. (Mitchell, p.56, 1966)

Lowie may have studied the Crow, Llewelyn and Hoebel the Cheyenne as if they were "islands" unrelated to the wider society and even unrelated to the policies and actions of the Bureau of Indian Affairs, but there has raged a whole literature since the fifties challenging the limited community perspective and a recognition of methodological need has been, as Mitchell noted, what has perhaps stimulated the development of network theory, and the development of nation state studies (Adams, 1970).

If anthropology were reinvented to study up we would sooner or later need to study down as well. We aren't dealing with an either/or proposition; we need simply to realize when it is useful or crucial in terms of the problem to extend the domain of study up, down, or sideways. If we become interested in the determinants of family patterns (rather than the poor or the rich as such) then studying this problem across class or at least on a vertical slice, would be a way to test hypotheses regarding whether certain aspects of lower-class or upper-class plight are somehow due to a particular kind of family pattern (serially monogamous, matrifocal, father-absent), whether poverty for example, is generated by certain types of employment patterns and/or external

factors. At least posing the problems in a comparative frame would help improve our chances for understanding the forces that generate excessive poverty or affluence and the origins of those forces whether intrusive from the larger society or "determined by cultural transmission within the group." Depending on one's view of the processes that generate behavior one would seek solutions to social problems either by a policy directed to reforming the society as a whole or one directed at modifying the behavior of the subculture, or both (Valentine, 1969; Gladwin, 1969:185).

On the basis of such studies of our own society we could rewrite the books on American Society whose indices make no mention of the advertising, insurance, banking, realty, or automobile industries which most people on the street know have played a major role in forming modern American society. Ethnographic reports would describe the communications industries, the agencies which regulate them, the institutions that undergrid the industrial sector such as the legislative bodies, the universities and professional organizations and such descriptions would be from the point of view of the users as well as the managers. It is appropriate that a reinvented anthropology study powerful institutions and bureaucratic organizations such as food chains in the United States, for such institutions and their network systems affect our lives and also affect the lives of people that anthropologists have traditionally studied all around the world.

It is particularly appropriate that anthropologists should lead the way in this work by virtue of a number of characteristics of our discipline. The study of man has had to be ecclectic in its methods, broad in its vision of what it takes to understand man--his past, his present, his culture, his biology. We have specialized in understanding whole cultures in a cross-cultural context. We should, for example, be at home in studying the law firms as a secret society,

in finding and analyzing the networks of power--which on paper may not be there, in describing those unwritten customary behaviors that are completely indispensible for understanding, for example, what makes the Congress tick. The anthropologist above all should by virtue of his understanding of the principle of reciprocity be able to analyze why it is that decisions of Federal Communications Commissioners may not be "rational", of the cultural dimensions involved in the failure of national programs ostensibly geared to reintegrate society. It is the anthropologist by virtue of his populist values that may be able to define the role of citizen-scholar-- a science of man for man.

IV.

"Studying up" seems to be one track for integrating paramouht social concerns with the goals and aims of the science of man. The service function we have performed in the past could be amplified to include another service, social as well as scientific, that is, writing ethnographies for the "natives". A monograph that should be taken into account by managers for the benefit of people concerned is Colson's recent book (1971) on The Impact of the Kariba Resettlement upon the Gwembe Tonga:

> Massive technological development hurts. This is a fact largely ignored by economic planners, technicians, and political leaders. In planning drastic alterations in environment that uproot populations or make old adjustments impossible, they count the engineering costs but not the social costs. After all, they do not think of themselves as paying the latter . . . This book is a study in the impact of forced change upon some of its victims.

Another example is Spradley's You Owe Yourself a Drunk - an ethnographic description of the interaction and the consequences of the interaction that drunks have with the legal and enforcement systems. This monograph already is serving to educate managers of that system about the consequences of specific legal decisions and

procedures. This is not a novel role for social scientists to play and unfortunately our findings have often served to help manipulate rather than aid those we study. Another role, however, is related to the concept of citizenship in a country that is to be run on a democratic framework and the control that citizens must have to harness managerial manipulation. We cannot as responsible scientists educate "managers" without at the same time educating those "being managed". A democratic framework implies that citizens should have access to decision-makers, institutions of government, etc. This implies that citizens need to know something about the major institutions, government or otherwise, that affect their lives. Most members of complex societies and certainly most Americans do not know enough about nor do they know how to cope with the people, insititutions and organizations which most affect their lives. I believe that anthropologists would be surprisingly good at applying their descriptive and analytical tools to a major problem--how can a citizenry function in a democracy when that citizenry is worfully ignorant of how the society works and doesn't work, of how a citizen can "plug in" as citizen, of what would happen should citizens begin to exercise rights other than voting as a way to make the "system" work for them. But first, as we know, we have to describe the bureaucracy and its culture.

Love and Eaton (1970) began their study of the Bay Area Air Pollution Control Agency with questions about the functions of the agency: How does the agency perceive itself? Who uses it? How do the users perceive the agency? Public access was a key question.

> Our approach was, at first, guarded due to our doubts. We pretended innocence, and in fact found out that we really were innocent. We then began to realize that we were "outsiders." We were the public who did not understand the professional language being spoken. The avenues we approached were those the public generally approached. Gradually, a picture of the agency and its position in the legal system emerged.

> its structure, the personalities of the decision makers, the limitations reality places on any ideal system, and finally the kinds of uses made of it become clearer... (ibid, 2-3).
>
> When the citizen goes to the agency, he is translated into statistical data which separates him from the actual procedure or use of the agency...assumed in this is the notion that since the agency is supposed to protect the public interest, the public will seek access to it. The reality of the situation is very different. The agency acts as autonomously as possible to combat air pollution and in so doing, comes into close contact with the industry officials who speak the same technical and legal language. It is industry who has the greatest access to the agency, especially at the legislative level. It is industry who makes the greatest <u>use</u> of the agency to protect <u>its</u> interests. (ibid, 32-33)

This same study notes that in the legal division of the agency violation notices are treated like parking tickets -- after so many are collected the violator is prosecuted; but what does prosecution consist of, given the intimate patterns of social interaction described above. These were not ordinary criminals.

> In the legal division, the agency lawyer emphasized that the principles of criminal law were not a solution, hence the civil fines. The type of "crime" committed does not merit the "responsible" official being put in jail with "prostitutes and muggers."...An interesting footnote to this procedure is that Regulation 1 which does <u>not</u> apply to most large industries, but to private citizens and land developers, is treated as a misdemeanor where the violator can be put in jail with the "prostitutes and muggers". (ibid, 33)

Apart from being a useful report on bureaucratic culture this 37 page report is the kind of ethnographic information that citizens need prior to an attempt to gain <u>access</u> or attempt to <u>use</u> public agencies. Such reports would introduce them to the structure and culture of the sub-group in such a way as to allow them to gauge whether the cards are stacked and in what direction they are stacked in terms of real access and use of a public agency.

The study of the California Department of Insurance, and in particular the processing of complaints by the Policy Services Bureau of that same agency, is another attempt to describe the workings of an organization whose acts of

ommission or commission affect the lives of many. Serber concludes (ibid, p. 62) that the Department of Complaints does not meet the needs of the people of the State of California because "the vast majority of the people are not aware of its existance." He adds by means of a quote a further insight that has been noted by other student studies of governmental agencies (and it is not much different for private agencies that purport to serve the public) which suggests that such public institutions are not structured for public access:

> It is much worse to deal with someone in the public because you know you are very limited in what kinds of answers you can give them and the results you can get for them. They expect more and often get impatient. With the industry, it's different: they are usually friendly and polite, at least to our faces; we always know where we stand and how far we can go. It's less stressful because I feel less responsible for the outcome of the conversations. (An Insurance Officer III).

The report goes on to note that "There is a qualitative difference in the nature of the interaction between the complainants and the Insurance Officer and the representative of the industry and the Insurance Officer."

> It's not very pleasant to arrive here at a quarter of eight in the morning after battling to cross the Bay Bridge for Forty-five minutes and before I can finish a cup of coffee some <u>hysterical</u> fat bitch who can hardly talk, she's so stupid and excited, will come in and they will call me. When I catch sight of her my stomach tightens and my mouth gets dry; sometimes the burning in my pipe starts before I can even get up to the desk, and I'll have to take a sip of water. (Insurance Officer IV) (ibid, p.46)

This same report makes a set of predictions as to what might happen to this Department of Complaints were access by the public easily available; the structure and function of the department would move more closely in line with a major goal of the Department of Insurance "to enforce insurance laws so as to achieve the highest possible degree of protection for the public in general and all policy holders and beneficiaries in particular" (Serber, p.64).

The above stated goal raises a more general question. Who is it who is to decide what is good for the public? Eaton's paper on the Better Business

Bureau of Oakland illustrates the dilemma of a value conflict:

> A major limitation in the value of the BBB to the consumer lies in the very fact that it is an organization designed to further the interests of legitimate business. The movement assumes that what is good for business is good for the economy and for the consumer. It assumes that the power of conscience and the power of public opinion will triumph over the unbridled profit motive, that an informed public will be able to mold the responsible market to its own desires. These assumptions may be true on some levels, but the picture is not that simple. There are areas of the society in which power is concentrated and areas where it is dispersed or absent altogether. The consumer's complaint has more weight with the locally competitive retailer than with the far away corporation which made the product that the retailer sells. The Bureau regulates re ail advertising, but the consumer is also exposed to national advertising, especially on television. The retailer is not a free agent. He is limited by the distributor and the supplier...
>
> The Bureau is concerned with truth in advertising but is it equally concerned about relevance in advertising? There are many things which can be said about a product which are true but which have very little to do with its significant attributes; durability, safety, efficiency...The consumer is told on the one hand that it is his responsibility to be informed and to exercise his power of choice to bring the market into line with his needs and desires...On the other hand he is assaulted by national advertising which stresses the non-practical attributes of products, and he is confronted with a range of products from different manufacturers which have essentially no differences between them in areas which the consumer may think are significant. He is told to understand the warranty that comes with his new car, but he is not told what he can do if he does not like its terms and finds that all warranties from all companies are just the same. As an individual, he is essentially powerless to bargain in the greater market system than characterizes the modern complex society. (Eaton, p.61-62)

Understanding the differences in the perceptions of producers on the one hand and consumers on the other allows a citizen to evaluate for himself any government statement about the need for government not to encroach on the self-regulatory organizations such as the BBB that are set up by business groups. Eaton's study of the BBB touches but one tiny part of the self-regulatory attempts of business.

Since 1966 there has evolved a whole series of "complaint handling mechanisms" from "hot lines" to corporate ombudsmen. A comparative study of such mechanisms would be a much needed contribution to the literature on the nature of extra-legal attempts at voicing and obtaining redress. It would be fascinating to know to what degree "informal law" is dominated by public relations and Madison Avenue techniques in conflict management. The use of advertising in grievance resolution may be related to an upper class perception of upper class law and order which says "cool it rather than resolve it."

Some years ago the criminologist Sutherland wrote a book entitled White Collar Crime. A landmark finding documented in that work was the simple fact that white collar personnel commit crimes, a fact which should have helped combat the belief, at least among social scientists, that the poor had a monopoly on crime. If as scientists we are interested in understanding the determinants of crime, then the "discovery" that the rich as well as the poor commit "crimes" (something that is well known to the average citizen and most certainly known by the poor) is very important. The fact that crimes are differentially stigmatized and prosecuted according to class should lead us to disregard over-simplistic theories explaining criminal behavior. Very few sociological works of this type followed Sutherland's study and indeed there was a long dry period between the muckraking of the turn of the century and Sutherland.

Instead sociologists such as Lewis Coser (1968) prefer to tell us why some poor do and why some poor do not commit crimes in terms of the theory of relative deprivation. One can only evaluate such theories of criminal behavior if we look at the question in relation to a vertical slice; it is well known fact that the criminal law has been oriented towards individual crimes, preferably street crime, and the collective criminal behavior by an agency or corporation is often dealt with in administrative agencies or in ways which leave very little stigma on those involved (Pound, 1906, Sutherland, 1949).

Yet our analyzed data base is slim. Henry Ruth, Director of the National Institute of Law Enforcement and Criminal Justice noted as late as 1970:

> ...The National Institute of Law Enforcement and Criminal Justice has developed an intensive concern that so-called "white-collar crime" receives scant attention from the law enforcement and research communities. ...The entire field of white-collar crime represents a national priority for action and research - to define the problem, to examine its many faces, to measure its impact, to look for ways in which its victims can be helped, and to determine how such crime can be prevented, deterred, and effectively prosecuted. (Edelhurtz, 1970, iii)

With regard to benefit to citizens, it is astounding that in as legalistic a a country as the United States, nowhere in the educational system does one get a working knowledge of the law as part of a general education. In fact after years of studying the Zapotec legal system of Oaxaca, Mexico, I would conclude that the single most important difference between the Zapotec legal system of southern Mexico and the American legal system (from the point of view of a middle class consumer) is that Zapotecs have access to and know how to use access to the legal system. In the United States most citizens do not have access to the legal system either because they are ignorant of the workings of the system or be ause they cannot afford the professional (lawyer) who would have adequate knowledge of the workings of the system. In California, for example, and I imagine this is much more widespread, there are few books for citizens describing the legal system, what it is and how it works.

This situation is representative of the larger problem of citizen education. Most of what we learn about the law we absorb vicariously from T.V. westerns and Perry Mason style slows. Ethnographic works on the subject of law would be filling a scientific and descriptive need, as well as informing the native as to a system which at times heavily weights the direction his life takes. For example, one student began a study of the Immigration and Naturalization

Service in an effort to find out how immigration and the INS have molded and influenced the communities of Third World immigrants. The basic hypothesis was that the INS is the historical product of negative American attitudes towards non-Northern European immigrants - fear of foreigners, dislike of strange cultures, isolationism and the like; that while there has been a major liberalization of the laws, the administration of immigration, and indeed recruitment to the agency, continues to be affected by these historical attitudes.

Other anthropological studies might involve the use of personal documents- the memoirs of judges, lawyers, corporate executives are more noticeable for their absence from the book shelves. The Washington law firms whose lobbying functions have earned them the label of fourth branch of government would be a fascinating place to test some of Elizabeth Bott's hypotheses about networks which she developed in her studies of Kinship in London. What shapes and functions do the networks of law firms have in an organization where at mid-career the majority of firm members fan out into positions about Washington, yet still maintain relations with the law firm even after they no longer are on the payroll. What kind of reciprocity is involved here?

V.

But there are those who would not want to entertain any such reorientation of anthropology and it is important to appreciate the reasons why present day anthropologists would say impossible, improbably, irrelevant, off the mark, even impertinent or more cutting, "journalistic" or "political diatribe". The obstacles that are posed are many, but for our purposes here may be discussed in terms of access, attitudes, ethics, and methodology.

Departments of anthropology have generally believed that students should do their dissertation fieldwork in a non-western culture and at some points in time that was a useful policy to implement if in training anthropologists one valued the importance of culture shock and the detachment which accompanies

it. For many students today the experience of working in a Washington law firm, in a company town, or in an international industrial complex will be more bizarre than anything a student anthropologist could find in a Mexican village or in New Guinea for that matter. We have as anthropologists studied the cultures of the world to find in the end that ours is one of the most bizarre of all cultures and one, by virtue of its world influence for "bad" or "good", in urgent need of study. We have studied the peripheries of American culture and the strategy suggested here is really a studying up and moving into a more over all coverage of U.S. culture.

The most usual obstacle is phrased in terms of access. The powerful are out of reach on a number of different planes: they don't want to be studied; it is dangerous to study the powerful; they are busy people; they are not all in one place, itc. As some of our students found out in their studies of corporate use of the courts there are problems of secrecy and confidentiality:

> The belief that corporations work secretly and surreptitiously in their own interests has been somewhat verified. Their desire for secrecy, their paranoid fear of all but self-fashioned publicity, their refusal to discuss questions on their operation, and the over-conscious regard of their lawyers for the confidential nature of the lawyer-client relationship (even when the public's interests are at stake), all serve to eliminate any free flow of information which should be available to the public forum, and are reminiscient of secret societies. The stealth of the corporation is epitomized in those wily chessmasters they employ to handle their cases, the corporate lawyers. (Zeff and Bush, 1970).

These difficulties are true of the people that anthropologists have studied in many different places. That problems of access are any different or at least any more problematic in studying up in the United States is a proposition which at any rate has not been adequately tested. Anthropologists have had problems of access everywhere they have gone; solving such problems of access is part of what constitutes "making rapport". In view of our successes amongst peoples of the world who have been incredibly hostile, it is rather surprising that anthropologists could be as timid at home (see Reisman, 1954). Furthermore

it could be argued that access to bureaucratic organizations frequented by the wealthy and powerful such as governmental agencies should be open to social scientists by virtue of laws which protect public access to information affecting the public interest. In addition, there are wealthy anthropologists who would presumably have access "up". Cleveland Amory (1947) and J. Digby Baltzell (1964) have made substantial contributions to understanding the power status of the upper class although neither one is an anthropologist. No, there must be more plausible reasons why the less powerful are more attractive for study in the United States.

It has been said that anthropologists value studying what they like and liking what they study and in general, we prefer the underdog. Braroe and Hicks (1967) in discussing the mystique of anthropology make reference again to the traditional alienation from their own culture that characterizes anthropologists and they explore how such alienation relates to their lack of intense commitment to social reform. This could be phrased more positively: anthropologists have favored studying non-western cultures as a way of fulfilling their mission to study the diverse ways of manking; they have not had an intense commitment to social reform because of their relativistic stance and a belief that such a stance was necessary to a truly "objective, detached, scientific perspective," or because they thought that others such as sociologists, were involved in social reform. While scientific findings may be ideally viewed as "value free", the choice of subject for scientific enquiry is certainly not "value free". Anthropologists of the future will have a greater responsibility for what they choose to study as well as how they study.

The ethical problems that are raised in studying up almost always appear to be confused, particularly in discussing ethics of working in one's own society. One student made the following comment:

> To say that kula ring participants don't perform in practice what they say they do has very different consequences from saying that a government agency is not living up to its standards. This isn't to say that the government agency shouldn't be studied, or that the fact it isn't living up to its standards shouldn't be pointed out. The question is--can the anthropologist do a structural study and then in role as citizen point out that the agency is screwing the American Public?

The same student asked:

> How can we gain access to the same kinds of information as when we "study down" without being dishonest (i.e. a fake secretary or other role). If we did get information without letting informants know we are social scientists, how could we publish it? It seems that the only "open" way of doing a study would end up being fairly superficial -- questionnaires and formal interviews as versus what we learn by participant observation.

The problem raised by this student are ethical problems anthropologists have had to face no matter what culture they are studying. In discussing such ethical questions involved in studying up in our own society, I have the impression that confusion results depending on whether one recognizes the implicit double standard - is there one ethic for studying up and the other for studying down? Or is it, as this student suggests, that the consequences of describing what may be systemic inadequacies may be greater for government agencies than peasant economic systems or for conflict resolution (or just plain conflict) in a small fishing village, and that therefore our subjects of study should be treated accordingly?

There is an important distinction to be recognized as to "public" and "private," even though informant anonymity may be important to both sectors. For the most part anthropologists working in the United States can be said to have worked in the "private" sphere; we study families, small groups, those aspects of communities which are more private than public. We should not necessarily apply the same ethics developed for studying the private, and even ethics developed for studying in foreign cultures (where we are guests), to the

study of institutions, organizations, bureaucracies that have a broad public impact. In reinventing anthropology any discussion of ethics should consider the public-private dimensions as well as the home-abroad component. Furthermore, in the present anthropolog , work that is considered in the objective social science mode, when carried out abroad might well be dubbed "journalistic" by the subjects. Telling it like it is may be perceived as muckraking by the subjects of study (Oscar Lewis' work on Mexico was so viewed), or by fellow professionals who feel more comfortable if data is presented in social science jargon which would protect the work from common consumption.

The concept of participant observation has played a determing role in what anthropologists choose to study. The power of participant observation as such was only discovered in the twentieth century. Malinowski and Radcliffe-Brown, among the first to fieldwork by the techniques of participant observation, set a new standard for ethnographic descriptions. When an anthropologist goes to study the culture of a people he lives with them; the resultant description is rich in contextual information and is the result of the many points of view that one is opened to by virtue of "living with the natives". Hortense Powdermaker has described the components of participant observation as follows:

> The conditions for successful mutual communication include 1) physical proximity of the field worker to the people he studies, 2) knowledge of their language, and 3) psychological involvement (1966, 287).

She goes on to say:

> The ability to be psychologically mobile is important in hierarchial situations where it is necessary to move easily between different levels in the power structure. Some field workers identify so completely with the underdog that they are unable to make effective contacts with those on the top level of the social (or political) hierarchy (ibid, 291).

At the same time that Hortense Powdermaker describes the value of participant observations, she also alludes to the limitations of such complete acceptance

of participant observation as a distinctive feature of all social anthropological field owrk. When the anthropologist participant observes, he or she resides and generally partakes with the "natives",. Such a method has weighed heavily in the decisions as to where anthropologists study - we prefer residential situations whether the residence is in a primitive village or a modern hospital.

The degree to which our field choices might be determined by whether or not we can observe as participants was made clear to me when two of my students went to Washington to study a law firm that did not want to be studied (even though individual members would be willing to cooperate in a limited way). How could they participant observe if the firm wouldn't let them in the door, and if they couldn't participant observe, how could they do anthropology? These questions have of course been raised before in anthropology, and when anthropologists thought it important enough they surmounted the problems raised. Witness the culture studies that cropped up during World War II, or witness the work of Elizabeth Bott (1957) in her network study of kinship in London which was based principally on face-to-face interviewing.

The point is that there is a mystique about participant observation that carries points with it, yet it remains that the anthropologist's image of himself is shattered (Fischer, Ann, 1969) if he can't participant observe, and for the most part our students are not generally trained in the kinds of techniques that they would need to work on problems in non-residential settings such as banks, insurance companies, government agencies, electronics industries, and the like. Without participant observation, how many anthropologists know how to find out who owns a city? If Sol Tax is right in pointing out that anthropologists are not working on the most relevant problems of the world today - such as population, pollution, and war - because they can't participant observe such problems in a community, then in reinventing anthropology we might have to shuffle around the

value placed on participant observation, that leads us to forget that there are other methods (see Gussow and Tracy, 1971) more useful for some of the problems and situations we might like to investigate. The use of personal documents, memoirs, may substitute for anthropological participation in some areas of culture that take long years of participation to really understand. The following comments about field methodology highlight the need for flexibility and ecclecticism.

> The principal research method of the anthropologist, participant observation, is, needless to say, not wholly applicable when one is studying a government agency or elite institution and its interaction with various people. A particulat situation can be dealt with, but characteristically the data gleaned would be through observation rather than participation. We can define participation in two ways. One definition would maintain that to say the researcher is a participant means he is able to interact as a native in the situation studied and is therefore able to use himself as an informant. The other definition considers the participant in a status achieved by an outsider, since he is treated as an insider. Ideally, the more intimate the acceptance, the less the participant/observer will influence the situation he is observing and the closer he will be to the status of participant. Considering these two definitions, the term participant/ observer could not be applicable to the types of situations that the ethnographer would want to study in large-scale institutions, unless he was actually to become a member of the group he is studying. The term participant/observer would not truly apply to these researcher's techniques, even in the situations where I was attempting to fulfill the ideal. In studying one's own society, especially if it is complex and highly specialized and heterogeneous, the question is to determine the levels of actual participation and the level barred from participation.
>
> If the anthropologist is going to make a contribution to the understanding of the institutions which in a complex way affect the lives of many people, he must take a methodologically eclectic approach ... (Serber, 1971, pp.5-6)

Interviews of various sorts (formal/informal, face-to-face/telephone) are used by my students. Documents were used (see NACLA Guide, 1970) public relations documents for understanding the preferred self image or the organization, internal

documents on the structure and statistics of work planned and accomplished by the organization - all useful in discovering trends and what is thought of as problematic by the actors. Also important is what Marian Eaton has labeled "self-analysis" - an awareness on the part of the student of how he as a social scientist is perceived, run-around, enculturated, and described in the veiled and not-so-veiled encounters with informants and the members of organizations and the like whose job it is to deal with outsiders. We may have to give higher priority to traditional anthropological values such as using our knowledge of others as a mirror for ourselves, and such as allowing questions to lead us to methodology (rather than vice-versa).

We may have to reorder our conception of urgent anthropology. Surely it should be the needs of mankind for the study of man that lead the way.

NOTES

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