

# COMER

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## New Governor of the Bank of Canada to Serve the 1%

*By Herb Wiseman*

This year marks the 75th anniversary of the Nationalizing of the Bank of Canada. Jack Layton thought that it would be a good time to review its functioning and supported my resolution to that effect. Alas he died a few months later.

The BoC's role has been changing as the liberal and conservative handmaidens increasingly act for their corporate and financial masters. It is why COMER launched a legal action.

I just reviewed the job advert for the Governor of the Bank of Canada and, contrary to the Bank's role in legislation, the advert is looking for someone who will support the 1% but the advert is spinning the role as in the interest of all Canadians.

Some of the phrases from the advert follow:

On responsibilities of the governor and the BoC:

"...Keeping inflation low stable and predictable, promoting the efficiency of capital markets and the integrity of the Canadian currency, while contributing to the development of stronger, more robust domestic and international financial systems..."

On being "an exceptionally well-qualified candidate:"

"...Unquestioned technical competence in monetary policy and, more broadly, macro-economics, coupled with a highly developed understanding of the financial sector, both institutions and markets, domestically and internationally."

The role of the Bank of Canada is also to create conditions for employment. That is not mentioned in the advert. The union leadership of this country should be paying attention because of another item in the advert:

"Few positions influence more directly the performance of the Canadian Economy than that of the Governor of the Bank of Canada." I agree with this statement but it is clear that the person being recruited would pay little attention to needs of the 99% except to continue to ratchet down wages and cut back on benefits.

The person being recruited must be focused on the financial sector and enhancing its power. The financial sector continues to look for lower wages, reduced benefits, lower taxes, fewer regulations, an expanded private sector and how next to exploit the environment for the benefit of the few.

The financial sector is the part of the economy that recurrently breaks down because of its excesses and casino mentality. It is a the myth that an unfettered financial class is vital to the 99%. Please share this email widely and post it on your Facebook wall. This job description reflects the ongoing tilting of the balance in our economy towards the wealthy classes.



**Our Comment.** We can only applaud and join Herb Wiseman in spreading it as widely as possible. *W.K.*



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# Chinese Officials Find Misbehavior Now Carries Cost

*By Andrew Jacobs, The New York Times, December 26, 2012*

Beijing – The Chinese have become largely inured to tales of voracious officials stockpiling luxury apartments, \$30,000 Swiss watches or enough stolen cash to buy their mistress a Porsche.

But when images of a bulbous-faced Communist Party functionary in southwest China having sex with an 18-year-old girl spread on the Internet late last month, even the most jaded citizens took note – as did the local party watchdogs who ordered his dismissal.

These have been especially nerve-racking times for Chinese officials who cheat, steal and bribe. Since the local bureaucrat, Lei Zhengfu, became an unwilling celebrity here, a succession of others have been publicly exposed. And despite the usual cries of innocence, most have been removed from office while party investigators sort through their bedrooms and bank accounts.

In the weeks since the Communist Party elevated a new slate of top leaders, the state media, often fed by freelance vigilantes, have been serving up a head-spinning collection of scandals.

Highlights include a deputy district official in Shanxi Province who fathered 10 children with four wives; a prefecture chief from Yunnan with an opium habit who managed to accumulate 23 homes, including 6 in Australia; and a Hunan bureaucrat with \$19 million in unexplained assets who once gave his young daughter \$32,000 in cash for her birthday.

“The anticorruption storm has begun,” *People’s Daily*, the party mouthpiece, wrote on its Web site this month.

The flurry of revelations suggests that members of China’s new leadership may be more serious than their predecessors about trying to tame the cronyism, bribery and debauchery that afflict state-run companies and local governments, right down to the outwardly dowdy neighborhood committees that oversee sanitation. Efforts began just days after Xi Jinping, the newly appointed Communist Party chief and China’s incoming president, warned that failing to curb corruption could put the party’s grip on power at risk.

“Something has shifted,” said Zhu

Ruifeng, a Beijing journalist who has exposed more than a hundred cases of alleged corruption on his Web site, including the lurid exertions of Mr. Lei. “In the past, it might take 10 days for an official involved in a sex scandal to lose his job. This time he was gone in 66 hours.”

The licentiousness of Qi Fang, the public security chief of a small city in the far west, probably deserves a prize for originality. This month, an Internet sleuth revealed that Mr. Qi was maintaining two young sisters as mistresses. The sisters, as luck would have it, had also landed police department jobs and shared an apartment bankrolled by the city.

Mr. Qi lost his post, but not before denying any mischief and correcting one detail of the story: the sisters, contrary to earlier reports, are not twins.

Still, for all the salaciousness associated with the latest scandals, analysts say it is too soon to know whether Mr. Xi and other senior leaders have the stomach to wage a no-holds-barred war on the party’s pervasive corruption.

They point out that most of the recent scandals were uncovered by journalists, anonymous citizens or disgruntled colleagues who posted photographs and other damning allegations on the Internet, forcing the authorities to respond. Also significant is that most of those ousted were relatively minor officials.

The manager of a major Chinese Internet company said the party was effectively abetting the anticorruption free-for-all by declining to pull the plug on the online denunciations. But he said there was an implicit understanding that high-ranking officials were off limits.

“For now it’s spontaneous,” said the manager, who asked that the name of his company be withheld because of the political sensitivities involved. “But we also understand the parameters.”

This month, Luo Changping, deputy managing editor at the enterprising news-magazine *Caijing*, published accusations on his microblog about improper business dealings by Liu Tienan, the director of China’s National Energy Administration. The postings, which also included charges that Mr. Liu had fabricated his academic qualifications and had threatened to kill

his mistress, have caused something of an earthquake, given that they targeted such a high-level official. Just as astonishing, many say, is that Mr. Luo's claims remain undeleted by censors despite Mr. Liu's denials of wrongdoing.

Mr. Zhu, the online journalist who exposes official impropriety, has also been surprised to find his Web site untouched a month after he ran five-year-old images of Mr. Lei engaged in lusty acrobatics with the 18-year-old in a hotel room. In the past, Mr. Zhu said, his site was often blocked after each revelation, usually followed by a menacing visit from security officials.

"This time, I received a call from the Beijing police saying that they had received instructions to protect me," he said in amazement.

With four more damning videos in his possession, Mr. Zhu has promised encores – once he can verify the identities of the main actors.

In the absence of any new policies from the central government, many Chinese have been left to parse the words of Mr. Xi and Wang Qishan, the new head of the central

agency that investigates misconduct among party members.

"In recent years," Mr. Xi said during his inaugural speech on November 15, "some countries have stored up problems for a long time leading to public anger and outcry, civil unrest and regime collapse. Corruption has been a very important factor in this."

Even more telling are reports that Mr. Wang has been urging officials to read Alexis de Tocqueville's *The Old Regime and the Revolution*, a 19th-century analysis of the unbridled excess among French aristocrats that ended with the guillotine. Gao Yi, a history professor at Peking University, said Mr. Wang's message was clear: "The biggest failing of the old regime was the corruption of the rulers," he told the 21st Century Business Herald.

The warnings appear to be having some impact within the party hierarchy. Real estate brokers in at least two provinces say they have been inundated by anxious government officials desperate to unload property they fear could attract unwanted scrutiny, The Oriental Morning Post reported Monday.

Wang Baolin, a former lowly official in the southern city of Guangzhou, provided a glimpse of the pervasive culture of corruption during his recent trial on charges that the \$3.3 million in his bank account was of dubious provenance. Seeking to explain his behavior, Mr. Wang said he had no choice but to take bribes. "If I didn't take them, I'd offend too many people," he said.

Mr. Xi is not the first Chinese leader to rail against official vice and venality. Hu Jintao, China's departing president, called graft a "time bomb buried under society." Former Premier Zhu Rongji vowed to give his life in the fight against official malfeasance. "I'll have 100 coffins prepared," he said after taking office in 1998. "Ninety-nine are for corrupt officials, and the last one is for myself."

Mr. Zhu is still around; his son, Zhu Yunlai, became head of one of China's biggest investment banks shortly after his father left office.

Critics say members of the party elite fear that any far-reaching crackdown might hit too close to home, given how many of their relatives have profited from the proximity to

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## Volvo Stakes Its Claim to Driverless Vehicles

By Charles Duxbury and John D. Stoll,  
*The Wall Street Journal*, December 3, 2012

Hallered, Sweden – Mired in losses, Volvo Car Corp. is staking its future on the equivalent of an automotive moon shot: promising by the start of next decade to sell vehicles that can avoid passenger injuries.

The 85-year-old company believes it can produce an accident free vehicle in just seven years. "Our vision is that no one is killed or injured in a new Volvo by 2020," said Anders Eugensson, Volvo's head of government affairs.

Underpinning Mr. Eugensson's optimism is a bet on increasing demand for driverless functionality in cars, and the emergence of technology that essentially eliminates the chance for driver error. Volvo won't disclose its spending on the technology, which has been funded in part by the European Union. It has had 50 engineers working with automotive partners such as Ricardo UK on the technology over the last several years.

The company says it is preparing to launch in 2014 its first batch of autonomous vehicles capable of driving up to 31 miles per hour. The limited speed reflects the tech-

nology's expected initial use in heavy traffic.

Volvo says it is working on higher-speed autonomous driving, but isn't yet disclosing when it would be available. Its prototypes have run thousands of miles of test drives on public roads in Spain and on the company's test track in western Sweden.

"We are convinced this is the future and we want to get there first," Marcus Rothoff, head of developing Volvo's driver assistance technology, said during a recent autonomous-driving event at a track in Hallered.

The road to autonomy is no sure bet because Volvo's finances remain precarious. The Swedish car maker sold just 436,000 vehicles last year and is projecting a decline this year. It has committed to spend \$11 billion to fund a five-year revamp of its existing autos. A maze of regulatory challenges, questions about driver liability, and concerns over the reliability of driverless systems also complicate its plans.

Drew Winter, editor of Ward's Auto World, an industry publication, said that even though the industry is divided on how fast its autonomous future will come, Volvo's bet on driverless technology represents a critical effort to reclaim its role in

auto safety. "If Volvo wants to sell another Volvo to their loyalists, they're going to have to have something better in terms of safety," Mr. Winter.

Acquired by Chinese automaker Zhejiang Geely Holding Group Co. for \$1.3 billion in cash in 2010, the company recently sacked its CEO and has variously outlined plans to focus on premium auto sales and to start building cars in China next year.

Much of the science behind Volvo's strategy is similar to that being developed by Google Inc. and General Motors Co. – a network of cameras, lasers and sensors that monitor the road and outside just like a driver would. Interior technology tracks the driver, including whether a person's eyes are struggling to remain open.



**Our Comment.** When everything is said and done, what will emerge is the lesson that society should learn from Socrates' pupils in ancient Greece – that human capital requires that we consider the responses to society's problems from every conceivable direction. Without that, public policies remain a costly and eventually a fatal distraction. *W.K.*

power. Immediate family members of Wen Jiabao, China's departing prime minister, have controlled assets worth at least \$2.7 billion, *The New York Times* revealed in October, even as he projected an image of frugality.

Many of Mr. Xi's relatives, especially his older sister, have also done well in recent years, with hundreds of millions of dollars in corporate holdings and at least a half-dozen high-end properties in Hong Kong, an investigation by Bloomberg News found in June.

There is no indication either Mr. Xi or Mr. Wen benefited from the business dealings of his relatives. But the perception that family members of ranking officials have grown rich from their connections has long angered many Chinese.

A businessman who knows several senior leaders said they had been taken aback by the rash of Internet-based denunciations. "There will be less waste and graft for a while," he said. "But that was true when Hu Jintao came in, and then look how things turned out by the time he left."

Already, the state media have begun to urge caution, and one newspaper editor in Beijing said propaganda officials had been seeking to impose some restrictions on exposés. And experts note that Chinese leaders have so far refused to even consider the key ingredients needed to root out corruption: governmental transparency, a system of checks and balances, a free press and an independent judiciary.

"Without effective institutions," said Li Xinde, who runs a Web site that exposes

corrupt officials, "anticorruption campaigns can just become a tool for settling scores."



**Our Comment.** Having practical exemption from corruption charges, when those less privileged most definitely do not, can only reek of a higher degree of corruption. Obviously privileged immunities are a proof of corrupted privileges of a well-placed minority and that is what any serious anti-corruption claims must address. Any failure to do so must be pursued as a positive proof of the effective spread of reflected corruption. A mockery of serious investigation of the effective corruption hidden or denied can only contribute to the volume of protected security of the privileged minority. *W.K.*

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## Iran Suggests Attacks on Computer Systems Came from the US and Israel

*By Rick Gladstone, The New York Times, December 26, 2012*

Iran reported a number of new cyber attacks on Tuesday, saying foreign enemy hackers tried in recent months to disrupt computer systems at a power plant and other industries in a strategically important southern coastal province as well as at a Culture Ministry information center.

Accounts of the attacks in the official press did not specify who was responsible, when they were carried out or how they were thwarted. But they strongly suggested that the attacks had originated in the United States and Israel, which have been engaged in a shadowy struggle of computer sabotage with Iran in a broader dispute over whether Iran's nuclear energy program is for peaceful or military use.

Iran has been on heightened alert against such sabotage since a computer worm known as Stuxnet was used to attack its uranium enrichment centrifuges more than two years ago, which American intelligence officials believe caused many of the machines to spin out of control and self-destruct, slowing the Iranian program's progress.

Stuxnet and other forms of computer malware have also been used in attacks on Iran's oil industry and Science Ministry under a covert United States effort. This was first revealed in January 2009, was meant to subvert Iran's nuclear program because of suspicions that the Iranians were using it to develop the ability to make atomic bombs.

Iran has repeatedly denied these suspicions.

The latest Iranian sabotage reports raised the possibility that the attacks had been carried out in retaliation for others that crippled computers in the Saudi Arabian oil industry and some financial institutions in the United States a few months ago. American intelligence officials have said they believe that Iranian specialists in cyber sabotage were responsible for those attacks, which erased thousands of Saudi files and temporarily prevented some American banking customers from gaining access to their accounts.

Defense Secretary Leon E. Panetta cited those attacks in an October 11 speech when he warned of America's vulnerability to a coordinated computer warfare attack, calling such a possibility a "cyber-Pearl Harbor."

The Iranian Students' News Agency said the country's Passive Defense Organization, the military unit responsible for guarding against cyber attacks, had battled a computer virus infection of an electric utility and other unspecified manufacturing industries in southern Hormozgan Province, home to a large oil refinery and container port in the provincial capital of Bandar Abbas.

The news agency quoted Ali Akbar Akhavan, the head of the Passive Defense Organization's provincial branch, as saying that "with timely measures and the cooperation of skilled hackers in the province, the progress of this virus was halted." It was unclear whether any Iranian targets had

been damaged.

Iran's Fars News Agency said a cyber attack had also been made against the information center of the Headquarters for Supporting and Protecting Works of Art and Culture, a part of the Culture Ministry, and that the attack had been "repelled by the headquarters' experts."

The Fars account said the attack originated in Dallas and was routed to Iran via Malaysia and Vietnam. It did not elaborate on the significance of that information, but noted that a broad array of Iranian targets had recently come under cyber attacks that were "widely believed to be designed and staged by the US and Israel."

News of the latest cyber attacks came as Western economic sanctions on Iran have been tightening, while diplomatic negotiations aimed at resolving the nuclear dispute have remained basically stalled since June. There are expectations that a resumption of those negotiations will be announced soon, possibly next month.



**Our Comment.** Don't count on it. There is too much involved with the key bamboozle with too much attention paid to strictly electoral features. Politics under the circumstances is something to play with. What is to be taken more seriously is the reassessment that comes with the commitments entered into seriously no matter by what temporarily convenient criteria. *W.K.*

# Former Official Stole Millions in Real Estate, Russia Says

By Andrew E. Kramer, *The New York Times*, December 26, 2012

Moscow – The Police said Tuesday that they had arrested a former official of a federal agency that manages state enterprises on charges of stealing \$330 million in property, a theft noteworthy even by the standards of Russian public corruption.

The official, whom the Komsomolskaya Pravda newspaper identified as Anatoly Shesteryuk, worked for the Federal Property Management Agency and was in charge of companies in Moscow owned by the federal government.

Most of Russia's profitable public companies were privatized in the immediate post-Soviet period, creating a capitalist economy and overnight billionaires. The state companies that were not privatized were of dubious commercial value; many limped into the new century barely profitable.

These companies were the focus of the corruption investigation that ensnared Mr. Shesteryuk and at least two other conspirators, said the Main Economic Crime Directorate of the Interior Ministry, which divulged details of the case in statements published by several Russian newspapers.

To pull off the plot, the investigators said, Mr. Shesteryuk and the other suspects, who were directors of private companies, worked from a database of failing government enterprises – the worse off, the better.

Mr. Shesteryuk, the investigators said, would arrange for the managers of these failing companies, like gas stations and other businesses with substantial real estate holdings, to take out loans using their land as collateral, and drawn from a financial company that was also part of the plot. When, predictably, the struggling enterprise was unable to repay the loan, the land was seized in bankruptcy court, and the conspirators – who included the managers of the failing companies – would divide the proceeds.

The plot led to the theft of more than 100 parcels of state property worth more than 10 billion rubles, about \$330 million, the Komsomolskaya Pravda article quoted an unnamed investigator as saying.

The investigators said they were looking into whether the judges in the Tretyak court, where the bankruptcies were processed, were complicit in approving the title

changes.

The plot, though eyebrow-raising for being so lucrative, was not unprecedented for corruption cases here.

Sergei L. Magnitsky, a lawyer representing a hedge fund, uncovered what he said was a plot against the Russian government in which taxes paid by at least two investment firms were stolen. Some estimates put the amount involved at more than a half-billion dollars.

Mr. Magnitsky, who was arrested in November 2008 as he tried to expose the fraud and died in prison, said about \$230 million in taxes paid by his employer, the Hermitage Capital hedge fund had been stolen. Collusive lawsuits in Russia's flawed court system were also a factor in that case.

In 2010, a leaked audit suggested that as much as \$4 billion had gone missing in a contracting fraud involving a pipeline project to connect Siberian oil fields with a refinery in China.

In neither case were any senior figures prosecuted.

But arrests have been made in more recent corruption cases. Since Vladimir V. Putin was elected to a third term as president last spring, the police have made half a dozen high-profile arrests for corruption. In November, Mr. Putin ousted his minister of defense in a corruption scandal, and the police have arrested housing officials in St. Petersburg and state telephone company executives in Moscow.

Selective prosecution of corruption cases, Kremlinologists say, serves to purge the elite of figures who have fallen from favor or whose loyalty has been called into question.

Removing the most visible signs of corruption and making high-profile arrests are also seen as a way to mollify the anger of Russians – who must pay bribes in many ordinary situations, as when they visit an emergency room – lest they embrace the opposition.

Also on Tuesday, Prime Minister Dmitri A. Medvedev fired a deputy minister of

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regional development who is also director of the federal agency for housing maintenance and utilities, the Interfax news service reported, without providing an explanation for the dismissal.

And far to the east, in the Siberian city of Yakutsk, the police accused a regional of-

ficial in the same housing agency of taking a \$9,000 bribe from a contractor.



**Our Comment.** What is involved in too severe a control of the privileged control of corruption is that it itself sets limits to the

extent in which it can take over the really offensive extent of the really dominating ruling corrupt. It could at best lead to dimmer privileges of the less corrupt who have a need to clear their dominant revenue. Greed triumphant brooks no restraints on the uniquely privileged. *W.K.*

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## The Man With the Google Glasses

By Ross Douthat, *The New York Times*, April 15, 2012

A man wakes up in a New York apartment, brews coffee and goes out into the world, and everything that can appear on a smart phone or iPad appears before his eyes instead: weather reports, calendar reminders, messages from friends, walking maps of New York, his girlfriend's smiling face.

This is the promise of Google's Project Glass, which released the video I've just described earlier this month, as a preview of a still-percolating project that aspires to implant the equivalent of an iPhone into a pair of science-fiction spectacles.

Even if the project itself never comes to fruition, though, the video deserves a life of its own, as a window on what our era promises and what it threatens to take away. If modernity's mix of achievement and alienation was once embodied by the Man in the Gray Flannel Suit, now it's embodied by the Man in the Google Glasses.

On the one hand, the video is a testament to modern technology's extraordinary feats – not only instant communication across blocks or continents, but also an almost god-like access to information about the world around us. The Man in the Google Glasses can find his way effortlessly through the mazes of Manhattan; he can photograph anything he sees; he can make an impulse purchase from any corner of the world.

But the video also captures the sense of isolation that coexists with our technological mastery. The Man in the Google Glasses lives alone, in a drab, impersonal apartment. He meets a friend for coffee, but the video cuts away from this live interaction, leaping ahead to the moment when he snaps a photo of some "cool" graffiti and shares it online. He has a significant other, but she's far enough away that when sunset arrives, he climbs up on a roof and shares it with her via video, while she grins from a window at the bottom of his field of vision.

He is, in other words, a characteristic

21st-century American, more electronically networked but more personally isolated than ever before. As the NYU sociologist Eric Klinenberg notes in *Going Solo: The Extraordinary Rise and Surprising Appeal of Living Alone*, there are now more Americans living by themselves than there are Americans in intact nuclear-family households. Children are much more likely to grow up with only a single parent in the home; adults marry less and divorce relatively frequently; seniors are more likely to face old age alone. And friendship, too seems to be attenuating: a 2006 Duke University study found that Americans reported having, on average, three people with whom they discussed important issues in 1985, but just two by the mid-2000s.

The question hanging over the future of American social life, then, is whether all the possibilities of virtual community – the connections forged by Facebook and Twitter; the back alleys of the Internet where fans of "A Dance to the Music of Time" or "Ren & Stimpy" can find one another; the hum of virtual conversation that's available any hour of the day – can make up for the weakening of flesh-and-blood ties and the decline of traditional communal institutions.

The optimists say yes. If you believe writers like Clay Shirky, author of 2008's *Here Comes Everybody*, the buzzing hive mind of the Internet is well on its way to generating a kind of "cognitive surplus," which promises to make group interactions even more effective and enriching than they were before the Web.

The pessimists, on the other hand worry that online life offers only a simulacrum of community. In *Alone Together* (2011), Sherry Turkle argues that the lure of Internet relationships, constantly available but inherently superficial, might make both genuine connection and genuine solitude impossible.

Seeing the world through the eyes of the Man in the Google Glasses, though, suggests a more political reason for pessimism.

In his classic 1953 work, *The Quest for Community*, the sociologist Robert Nisbet argued that in eras of intense individualism weak communal ties, the human need of belonging tends to empower central governments as never before.

An atomized, rootless population is more likely to embrace authoritarian ideologies, and more likely to seek the protection of an omnio-competent state.

The kind of totalitarianism, fascist and Marxist, that shadowed Nisbet's writing isn't likely to come back. But a kinder, gentler kind of authoritarianism – what the blogger James Poulos has dubbed "the pink police state," which is officially tolerant while scrutinizing your every move – remains a live possibility.

Today, social media are hailed for empowering dissidents and undercutting tyrannies around the world. Yet it's hard not to watch the Google video and agree with Forbes's Kashmir Hill when she suggests that such a technology could ultimately "accelerate the arrival of the persistent and pervasive citizen surveillance state," in which everything you see and do can be recorded, reported, subpoenaed...you name it.

In this kind of world, the Man in the Google Glasses might feel like a king of infinite space. But he'd actually be inhabiting a comfortable, full-service cage.



**Our Comment.** How human capital can not be ignored. It is an undeniable, and indeed undeniable fact, that it was human capital conceived and implanted where it can control humans and what there are up to in a degree of omnipresence and situation-control. That leaves the actual human factors aloft deprived of basic controls of both information and what it can and should do with it. Store it? But with what are we left the untrusted key? Especially those keys that lock the control of the most dangerous cyber-control, free to be strummed in a misleading pseudo-innocence? *W.K.*

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# China Loses Its Taste for Yum

By Laurie Burkitt, *The Wall Street Journal*,  
December 3, 2012

Beijing – After years of meteoric growth in China, the US company that owns Pizza Hut and KFC is starting to stumble in its single biggest market as intense competition and fast-food fatigue cause Chinese consumers to lose their appetite for fried chicken and pizza.

Yum Brands Inc.'s share price sank 9.9% Friday after Chief Executive David Novak warned that same-store sales in China would drop 4% in the fourth quarter, compared with a jump of 21% the same period a year earlier. Yum's stock is still up nearly 14% year-to-date. A slowdown in China would have a huge impact on Yum, which generates nearly half of its revenue in the country.

At a shopping mall in Beijing with KFC outlets and a Pizza Hut, 28-year-old Liu Weiwei chose to eat at Hui Lau Shan, a Chinese outlet, instead.

"This place has the best desserts," said Ms. Liu. "I actually only eat at KFC when I'm at the airport, when there are no other options." Five years ago she visited Yum's restaurants about three times a month, but now she rarely goes because she has many other choices, she said.

Ms. Liu's sentiment illustrates some of the problems that Yum faces in China, where its glory days – marked by sales growth of 30% – are fading.

The company attributes the decline to a softening economy. China's gross-domestic-product growth in the third quarter was the slowest since the global financial crisis started more than four years ago.

Industry watchers say that while economic weakening has influenced consumer behavior, causing some softening in the retail sector, Yum's problems go beyond the economy. The company has lost the luster it once had in China, they say.

When it first entered China in the late 1980s, Yum drew consumers with its image of modernity, but the appeal of newness has dissipated with more restaurants opening in the country, said Torsten Stocker, a partner at consulting firm Monitor Group. "It is becoming 'just another food option,'" Mr. Stocker said.

Over the past several years, the number of quick-service and casual-dining restaurants has exploded in China. Philippine fast-food giant industry watchers say that

while economic weakening has influenced consumer behavior, causing some softening in the retail sector, Yum's problems go beyond the economy. The company has lost the luster it once had in China, they say.

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Over the past several years, the number of quick-service and casual-dining restaurants has exploded in China. Philippine fast-food giant Jollibee Foods Corp., for instance, runs nearly 300 outlets of fast-food noodle chain Yonghe King in the country. In the shopping mall where Ms. Liu awaited her mango-coconut drinks and fried radish desserts, Yum's KFC's and Pizza Hut are pitted against at least 50 other restaurants.

China's consumer food service market jumped 13% to \$410 billion in 2011 from a year earlier and 63% from 2007, according to market-research firm Euromonitor International.

Yum, which earned 44% of its revenue from China last year, remains one of the leading restaurant chains in the world's most populous country, with more than 5,000 outlets, including Chinese food chain East Dawning and its hot-pot restaurant operator Little Sheep Group Ltd., which gained regulatory approval late last year.

Yum has been lauded as one of the most successful companies operating in the world's No. 2 economy, adapting to the local culture by adding fried shrimp and egg tarts, among many other Chinese items, to its fried-chicken offerings, as well as seafood pizza and Thai-style fried rice to its Pizza Hut items.

Industry insiders say that while Yum updates its menus frequently, adding new Chinese flavors, the innovations aren't enough to keep up with some local companies. "Domestic competitors are doing a much better job than in the past of running efficient restaurants that are perceived as healthier, more comfortable options," said Ben Cavender, a senior analyst at Shanghai-based consultancy China Market Research Group.

Rival Hai Di Lao, a Beijing-based company with around 60 hot-pot outlets in

China, has nearly doubled its stores in the past year and has earned a reputation for its service, offering free manicures and shoe shines for customers waiting for tables. Earlier this year it rolled out a premium service connecting its Beijing and Shanghai diners through the Internet, enabling them to virtually dine across from one another on big flat-screen televisions. Orders are made on store iPads.

Yum isn't the only chain facing a downward slide in China. McDonald's Corp. said last month its October same-store sales fell in the country. A spokeswoman for McDonald's declined to comment.

Mr. Cavender said some of the hamburger chain's restaurants have been offering discounts on menu prices, but no more than usual. McDonald's began this year offering a value dinner for 15 yuan, or about \$2.40 – but sales are a regular part of McDonald's strategy in China, Mr. Cavender said.

Industry insiders say China still offers big opportunities for many restaurant companies, including Yum. The middle class is continuously growing and "there is plenty of room for expansion," said Mr. Stocker of Monitor Group.

Yum plans to open at least 700 units in China next year.

Consumers such as Hong Jiangjiang, a 26-year-old from China's central Jiangxi province, are still interested in KFC. "I like the ice cream there," Mr. Hong said.

In addition, China's economy appears to be improving. Economic indicators over the past two months have suggested the pace of economic growth is quickening. Retail sales in October rose 14.5% compared with a year earlier, up from 14.2% in September.

Mr. Stocker said he believes Yum's recent stock drop was an overreaction by investors. "People have become so used to the KFC China success story that any deviation from that triggered a negative reaction," he said. "I don't think this means that the finger-licking good times are over."



**Our Comment.** A distinction must be made between the seductions of retail final prices of retained individual items that is unlikely to make an enduring impression any more than a patch on the seat of elegant trouser specials. *W.K.*

THANK YOU FOR  
YOUR SUPPORT!

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# No-Frill Legal Services Grow

*By Jennifer Smith, The Wall Street Journal, December 3, 2012*

Competition is heating up in the market for no-frill online legal services.

One sign: a lawsuit filed last month by online document company LegalZoom.com Inc. against an up-and-coming rival, Rocket Lawyer Inc., as both look to expand their reach with new ventures in the UK. Both companies provide customers with documents for routine transactions such as wills or incorporating a business, as well as legal-subscription plans that provide access to local attorneys for between \$10 and \$50 a month.

LegalZoom's suit accuses Rocket Lawyer of false advertising by labeling some of its offerings as "free" when users must pay state filing fees or subscribe to a plan to access the services. It also alleges trademark infringement related to Rocket Lawyer's use of domain names, such as [www.legalzoomer.com](http://www.legalzoomer.com), and says the company is trying to divert customers by buying up "LegalZoom" and other search terms, triggering sponsored links to Rocket Lawyer's website.

"That kind of siphoning of the brand terms we don't appreciate," said LegalZoom's chief executive, John Suh. He said Rocket Lawyer's "fake free" tactics could taint consumers' perceptions of the wider industry.

Rocket Lawyer's executive chairman, Charley Moore, called the claims "frivolous" and said the company plans to fight them in court. He also said LegalZoom had copied Rocket Lawyer's attorney plan and was now "relying on litigation rather than innovation to compete."

Dozens of other technology startups are also racing to meet the legal needs of small-business owners and middle-class households.

A number of companies provide free or low-cost legal forms. Others have launched websites that let consumers sort local lawyers by price, location and user rating and serve as online matchmakers between clients and local attorneys.

"There is massive demand for reasonably priced, reliable, good-quality legal assistance," said Gillian Hadfield, a professor of law and economics at the University of Southern California Gould School of Law who serves as an adviser to several online legal companies, including LegalZoom.

That gap, Ms. Hadfield said, creates "tremendous opportunity" for companies that can use Web-based platforms to deliver legal services at a much lower cost than a bricks-and-mortar law office, where attorneys might charge consumers \$150 to \$500 an hour.

Big law firms that handle pricey corporate and government work still command much of the lucrative US legal-services market, which generated \$269.6 billion in 2011, according to the US Bureau of Economic Analysis.

But demand for high-end legal services fell after the recession, as deals slowed and big companies pushed back on legal bills, and it has yet to recover.

Meanwhile, some legal entrepreneurs are looking for gold in a largely untapped vein: ordinary people seeking affordable alternatives to traditional lawyers. The idea is to provide access to legal services online, the same way many now look for jobs, pick restaurants and shop.

When Guillermo Velez of Vallejo, Calif., needed to update his elderly mother's health-care directive and power of attorney recently, he hopped on the computer and started searching Google. He ended up using Rocket Lawyer, which he said appealed to him because it was simple and cheap.

"Lawyers are expensive," said Mr. Velez, a 49-year-old landlord and retired businessman. He said that in the past he has spent thousands of dollars to have lawyers draft documents. Some were virtually identical to the ones he found online, he said, adding that this way, "you cut out the middle-man."

LegalZoom estimates that small businesses and consumers spent \$97 billion on legal services last year, according to a study it commissioned from LEK Consulting. In May the company filed for an IPO that it said could raise as much as \$120 million, although Mr. Suh said plans to take the company public have been on hold since August because of market conditions.

The sector has drawn the attention of deep-pocketed investors. Last year Rocket Lawyer, which was founded in 2008, announced an \$18.5 million round of financing from a group led by August Capital that included Google Ventures, the tech giant's investment arm.

Before the online boom, do-it-yourself

types had few options beyond how-to guides from publishers such as Nolo Press. A handful of companies, including LegalZoom, staked online claims in the late 1990s and early 2000s, and the field has become increasingly crowded ever since.

"In the last two years it has picked up enormously," said Stephanie Kimbro, a North Carolina lawyer with a Web-based practice and a member of the American Bar Association's Standing Committee on the Delivery of Legal Services.

Even some law firms have hopped on the bandwagon. In October consumer law firm Jacoby & Meyers LLC, which pioneered legal advertising on television decades ago, began selling online legal forms.

Legal startups in the US face a significant hurdle: they aren't law firms and thus are barred from dispensing legal advice.

Some lawyers and bar associations have pushed back against changes that challenge the traditional delivery of legal services. LegalZoom has been sued for the unauthorized practice of law in a number of class actions, most of which have been settled.

To get around such restrictions, many companies work in tandem with solo attorneys and small law firms that field customer questions in hopes of drumming up more business. Rocket Lawyer makes its money through prepaid legal subscription plans, a service LegalZoom began offering in 2010.

Such arrangements allow lawyers to piggyback on the marketing power of online brands such as LawZam LLC, whose videoconferencing site allows people to get free initial consultations with lawyers. The downside? Lawyers can end up giving away too much of their time free, Ms. Kimbro said.

But the low cost, and the convenience, of the services is a big selling point for consumers such as Jane Coffman of San Luis Obispo, Calif., who used LegalZoom to revise her will last year after she and her husband divorced.

"There was a whole list of attorneys," said Ms. Coffman, 67 years old. "You choose, pick a time, and they call you right back.... For a person of low to moderate means, this is a great way to go."



**Our Comment.** Chopping up the problem into many seemingly independent marketable pieces does not bring us any closer to a real solution. On the contrary – it leaves stranded the importance of human capital in handling our society's real problem – in education, health and human dignity – that is needed to make our society whole. *W.K.*



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# For Ryan's Next Act, Balancing Pragmatism with Politics

By Ashley Parker, *The New York Times*,  
January 7, 2013

Washington – After Senator John McCain's failed presidential bid in 2008, he repaired to the Senate to become a thorn in President Obama's side. His running mate, Sarah Palin, used her considerable clout on the right to rally her fervent supporters against Mr. Obama and Democrats.

But when the vice-presidential hopes of Representative Paul D. Ryan were dashed this Election Day, he returned to the House of Representatives and last week helped pass a bipartisan tax deal sought by Mr. Obama.

Mr. Ryan's vote in support of the plan, which raised tax rates on high income while locking in lower rates for the vast majority of households, was both pragmatic and political. In what he described as a "tough decision," he backed what was seen by most in Congress as a piece of legislation whose passage was necessary to avert a fiscal crisis. Notably, his support aligned him with Speaker John A. Boehner, who voted for the measure. But it put him in conflict with his two fellow "young guns," Representatives Eric Cantor of Virginia and Kevin McCarthy of California, the No. 2 and 3 House Republicans. The three men had been in virtual lock step on policy issues and wrote a book together.

It was the first in a series of votes on budget and deficit reduction measures expected in the coming months, all potentially reverberating in the race for the 2016 Republican presidential nomination. A potential rival to Mr. Ryan for the nomination, should both decide to run, is Senator Marco Rubio of Florida, who was among only eight senators to vote no, the first clear demarcation between the two men since the election.

(Before the vote, when asked by a reporter if Mr. Rubio's "no" vote would influence his own, Mr. Ryan laughed and said, "Give me a break!" according to a recounting on Twitter.)

Congressional supporters of Mr. Ryan describe his vote as an illustration of leadership. As chairman of the House Budget Committee, he was motivated by the chance to make the lower tax rates for most households permanent, these supporters say. And as a legislator whose actions are watched closely by fellow members, they add, he does not have the luxury of taking a purely

ideological stance.

Mr. Ryan, his supporters say, did not necessarily return to the House to start building a presidential campaign. Instead, he is interested in continuing to mix things up as one of his party's leading voices on budget matters. He is interested in forging an even tighter bond with Mr. Boehner as the fiscal fights play out, they say, starting in the coming weeks with a debate over whether to authorize raising the government's borrowing limit and how to avoid deep across-the-board spending cuts set in motion by previous compromises.

"I understand why somebody would want to vote no, but I understand why we had to vote yes," said Senator Lindsey Graham, Republican of South Carolina, who voted in favor of the deal. "But leadership is voting yes when you need to, and we needed to, because if the bill had failed, the stock markets wouldn't have gone up 300 points; they would have gone down 1,000, and all those guys pounding their chests would have folded like a cheap suit." He added: "I thought it was a very responsible vote."

In a statement released by his office after the vote, Mr. Ryan described his decision this way: "Will the American people be better off if this law passes relative to the alternative? In the final analysis, the answer is undoubtedly yes. I came to Congress to make tough decisions – not to run away from them."

Mr. Rubio, in a statement explaining his vote, warned that "rapid economic growth and job creation will be made more difficult under the deal reached here in Washington." He added: "This deal just postpones the inevitable, the need to solve our growing debt crisis and help the 23 million Americans who can't find the work they need."

Those close to Mr. Rubio point to what they say is his unwavering allegiance to conservative principles and note that his sticking point was the tax increase on the highest earners.

"It's bad policy that fails to address the real fiscal issues facing our country," said Alex Conant, a spokesman for Mr. Rubio. "When it comes to taxes, we need tax reform that will promote growth. That's the only way to solve our fiscal problems in the long run, and nothing in the package that was

passed was designed to promote growth."

Of course, it is always tricky to gauge the political impact a vote will have four years later. When Hillary Rodham Clinton and John Edwards, as senators, voted to authorize the Iraq war in 2002, their positions were seen as a political no-brainer. Yet during the 2008 Democratic primary, Mr. Obama's initial opposition to the Iraq war helped catapult him to the nomination.

Mr. Ryan's vote, which lent support to Mr. Boehner, also places him squarely in a role he has long found comfortable: that of the dutiful Republican soldier. Mr. Ryan voted in favor of many large and contentious issues – the Medicare prescription drug plan, the bank and auto bailouts – and in the process cast aside conservative orthodoxy to support his party's leadership.

His tax vote, however, was also a calculated one. He believes that the coming fights on spending and deficit reduction will fall squarely in his budget "sweet spot," in the words of a friend. And with Mr. Boehner's backing, Mr. Ryan has a better chance of influencing those debates.

On Friday, in a vote that seemed to move him closer to his image as a fiscal hawk intent on lowering government spending, Mr. Ryan joined 66 Republican members to oppose a flood insurance bill that would take on more than \$9 billion in debt to help victims of Hurricane Sandy.

"Paul has the long game in mind, so taking short-term pops at Boehner does not advance the conservative agenda," an associate close to Mr. Ryan said. "He's politically invested in his partnership with Boehner."

Many Congressional Republicans said they understood both positions on the fiscal bill, and though Mr. Ryan incurred some anger online from the right wing, those in Washington said that the 2016 race would probably turn on larger fights yet to come.

"I just don't think 2016 is going to be litigated through the lens of this one vote," said Kevin Madden, a Republican strategist and former adviser to Mitt Romney, "because in a month or two, we're going to be onto a whole new deadline fight, and there will be plenty of votes and plenty of areas where you can still build your political profile and your electoral profile where you're a viable candidate in 2016 – the full body of work so to speak."



**Our Comment.** There is, in short, enough bamboozle to go around with enough left over to take advantage of the naïve. *W.K.*

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# For Newly Minted MBAs, A Smaller Paycheck Awaits

By Ruth Simon, *The Wall Street Journal*,  
January 7, 2013

Like many students, Steve Vonderweidt hoped that a master's degree in business administration would open doors to a new job with a higher paycheck.

But now, about eight months after receiving his MBA from the University of Louisville, Mr. Vonderweidt, 36 years old, hasn't been able to find a job in the private sector, and continues to work as an administrator at a social-service agency that helps Louisville residents obtain food stamps, health care and other assistance. He is saddled with about \$75,000 in student-loan debt – much of it from graduate school.

"It was a really great program," says Mr. Vonderweidt. "But the job part has been atrocious."

Soaring tuition costs, a weak labor market and a glut of recent graduates such as Mr. Vonderweidt are upending the notion that professional degrees like MBAs are a sure ticket to financial success.

The MBA's lot is partly reflected in starting pay. While available figures vary by schools and employers, recruiters' expected median salary for newly hired MBAs was essentially flat between 2008 and 2011, not adjusting for inflation, according to a survey by the Graduate Management Admission Council.

For graduates with minimal experience three years or less—median pay was \$53,900 in 2012, down 4.6% from 2007-08, according to an analysis conducted for *The Wall Street Journal* by PayScale.com. Pay fell at 62% of the 186 schools examined.

Even for more seasoned grads the trend is similar, says Katie Bardaro, lead economist for PayScale.com. "In general, it seems that MBA pay is either stagnant or falling," she says.

The pressures are greatest for those attending less prestigious schools, says Stanford Business School professor Paul Oyer, who studies personnel trends. But even at top programs, some graduates are likely to struggle in today's environment, he says.

Another burdensome issue: a high debt load. Nearly 60% of graduating MBAs said they expected to repay some loans after graduation, according to a 2012 GMAC survey. Among households headed by peo-

ple with student debt who attended graduate school and are under 35, average student loan debt climbed to \$81,758 in 2010 according to a *Wall Street Journal* analysis of Federal Reserve data. That figure is up from \$55,594 in 2007.

It is all a far cry from the late 1980s and early 1990s heyday for MBAs, when some companies would hire 100 or more MBAs. It wasn't uncommon to recruit first, and fill actual jobs later.

"Some of those companies would hire today barely in the single-digits," says Mark Peterson, president of the MBA Career Services Council.

A weak economic climate is only partly to blame for the MBA's plight. The changing nature of B-school programs, evolving corporate needs—as well as the perceived value of the degree have all helped dilute the MBA's allure.

Formerly, the traditional MBA was mainly the product of a full-time, two-year program. But beginning in the early 1990s, many schools created part-time and executive MBA programs, with lower-ranked schools often following in the footsteps of academic leaders. Online degrees also gained in popularity.

As a result, the number of MBA degrees granted has grown faster than the population, says Brooks Holtom, a management professor at Georgetown University's McDonough School of Business.

"An MBA is a club that is now not exclusive," he says. "You should not assume that this less exclusive club is going to confer the same benefits."

Today's global corporate culture amplifies the competition. "We are trying to internationalize our business like everyone else," says Lee Ashton, director of international human resources at spirits maker Brown-Forman Corp. With 58% of its business outside the US, the Louisville company has stepped up recruiting of MBAs from abroad.

US schools granted a record 126,214 masters degrees in business and administration in the 2010-2011 academic year, a 74% jump from 2000-2001, according to the Department of Education. The MBA march is part of an overall boom in advanced degrees that took on added steam as some

recent college graduates and others sought refuge from the recession by pursuing advanced degrees. Tuition and fees for fulltime MBA programs have risen 24% over the past three years, according to the main body that accredits US Business schools.

It is unclear how many MBAs the market really needs. Recently more companies have indicated that "they are moving away from an emphasis on MBAs" and are instead hiring more undergraduates at lower salaries that they can then train in-house, says Camille Kelly, vice president of employer branding at Universum, a firm that advises companies on how to attract and retain the best employees. Companies, she says, "still will do MBA hiring, but it won't be to the same extent they have in the past."

United Parcel Service Inc., which has a hub in Louisville, puts more emphasis on MBAs and other grad-school types than it did five years ago. Still, know-how trumps all. "We're always going to look at the work experience first and how has that been enhanced through any advanced degree," says spokeswoman Susan Rosenberg.

The University of Louisville illustrates how some MBA programs have struggled to remain attractive, and relevant, in this rocky environment.

R. Charles Moyer, dean of the College of Business, was recruited away from Wake Forest University in 2005 with a mandate to ramp up the Louisville MBA program.

Ten local business leaders had pledged to kick in roughly \$10,000 each for five years toward his \$350,000 paycheck.

Louisville "was growing at that time," recalls C. Edward Glasscock, a local attorney

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## Reader Letter

December 16, 2012

Dear Bill,

Thank you for another year of your remarkable economic letter!

The fact that you continue to travel to far off places is wonderful.

I would have enjoyed learning more about your experience in Greece, but it was refreshing to read a more critical and positive take on the Greece left position.

I heard you on CBC radio, relating your experiences in Spain during the civil war. A recording I think but very good to hear.

All the very best to you. I look forward to another year of COMER and *ER*.

Best wishes,

*Roger Swan*

who helped spearhead the fundraising effort. “We had to make sure we had graduates to fill the workforce needed.”

Mr. Moyer tightened admission standards. Also, in 2007, he revamped the school’s existing part-time MBA program, made up of students who were pursuing degrees while working. Under the new program, groups of students moved together through classes over a two-year period, which was later shortened to 20 months.

He also added faculty, increased course options and introduced Saturday “enrichment programs” on negotiation skills, ethics and business etiquette. Three years ago, he introduced a full-time MBA aimed at recent college graduates that includes a paid internship with a local employer. Next year, the school will begin another program for students with 12 to 15 years of work experience.

Mr. Moyer acknowledges that the growth in offerings was driven in part by a desire to boost revenues. “When I get a budget cut, I think about starting a new program,” he says. “If we can do it really well and generate a lot of money, we can pour it back into our core business, which is undergraduate education.”

Louisville now offers full- and part-time MBAs as well as a highly regarded entrepreneurship program that in total enroll roughly 250 students—roughly a 10% increase since Mr. Moyer’s arrival. With total tuition of \$32,000 a Louisville MBA is still a relative bargain. But the price tag has more than doubled under Mr. Moyer’s tenure. Revenues from the MBA programs have increased by more than 250%.

The dean says an MBA degree remains a “terrific investment,” though the returns might not be evident for “a year or two.”

Indeed, some of the same companies that support the Louisville MBA program stress that experience, not the degree alone, opens the door to jobs.

Texas Roadhouse Inc., a Louisville-based restaurant chain, donated a \$200,000 student lounge to the B-school and has hired several MBA students as interns and employees. But spokesman Travis Doster says restaurant experience carries more weight than an MBA when the chain fills positions at its corporate office.

Nor does an MBA guarantee a pay hike. “I haven’t seen an automatic boost for any degree,” says Kevin Stakelum, director of talent acquisition for Humana Inc., one of Louisville’s largest employers. While an MBA can be valuable, particularly in certain positions, “it’s a piece of the entire puzzle.”

Casting a wider net remains a challenge. “It’s always difficult to get those upper-tier companies to come and recruit,” says T. Vernon Foster, who oversees career services. “Once they do, they are always impressed.”

Joshua Sickles, a 2010 graduate of the part-time program, figures his Louisville MBA helped him land a promotion at UPS that added about \$15,000 to his paycheck. “It was an investment in myself,” says Mr. Sickles, who borrowed roughly \$30,000 for his degree.

Other graduates have found returns to be more elusive. “It definitely did not open up a lot of opportunities right away,” says Matthew Wilson, 29, a 2010 graduate who says having an MBA wasn’t a prerequisite for his current position in financial services. “I definitely would do it again,” he says. “But I don’t think it carries the same weight as it used to.”



**Our Comment.** The prevailing wisdom is to buy the service and simply have the man for as long or short a time that he might be needed. This has not helped in repaying the tuition investments of the personnel involved. *W.K.*

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# Merry Christmas and the Happiest of New Years

*Dolbeau is a small papermill town in northern Quebec, on the Mistassini River, just north of Lac St. Jean.*

## My Early Boyhood — Dolbeau Winters

Winters were long in Dolbeau from September snow flurries  
To the last melting snows of May, rivers quickly frozen  
Bank to bank, except where cascading waters created  
Passages of intricately ornamented icy palisades, and landscapes  
Where gentled by a thick wintry coat of ever shifting snows.

Winter is a time of skis that all us boys had mastered  
Almost as soon as we had ceased to crawl, multi-socked,  
And moccasined feet, leather strapped to wooden skis, with  
Mitted hands clutching bamboo poles, we sallied forth  
To nearby slopes, climbing to the peak before  
Swooping downward with exhilarating speed, to climb again  
And so repeat endlessly whiling away the winter day.

We skied to school, the one room classroom with each  
Row of desks another grade, and eavesdropping on an  
Upper class far more interesting than our tasks assigned.

We skied on weekends with family across frozen-rivers, on  
Forest trails, and down clear-cut, treeless slopes,  
Pausing to picnic when spring sunshine lifted temperatures  
From the far below zero depths of deepest winter.

We skied across a flattened landscape, over fences  
No longer visible, threading between the trees of wooded  
Areas unimpeded, well above the tangled undergrowth.  
Down steep slopes of virgin snow, disappearing when we fell  
Into soft pillowy snow drifts of unimagined depths.

Winter blizzards produced giant drifts of snow against  
Every up-wind vertical structure, hiding everything  
Below a certain height, and creeping up others, making hills  
Of windward sides of houses, sweeping to the roof line.

The road to the mill, modestly plowed yielded massive  
Roadside mountains of snow into which we boys burrowed  
Creating networks of tunnels with vertical rises to  
Observation posts from which, unseen, we could survey  
The change of shift workers all with metal lunch boxes  
Walking by before the 4 o’clock whistle released a returning flow.

As short winter days lengthened with Spring arrival, and  
The sun’s rays strengthened, the massive snow cover crept  
Away yielding everywhere running rivulets which we boys  
Dammed creating ponds surrounded by snow sculpted villages  
And other products of imaginary worlds. And so slowly, an old  
Landscape re-emerged, renewed, and winter disappeared:

## Memories

With my 80th birthday looming, my very best wishes,  
*Wavell Cowan*

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# A man without a history must live on social assistance and spend Christmas alone; a woman moves her family into a shelter. Judging by first-hand horror stories of Canada's witness protection program, the government's proposal for reform can't come soon enough.

By Patrick White, *The Globe and Mail*,  
December 29, 2012

It is a bright Thursday morning and a trail of dry blood leads to the hairstylist's doorway. There is no actual door, just a sad sheet of sagging particle board. A toppled garbage can lies on the sidewalk. Across the street, kids scream in a Catholic school playground. Over here, in front of a home whose location cannot be revealed by law, hangs an air of abandonment.

"Sorry about the door," says a trim man with stylish grey hair and a tight black T-shirt tottering up the lane beside the house. He's leaning on a wall as he walks. "The police kicked it in when they found me on the floor. If they had waited any longer, the doctors said I would have bled out."

His true identity is secret. He can only be referred to here as John Doe. He is one of the roughly 1,000 Canadians in the witness protection program. Or at least he's pretty sure he is. More about that later.

Lurking just above his right eye is a nasty-looking scar crusted with blood. It will require plastic surgery because a doctor stitched his eyebrow inside the wound.

"I've lost my eyebrow," Mr. Doe says. "It looks horrible."

Three weeks earlier, someone swatted him off his bicycle with a metal pipe. Lying in the street, he could only assume that his life was about to end, that the Hells Angels were finally making good on a vow to kill him – that the country's patchwork witness protection programs had let him down for the last time. But, by a bit of luck, here he is.

On Tuesday, Public Safety Minister Vic Toews introduced a series of proposed reforms to the program, many anticipated since 2007 when it was revealed that a protected witness committed murder while in the program. The *Safer Witnesses Act* would streamline the identity overhaul that lies at the heart of the program. Some in the pro-

gram have waited years for new identification. One woman who spoke to *The Globe and Mail* lived in a shelter for more than a year with her four children while she waited for documents verifying her new name and background. The act would also allow government agencies other than police to refer people to program and usher in new laws against disclosing details about protected witnesses.

For Mr. Doe and others, the proposed changes don't go nearly far enough. "The men I put away, they got a slap on the wrist," he says. He pauses for a moment to look around his \$600-a-month rental home, which features a toilet in the living room. "I've been incarcerated for life."

It wasn't the Hells Angels after all who knocked him off his bike. Whoever did it didn't stick around to finish him off. He knows he made his way home somehow and collapsed on his kitchen floor in a pool of blood. He knows the police found him there. He knows one officer insisted he had merely fallen off his bike after a night of drinking, only later siding with his version of events – that someone smacked him off his bike with a metal pipe.

"I thought I was going to die," he says. "I thought that was it. My identity was compromised and they'd finally caught up with me."

In 2000, following years of jet-setting, seven-days-a-week work, one heart attack and two strokes, Mr. Doe thought he had found a measure of physical and mental peace by opening a salon near his family in small-town Ontario. In eight months, he had snipped his way to \$170,000 in gross receipts. But it was around that time he met a smooth-talking loan shark named Robert Megna and his life of tranquility would be gone for good.

Mr. Megna convinced the hairdresser to accept a \$30,000 loan to buy heavily

discounted salon equipment. But Mr. Doe quickly found the terms of the loan too onerous – 50-per-cent interest, an immediate up-front payment of more than \$7,000 – and on it went. By the time he realized he was being swindled, the \$25,000 was spent and the salon equipment was gone, sold by Mr. Megna to another stylist for \$45,000. Yet the loan agreement remained in place.

He kept up monthly payments for a while, until lawyers and accountants told him he was crazy. That's when Don (Ryder) Stewart, an imposing Hells Angel with a grey ponytail, strolled into the salon shortly before noon one July day in 2001. He demanded \$25,000 on the spot. The debt would increase if Mr. Doe stalled.

"You don't want to see my bad side," Mr. Doe recalls the burly biker saying. "Do you realize who you're dealing with here?"

During subsequent phone calls, he was told his salon and car would be blown up. Rather than cower, he went to the police.

"I was always taught that if you have a problem, go to the police," he says. "That was how I was brought up. It turned out to be the worst decision I ever made."

He agreed to testify against his tormentors and enter the witness protection program.

"I remember when I finished testifying, my handler in the program, she told me to take everything out of my wallet. She checked my wallet and there was a stamp. She left the stamp. And that's all I had left. It was the most vulnerable moment of my life."

He was forced to sell his house, cut off ties with his family, relinquish all evidence of his old identity.

Now living under an assumed name, he's getting by on \$606 a month in social assistance. His credit, education and work history have been erased. All efforts to start fresh ones have gone awry. "I couldn't even

go apply to a Country Style doughnut shop. I have no history! According to my paperwork, I've never worked anywhere. Who's going to hire a 58-year-old who's never worked anywhere?"

The Ontario Provincial Police handled him at first, eventually transferring him into the federal RCMP program. He was kicked out of the program in 2004 when police claimed he had compromised his identity by advertising a new business. A judge later reinstated his protected status. Today he can't get a straight answer whether he's in or out. Either way, he can never return to the identity he had, except through art. He has a play and movie in the works.

"I wish it were over, my mother wishes it were over," he says. "I have to sneak over to see her. It won't ever end. We were a very, very close family. Now I spend Christmases alone."

Andrea Matthews has lived it, too. She has this funny way of shaking and nodding her head simultaneously when she's told about the experiences of others in the program. She's been there and she hates it. Upon hearing of Mr. Doe's experience, she goes into full nod-and-shake, gets up from a couch and grabs several files detailing her 20-year involvement with the RCMP witness protection program. She walks with a limp, a constant reminder of the toll the program has taken on her.

In June of 1992, Ms. Matthews was convinced her husband was about to kill her. She sought out the Calgary police and helped them prosecute the man for fraud before being admitted to the federal relocation program run by the RCMP. Her worries were over, they assured her.

But they were just beginning.

She was stripped of all identifying cards and documents in Thunder Bay and told to drive on to London, Ont. There, the mother and her children lived in a hotel until their money ran out. With her work and credit history expunged, Ms. Matthews couldn't work. So the family moved into a shelter, where they stayed for more than a year as the Mounties prepared new identification documents for her and her kids who missed a full year of education as they waited.

The two decades since have been a running battle with the RCMP over access to identification. Visiting a friend's home in the Greater Toronto Area last month, she pored over reams of documents generated over that time as she mulled how to proceed with a \$200,000 law suit she has filed against the Mounties for "maliciously" foul-

ing up her paperwork.

"You will not find anyone happy with this program," says Ms. Matthews, limping among her many files, a painful gait caused by lingering plantar fasciitis that went untreated as she fought the government for an Ontario health card. "You know in the movies how these people in the program get a big cash settlement and a fake history and everything? They give you nothing in this country. Nothing! No credit history, no school history, no work history. They act like they really value you at first, then when the court case is over, you become garbage."

Lawyer Barry Swadron, who has represented a number of protected witnesses in law suits against the RCMP, calls it the promise-you-the-moon approach where one handler coaxes a witness into signing a letter of agreement by promising to ease all their worries before passing them on to a second handler who purports to know nothing of the earlier pledges.

"The big problem is the lack of central training for handlers," Mr. Swadron said. "If we could produce more knowledgeable handlers, that would go a long way. There are so many people who come to me with tales of woe about their handlers that I suspect there are problems in every single case."

According to a 2008 committee report on the program, there were roughly 1,000 protected witnesses across the country, 700 under the RCMP's watch, with provincial and municipal forces responsible for the remainder.

Requests to speak with police about Ms. Matthews's case go nowhere, as do requests to speak with anyone in government about specifics of the program. "Our government is committed to ensuring safer witnesses," was as much as Public Safety Canada would say about the \$9-million-a-year RCMP program.

Despite the silence, those who work in the program merit some measure of sympathy. As one former RCMP investigator noted, the vast majority of protected witnesses are career criminals using the program as an escape from a life of unsettled scores and outstanding debts. The former Mountie, who did not want to be identified, described one protected witness whose habitual partying left him frequently pleading with his RCMP handler for more money.

Ms. Matthews was far from a hardened criminal when she entered the program, but she nearly became one as a result. Lacking the means to apply for a legal job, she began

running errands for organized crime, her black hole of a past proving valuable among figures whose movements were restricted due to criminal pasts.

"I remember once I'm in a hotel room with all these Sicilian guys and they hand me this bunch of olive oil and they want me to deliver it to the boss, who's just out of jail, as a present. They said, 'We can't do it because he's on parole and we all have criminal records.' So I did that. I needed the work. And then I started delivering other stuff for them – hockey tickets and messages tightly wrapped in plastic wrap and all that."

She has been working on a memoir called *Witness Protection: Path to Organized Crime*.

If she finishes the book, she won't be the first to write about life in the program. Paul Derry was kicked out of the program when he penned a memoir of life in witness protection three years ago. He and his family had been living in protection since 2001. He had been working as drug dealer and police informant when he participated in the Hells-Angels-ordered murder of Sean Simmonds in Nova Scotia. In return for his freedom, he helped police convict four other men for the homicide.

"I went from a world of hundreds of thousands of dollars a month selling cocaine to working in a coffee shop," he says. "That's a big lifestyle change."

While he is closer to the classic profile of a protected witness – a lawbreaker turned star witness – his treatment hasn't been much different.

"I've been in the program for over 10 years, but my son didn't get a birth certificate until two months ago, he's 14. The program leaves a lot to be desired."

There has been talk from time to time of forming an association of protected witnesses to fight for fair treatment from police. "A union of rats? Uh, no thanks," Mr. Derry says with a chortle.

What's the fix? NDP MP Olivia Chow recently called for a unified national witness program that would better serve regional and municipal police agencies. Her appeal came after Toronto police repeatedly expressed frustration with the dearth of witnesses coming forward in Toronto's Danzig Street shooting case. An internal RCMP report obtained through Access to Information suggests creating an independent watchdog body.

Others have said Canada should adopt the American model, where the US Marshals Service, an agency apart from the

investigating and prosecuting bodies, looks after protected witnesses. The 2010 Air India commission recommended that a new agency be formed to take over witness protection, calling the current arrangement a conflict of interest. The Conservative government determined that approach would be too costly and cumbersome to implement. “[The RCMP are] the ones who are

in the best position, federally speaking, to determine how in fact to deal with witnesses in need or protection and the extent of that protection,” Mr. Toews said recently.

“We just need to be treated like humans,” says Mr. Doe, the hairdresser. “I don’t feel that way. I feel stupid, naïve, totally embarrassed. I shouldn’t have done it. I shouldn’t have gone in the program.

Nobody should. I would have been better off hiding on my own. It’s an insult to any Canadian citizen.”



**Our Comment.** The cell bars of an ever-distraught bureaucracy can leave needy citizens as helpless as any designed by a plotting bureaucracy. *W.K.*

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## Israel Moves to Review Restrictions on Women’s Prayer at Western Wall

*By Jodi Rudoren, The New York Times, December 26, 2012*

Jerusalem – Amid outrage across the Jewish diaspora over a flurry of recent arrests of women seeking to pray at the Western Wall with ritual garments in defiance of Israeli law, Prime Minister Benjamin Netanyahu has asked Natan Sharansky, the chairman of the Jewish Agency, to study the issue and suggest ways to make the site more accommodating to all Jews.

The move comes after more than two decades of civil disobedience by a group called Women of the Wall against regulations, legislation and a 2003 Israeli Supreme Court ruling that allow for gender division at the wall, one of Judaism’s holiest sites, and prohibit women from carrying a Torah or wearing prayer shawls there.

Although the movement has struggled to gain traction in Israel, where the ultra-Orthodox retain great sway over public life, the issue has deepened a divide between the Jewish state and Jews around the world at a time when Israel is battling international isolation over its settlement policy. Critics, particularly leaders of the Reform and Conservative movements in the United States, complain that the government’s recent aggressive enforcement of restrictions at the wall has turned a national monument into an ultra-Orthodox synagogue.

“The prime minister thinks the Western Wall has to be a site that expresses the unity of the Jewish people, both inside Israel and outside the state of Israel,” Ron Dermer, Mr. Netanyahu’s senior adviser, said in an interview on Tuesday. “He wants to preserve the unity of world Jewry. This is an important component of Israel’s strength.”

Mr. Sharansky, whose quasi-governmental nonprofit organization handles immigration for the state and is a bridge between Israel and Jews around the world, said that Mr. Netanyahu asked him on Monday to

take up the matter, and that he expected to have recommendations within a few months. He and Mr. Dermer said the agenda would include improvements for Robinson’s Arch, a discrete area of the wall designated for coed prayer under the court ruling, and the easing of restrictions in the larger area known as the Western Wall plaza, along with the more sensitive questions regarding prayer at the main site.

Mr. Sharansky said the Jewish Agency itself stopped having ceremonies for new immigrants in the plaza about two years ago after the Western Wall Heritage Foundation, which controls the site, said that men and women could not sit together. Under pressure from the international groups that provide its financing, the agency passed a resolution on October 30 calling for a “satisfactory approach to the issue of prayer at the Western Wall.”

Asked whether he could imagine a day when women could wear prayer shawls and read a Torah at the wall itself, Mr. Sharansky said, “I imagine very easily a situation where everybody will have their opportunity to express their solidarity with Judaism and the Jewish people and the state of Israel in a way he or she wants, without undermining the other.”

“That’s as much as I want to say at this moment,” he added. “Now I have to share this vision with the appropriate bodies.”

Mr. Sharansky, a former Soviet dissident and widely respected figure, has been called upon before to broker peace with the diaspora over questions of religious pluralism, most recently during a harsh fight over conversion. Anat Hoffman, the chairwoman of Women of the Wall, reacted with cautious optimism to Mr. Netanyahu’s initiative, but said it would not stop the Israel Religious Action Center, of which she is executive director, from filing a Supreme Court petition as soon as next week challenging the

makeup of the heritage foundation’s board.

“It’s a good thing that after 24 years the highest echelons in Israel are actually paying attention to this rift that is breaking diaspora Jews from Israel,” she said. “The table that should run the Western Wall should have everyone who has an interest in the wall sitting around it.”

Rabbi Shmuel Rabinowitz, the head of the heritage foundation, said in an e-mailed statement that he was unaware of the Sharansky initiative and therefore “does not have an opinion about it.”

While Ms. Hoffman said the women’s group would be satisfied if it were allowed to pray at the wall once a month with full regalia, her religious action center wants hours each day, between scheduled prayer times, when the gender partition is removed and people can freely enjoy the site as a cultural monument.

“If in the end what happens is that the Robinson’s Arch area will be run by the Jewish Agency instead of the antiquities department, then we’re talking about who’s going to take care of the air-conditioning in the back of the bus,” she said. “I don’t care about that. I don’t want to sit in the back of the bus. I want to dismantle the Western Wall Heritage Foundation.”

Abraham H. Foxman, the director of the Anti-Defamation League, said he discussed the wall and other questions of religious pluralism with Mr. Netanyahu in Jerusalem on Monday. “This is a wise initiative, but it’s only a beginning,” Mr. Foxman said.



**Our Comment.** What is really brought to the fore is that to make possible unacceptable privilege it must be confined to a limited minority. Avoiding doing so provides the means of keeping the necessary resources essential for a corrupt diversion of the spoils to an abusive level. *W.K.*

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# The Spanish Language Together with Portuguese, Catalan and Basque

*An extended excerpt from this book by William J. Entwistle, MA, published by Faber & Faber Limited in London.*

## Foreword

Professor W. J. Entwistle died at Oxford in 1952, at the age of fifty-six. The second in order of his books, *The Spanish Language* was published in 1936; a quarter of a century later it remains unchallenged as the only competent and scholarly work on the subject to have been written in English.

These twenty-five years have nevertheless been a time of notable advance in Hispanic studies.

Writing in the early nineteen-thirties Entwistle was handicapped by the fact that much of the essential groundwork for a really comprehensive study of the Hispanic languages still remained to be done. There was no satisfactory etymological dictionary of Spanish and dialectal survey was confined to a few very limited areas. The former deficiency has now been superbly eliminated by Joan Corominas with the publication in four volumes of his *Diccionario crítico etimológico de la lengua castellana* (Berne, 1954-7) a pioneering work of the highest competence and fully Hispanic in scope. Almost simultaneously there appeared V. García de Diego's *Diccionario etimológico español e hispánico* (Madrid, 1954), less ambitious, lacking the critical element, but very serviceable.

In the field of dialectology Entwistle had access to the Catalan explorations of A. Griera, including the four volumes of his linguistic atlas of Catalonia which appeared from 1923 to 1927 (a fifth, reaching the letter F, was published in 1939 before war brought the enterprise to an untimely end). There was no complete linguistic atlas of Spain, and this remains a much-felt need, though its absence has been partially compensated by an abundant growth of local monographs. Over the Aragonese dialect, to which Entwistle rightly attributes an important place in the history of Hispano-Romance, there had hung in the words of one scholar "a conspiracy of silence"; yet even while Entwistle was wrestling with *The Spanish Language* at least four different dialect explorers, unbeknown to one another, were perambulating the villages and hamlets

of the Pyrenees, recording the last vestiges from surprised oldest inhabitants. A synthesis of the results obtained has been made more recently by Manuel Alvar (*El dialecto aragonés*, Madrid, 1953).

For a knowledge of Leones it is on the work of Menéndez Pidal that Entwistle was largely dependent; a full-scale study, of which sufficient has already been published to confirm its high quality, is being prepared at present by two former pupils of the Madrid school, Diego Catalán and Alvaro Galmés. For southern Spain there was little reliable information; here Manuel Alvar, physically translated from Saragossa to Granada, has undertaken a survey of Andalusia and promises an imminent linguistic atlas of Spain, conceived on a regional basis like the new French atlas. Two general studies of Spanish dialectology have meanwhile become available: V. García de Diego's *Manual de dialectología española* (Madrid, 1945) and the recent *Dialectología española* by A. Zamora Vicente (Madrid, 1960), which differs from the former in that it leaves aside Galician as belonging more properly to the Galician-Portuguese complex, and also Catalan, to concentrate more closely on what is historically Spanish.

In the medieval field, publication of twelfth- and thirteenth-century legal codes, the *Fueros*, particularly in the series of *Leges Hispanicæ Medii Aevi* produced in Sweden under the direction of Gunnar Tilander, has considerably increased the volume of accessible early Spanish prose. No less worth of remark is Tomás Navarro's collection of *Documentos lingüísticos de Aragón* (Syracuse, New York, 1957), a work originally intended as vol. ii of the *Documentos lingüísticos de España* (ed. Menéndez Pidal). An up-to-date anthology of linguistic texts intended for the use of students has recently been published in this century: *Textos lingüísticos del medioevo español* by D.J. Gifford and F.W. Hodcroft, Oxford, 1959. For the history of Spanish pronunciation there was available to Entwistle, though he does not mention it, H. Gavel's *Essai sur l'évolution de la prononciation du castillan depuis le XIV<sup>e</sup>. siècle* (Paris and Biarritz, 1920). The late Amado Alonso has treated the same theme again, from different view-points, in *De la pronunciación medieval a la moderna en español* (Madrid,

1955). Tomás Navarro's *Pronunciación española*, several times re-edited, remains the standard work for the modern tongue. Amado Alonso, his unrelated namesake Dámaso Alonso, Rafael Lapesa and many others have contributed studies of the linguistic usage of later authors, though it is perhaps not entirely relevant to dwell on these, since Entwistle's concern is with the creation of Hispanic languages and their diffusion rather than with subsequent literary manifestations.

Interest in Catalan, which perforce fell into abeyance for fundamentally important *Gramática historic catalan* by A. Badía Margarit (Barcelona, 1951) and from J. Ruiz i Catalonja an *História de la literatura catalana* (Barcelona, 1954). For English-speaking students there is an introductory *Catalan Grammar*, with a selection of extracts from Catalan writers, by Joan Gili (2nd ed. Oxford, 1952).

Portuguese studies too have considerably expanded. Manuel de Paiva Boléo founded in 1947 a *Revista Portuguesa de Filologia*, of international range, and from his department at the University of Coimbra, come many pertinent contributions. In Portugal as in Spain, attention has turned to the cultural and linguistic value of medieval legal texts; *A linguagem dos Foros de Castelo Rodrigo* by Luis F. Lindley Cintra (Lisbon, 1959) contains a detailed examination of Leonese and Galician-Portuguese in the thirteenth century. A Brazilian scholar, Serafim da Silva Neto, has become known during the past few years as a leading authority on Portuguese problems, with particular reference to his own country (*Fontes do latim vulgar*, 3rd ed. 1956; *Manual de filologia portuguesa*, 2nd ed 1957; *História da lingual portuguesa*, 1952-7; etc., all from Rio de Janeiro).

Kurt Baldinger treats Peninsular development as a whole in *Die Herausbildung der Sprachräume auf der Pyrenäenhalbinsel* (Berlin, 1958), of which a translation into Spanish, *La formació de los dominios lingüísticos en la península ibérica*, is announced by the Editorial Gredos (Madrid). A critical biographical guide has been supplied by G. Rohlf's, under the title *Manual de filología hispánica* (Bogotá, 1957). In this wider field Yakov Malkiel has produced a number of studies primarily of a lexical character, both as separate monographs and in the review

*Romance Philology* which he edits from the University of California. The *Bulletin of Hispanic Studies*, edited at Liverpool by A.E. Sloman, has raised its sights and become more representative of all Hispanic interests. And last not least, if we may use the favourite English expression of our foreign colleagues, the annual publication of the Modern Humanities Research Association, *The Year's Work in Modern Language Studies* (ed. W.H. Barber), of which in its present form Entwistle himself was the first editor and for long the guiding inspiration, grows ever richer in detail and may justly be claimed as indispensable for whoever would take a more than passing interest in the study of modern European languages.

For such a person, as these brief comments may have implied, the Hispanic world alone offers an *abîme de science*. It is an abyss of which Entwistle was almost painfully conscious. "I suppose you do not feel, after each new book read, as full of shamed ignorance as I do," so he wrote in a letter addressed to me a few weeks before his death. In a relatively short span of life his "shamed ignorance" was a goad which drove him to seek knowledge in many directions, to intellectual forays of which his various books preserve the record. *The Spanish Language*, the most intimately related to his activity as a teacher, is probably the one by which he will be best remembered.

W.D. Elcock, *Hampstead*  
September, 1960

Note by the Editor

Professor W.D. Elcock prepared this foreword shortly before his death, and made minor corrections to the text, so that Professor Entwistle's book could be reprinted. I have shortened the foreword and altered some of the revisions in order to minimize disturbances to the text.

L.R. Palmer, *Oxford*  
March, 1962

## Chapter I: The Languages of the Spanish Peninsula

The purpose of this book is to give an account of the Peninsular Group of Great Languages. The epithet "great" can have no purely linguistic meaning. To the philologist all languages are of equal interest; they all contribute to our knowledge of the great human fact of Language. What each has to display is not equally essential, since many belong to our knowledge of the great human fact of Languages. What each has to display is not equally essential, since many

belong to vast speech-families and so in the main repeat the same or similar phenomena. Outside these families there exist, however, some languages which are unique. They do not reiterate the experience of many others, but, in their independence, offer the student an unusual wealth of fresh facts. Such a language is Basque. For peers it does not admit the circumjacent Romance tongues, French and Spanish, which are comparatively recent immigrants into its neighbourhood. It is comparable, in its antiquity and originality, not even with Latin, but with primeval Indo-European and the ancestral stocks of the great speech-families. For these qualities Basque draws to itself the eyes of the most proficient and broad-minded students of language, who find in its structure alternative and original solutions for the problems of human expression. In respect of its uniqueness the Basque language merits the description "great."

Greatness, however, is not a philological quality, but social and historical. Richness of thought-content and ample diffusion, singly or in combination, confer prestige on a language. The speech of the Athenians in the day of Euripides and Plato, enriched with the thoughts and rhythms of Homer, the lyrists, the tragedians and the historians, was already more copious and beautiful than any tongue before or since, though it was confined within part of one peninsula and some adjacent islands. The conquests of Alexander made it also territorially great. With less cultural experience the language of imperial Rome exercised in its time, and increasingly exercises, a portentous territorial domination. Extensive and intensive greatness are not necessarily combined; the case of Bantu and Swahili may be cited as proof. But in general, use over a wide area and by millions of speakers endows a language with depth and experience. Languages of rich thought-content tend to propagate themselves over the largest areas, and conversely they come to know, like the traveled Odysseus, "the minds and cities of many men." High social and cultural value expands the use of French and Italian wherever the decencies and loveliness of life are esteemed; English, Spanish and Portuguese are of enormous spatial and numerical importance. These languages do business on the oceans and converse with the ends of the earth, and by such intercourse they have been enriched with a marvelous booty of experience.

Such is the greatness, then of the Peninsular languages. They are not philologically

unique, like Basque, for they are but forms assumed by Latin in particular areas. Even within the Latin group, Spanish, Portuguese and Catalan show fewer ramifications and innovations than a restless tongue such as French. Theirs is a wealth of thought, art, and, above all, human experience. The genius of Cervantes and Camões, of an infinite number of playwrights, novelists, moralists, mystics, has entered into the innermost fibres of these tongues. In their expansive colonizing urge and their contact with American, African and Asiatic races, Spanish and Portuguese are supreme among Romance Languages. But for the additions they made to the Latin-speaking world in the age of the great discoveries the frontiers of Romania would have shown a permanent contraction since Roman times. Summoning, before Canning, the New World to redress the balance of the Old, Spain and Portugal brought into being that equipoise of Latin and Germanic speech which is a characteristic mark of western civilization.

The expansion of Spanish and Portuguese was principally the work of the great discoverers who followed Columbus to America and Gama to Calicut. Their feats have sometimes been deemed fortuitous, during the Middle Ages, with merely European interests. In the case of Portugal, the circumnavigation of Africa was a policy deliberately conceived in one great mind, that of Henry the Navigator, and obstinately followed for sixty years at great cost in life and treasure. Columbus, who was prone to exaggerate, perhaps, estimated in 1492 that half the population of the small kingdom had been used up on the African adventure. Gama's successful voyage and the thalassocracy set up by Almeida and Albuquerque are immediate consequences of a great idea courageously applied. Portugal had no Moors on its soil in the fifteenth century, and one of the Navigator's motives was to carry the war across the Straits, not by a frontal attack, but by encircling the rear of Islam. Spain, at that time, still had to reduce the Moslem remnant in Granada. Yet Spain had already extended overseas in a south-westerly direction by occupying the Canary Islands (1402 ff.), and could be expected to pursue an expansionist policy beyond the Straits. The Aragonese monarchs, who were also freed from Moorish complications on their own soil, extended their dominion over Sardinia, Sicily, Naples, Athens and the Morea in the fourteenth century, following a course of Mediterranean ambitions; and in consequence of their action Sicily and Naples maintained at least a family connection with



Spain until the unification of Italy last century. We may take it therefore that expansion and colonization are not accidents, but characteristic marks of Spanish history. The experience gained in “populating” devastated lands, won in the early Middle ages from the Moors, gave the Hispanic peoples an aptitude for conquest and colonization in which their only modern rivals are the English. It is one of many resemblances between Britain and the Spanish Peninsula which constitute a just claim for mutual study and appreciation.

Determined by the circumstances of the age of great discoveries, the extension of Spanish and Portuguese over the globe corresponds closely with the world as known at the close of that period. The Portuguese extension is African and Asiatic, and as it was essentially maritime, it has made permanent settlements only in islands and ports – Cape Verde, Portuguese Guinea, Santo Tomé, Daman, Diu, Goa, Ceylon, Malacca, Macau, Ternate, Tidore and the Spice Islands. Landward territories like Angola and Mozambique are the result of capitalizing the vague costal dominion of the earlier explorers under the influence of the nineteenth-century scramble for Africa. Early settlements in Brazil were also of the factory and insular type. Extension into the interior came partly as a result of a change of method in the eighteenth century, when colonization ceased to be conquest and exploitation, but rather occupation of the ground; partly also because the Amazonian forest converted eastern Brazil into a kind of vast island, immune on the land side from attack. The Portuguese penetrated to the edge of this area, to the line where began the Andine dominion of Spain. Spain occupied with her arms and her language the other half of South America, with the sickle of Antillean Islands (though losing many of the smaller ones to France and England in the eighteenth century); she occupied also Mexico and Central America, together with an undefined area to the north of the Río Grande – an area of conquistadors, missionaries, and sailors. Thus in New Mexico and Arizona there is still an area of Spanish speech, assaulted by the dominant English; but in former times the Spanish claim was thinly asserted over a much wider area. Florida was Spanish, together with some coast forts further north. Contracting towards the Mississippi delta, the indefinite frontier ran far enough northward to give Spanish names to a number of western States – Nevada, Texas, California, Oregon (?), to towns – San Francisco, Los Angeles,

Santa Fe, Sacramento, rivers – Colorado, Grande, Verde, Brazos, mountains, islands and straits. The last-named extend as far as the Alaskan border.

Only Basque has shown no urge to expansion, but it displays the characteristic of tenacity, the prime condition on which colonies are retained; the prime condition on which colonies are retained; and in the fifteenth century Basque whalers established something like a thalassocracy in the waters of the Atlantic.

To estimate the number of persons speaking one or other of the Peninsular languages is not easy, and widely varying figures have been given. Census returns for American states are not always available, and it is uncertain how large a deduction is to be made for aborigines totally or partially unacquainted with the language of their rulers. To commence with the smallest, some 550,000 speakers have been attributed to Basque, or whom some 450,000 reside on Spanish soil. The number is decreasing as the territory contracts. Bilbao is a town that can no longer be deemed Basque-speaking, as it was sixty years ago, and the loss of speakers has been estimated at 70,000 in the same period. Catalan is spoken still in Rous-

sillon, since the primitive frontier between France and the Peninsula followed the line of the Corbières, the northern fork of the Pyrenean chain. The language occupies all Catalonia and the Balearic Islands, the costal half of Valencia, and the single town of Alghero in Sardinia. It was formerly in use in Cagliari, and in medieval times must have had a considerable official standing in the whole island and in Sicily. A total of 5,410,000 has been claimed for Catalan, which includes the 10,000 Algherese and some 100,000 who have emigrated to America and still use their native tongue as a means of private communication. In Rousillon, the use of Catalan runs concurrently with the official and cultural use of French; and from the Alberes southward educated men are to be deemed bilingually Spanish.

About sixteen and a half million Spanish subjects have Spanish for their mother-tongue. The remainder – Catalans, Galicians and Basques – use the language for official purposes, and comparatively few are to be reckoned wholly unacquainted with the dominant speech. Thus we may reckon as speakers of Spanish the 24,242,039 inhabitants of Spain and the Canary Islands (*The Statesman's Year Book*, London: Mac-

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## Shirley Farlinger

*By Ann Emmett*

On Tuesday, December 18, 2012, COMER lost an outstanding supporter when, after a valiant, twelve-year standoff against ovarian cancer, Shirley Farlinger died.

A wonderful parent and grandparent, an ardent lover of music, a writer and a leader in the struggle for a better world, Shirley exposed many causes, dedicating the last thirty years of her life to activism for world peace, the environment, and minorities equality. Even from her bedside, the last of her one hundred and fifty letters to the editor was being published, with recognition by the *Toronto Star*.

As long as she was able to leave the house, Shirley not only attended COMER meetings, but undertook responsibilities for them and, afterwards, continued to promote the COMER cause among her widespread activist community. Indeed, even at the celebration of her life she somehow managed to have included an endorsement of the COMER lawsuit.

Among her many qualities and attributes, we shall miss especially Shirley's keen

mind, her versatility, her sparkling genial humour, and her steadfast commitment.

While such losses may make it hard to go on, they also make it impossible not to.

The following is one of Shirley's last letters to the *Toronto Star*.

### Quebec Students Have a Point

September 27, 2012

Re: Quebec Students Hail Movement's Victories, September 24, 2012

“Occupy” is no longer a park matter but the dark matter of our minds. Why is the 1 per cent so privileged while the 99 per cent is offered austerity? Free tuition would require a reordering of financial resources.

Time to look at what the Bank of International Settlements, the World Bank, the International Monetary Fund, the private banks and the elite's think-tanks have to do with the theft of our money. Are unregulated finance and big national debts part of the plan?

The students are right to challenge this. So are we.

*Shirley Farlinger, Toronto*

millan, 1935). Spanish dependencies are found on the Moroccan coast (especially Tetuan, Ceuta, Melilla, Alhucemas) in the Río Oro, Adrar, Ifni, Guinea, Annobon, Corsica, the Great and Little Elobey. Almost a million persons live in these places, but they do not proportionately augment the number of Spanish-speakers. On the other hand, along the northern littoral of Africa and in the Balkans (Salonica, Constantinople, Üsküb, Monastir, etc.) there are still some 200,000 Jews who use ancient varieties of Castilian, derived from the days before their expulsion in 1492. In the Philippine Islands there is a Castilian literature in prose and verse, and 660,000 persons claim a knowledge of the language, though the use of English is rapidly growing. North of the Mexican frontier there must be between 150,000 and 250,000 speakers of Spanish. The estimated total population of Mexico and Central America is 22,663,672; of the Spanish-speaking Antilles (Cuba, Dominican Republic, Puerto Rico), 6,555,000; of the Caribbean and Andine states (Bolivia, Colombia, Ecuador, Peru, Venezuela), 23,744,557; of Chile, 4,287,445; of the Plate republics (Argentina, Paraguay, Uruguay), 14,918,900. While all these millions are ruled in Spanish, they do not all know

the language; and there are heavy deductions to be made in Mexico, Guatemala, Ecuador, Peru, Bolivia and Paraguay especially, before we can reach the linguistic census. Roughly speaking, there are at least first or second tongue, and about 100,000,000 in its penumbra. The figure is the highest for a Romance Language, and most directly comparable with the hundred and sixty millions who use English.

The numerical strength of Portuguese is lower, but still stands high among Romance languages. In Portugal, Madeira and the Azores there are 6,825,883 persons, and in the Galician provinces of Spain another 2,180,000. Portuguese possessions include almost nine million souls, of whom six and a half million are found in Angola and Mozambique. These letter provinces furnish probably 35,500 Portuguese speakers. Portuguese Asia contains 1,211,507, scattered in islands and ports, and there is some use made of the language in Ceylon. Brazil is estimated to include 43,323,660 inhabitants, subject to a very slight deduction for the Indians of the Amazon unfamiliar with the official tongue, and another for unassimilated immigrants. At least 53,000,000 persons speak Portuguese or a dialect of the same language, and sixty millions are gov-

erned through Portuguese.

Remembering that Portuguese and Spanish are closely related and mutually intelligible tongues, it is not unreasonable to claim that the Peninsular group of languages has power over 150,000,000 souls. It controls all South America (save the Guianas), Central America, most of the Antilles, and points along the African and southern Asiatic littoral. With English, Russian, Japanese and Chinese, Spanish makes a ring round the mighty Pacific; with English, Spanish and Portuguese are valid languages of intercourse on the southern Atlantic; and Portuguese occupies key-ports on the Indian Ocean. They are oceanic languages of continental magnitude.

This vast extension in area and population is mirrored in the enrichment and diversification of the languages. The first impressions of the newly founded continents, their strange birds, beasts and customs, their rites and polity, were conveyed to Europe and the world through the Spanish and Portuguese languages; these tongues still contain what is, in many ways, the most accurate series of correspondences with the terms. They have exercised, conversely, a powerful influence on the languages they encountered, mingling them, breaking down their forms and aug-

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## Government Loses Personal Data of Thousands

*The Canadian Press, The Globe and Mail, December 29, 2012*

*Canadians are receiving letters about a privacy breach and steps they need to take to protect their information*

Ottawa – A federal government department says there is no evidence that missing personal information about thousands of Canadians has been used for fraudulent purposes.

Human Resources and Skills Development Canada says an employee reported on November 16. that a USB key containing personal information, including social insurance numbers, of about 5,000 Canadians was missing.

The department, which handles a variety of files including pensions, old age security, employment insurance and childcare tax have been contacted.

A spokesperson said in an e-mail Friday evening that the affected people have been advised on the incident and informed of the steps they can take to help protect their personal information.

HRSDC notified the privacy commissioner's office on December 21, that the data had been lost. Roughly 60 people have already called an information line at the privacy commissioner's office expressing concern about the incident and complaints have already been filed.

"It's too early to say whether or not these will turn into official, full, investigations," said Anne-Marie Hayden, a spokesperson for the privacy commissioner.

"We'd have to look at what we receive first and determine next steps from there."

HRSDC said it has seen no evidence that any of the information contained on the missing USB key has been used for fraudulent purposes.

"Nonetheless, we have advised affected individuals to carefully review and verify bank information, credit card information and other financial transaction statements as a means of safeguarding their personal information as a precautionary measure," the e-mail said.

The commissioner's office is working

with HRSDC in an effort to figure out what happened.

### Our Comment

It is certainly a deeply disturbing sign of our times that the record of a service called "Human Resources and Skills Development Canada" reported in November that a USB key containing personal information about thousands of Canadians, including social insurance numbers of about 5,000 Canadians and childcare tax, have been contacted. Human Resources and Skills Development Canada says an employee had been advised of the incident and informed of the steps they can take to protect personal information.

HRSDC said it has seen no evidence that any of the information contained on the missing USB key has been used for fraudulent purposes. The Commissioner is working with the HSDRC in an effort as a precautionary measure. "Isn't that a bit like Lucifer (whose name, of course, means the "bearer of light") specializes in turning out the light? *W.K.*

menting their vocabulary. Many varieties of "Creole" speech have arisen. The net result of this linguistic experience is that when once we raise the eyes of our minds of the single continent of Europe, it is from Spanish and Portuguese, apart from our own tongue, that we have most to learn. Entirely congruent with Spanish experience is the fact that the first scientific catalogue of the languages of the world, that of Hervás y Panduro, should have been the work of a Spanish scholar. Not only do the Peninsular Languages reflect the conditions found in so vast a portion of the earth, but they contain evidence of experiments in colonization, transient states of society, and a cultural equilibrium which is rather coming into existence than already established. They contain, as it were, some sort of augury for the future.

The Peninsular group is determined not merely by philological considerations. Basque is philologically isolated, and Catalan has been deemed by a majority of experts to stand rather closer to Provençal than the Spanish. But the four languages have lived together for many centuries in a sharply defined area. They enjoy a kind of symbiosis. They offer similar solutions to the same linguistic problem, indicating a common mental attitude in their speakers. They have experienced the same influences under the same conditions, though each has also its own history. Despite the differences between the literary languages, no frontier line can be drawn between the three Romance tongues, which merge into each other over wide bands of country, except in their more recently conquered southern extensions.

The instinct for the positive and concrete is as marked in Basque as in Castilian. The phonetic bases of all four languages present much agreement, as, for instance, the fricative values assigned to *b d g* and the and the general forward articulation. In other respects Spanish, Portuguese and Catalan offer nuances. If we consider Castilian as characterized by a regular alternation of vowels and consonants, then Portuguese appears as predominantly vocalic, and Catalan as predominantly consonantal; though this does not prevent Portuguese from possessing a rich consonantal, and Catalan a subtle vocalic system. Fundamentally the same material is subject to three differing rhythms. Romanization, the Moorish invasion, the great discoveries, humanism, Italian and French influences have left similar impressions on the three Romance tongues, so that vocabularies largely coincide. Even Basque has experienced a Romanization of

its lexicon, and one of a generally Spanish complexion.

There is a high common measure of agreement between the Peninsular languages, though there is no identity. Unity has never been achieved; only hegemony. Even the theocracy of the Philips brought no more than a single ruler of independent states. The centre of Peninsular balance has, however, always occupied the same area, though the precise point has shifted between Córdoba, León, Burgos and Toledo. There has thus been no doubt that the Castilian point of view is central, and others peripheral and divergent. Catalonia falls away from the Meseta to look towards the Mediterranean: it is related to Provence, reaches out hands to Italy, and aspires (or aspired) to Mediterranean empire and trade; but at the same time Catalonia remains indivisibly part of the Peninsula. The amphitheatre of Lisbon has the Atlantic for its stage: it sees English ships and the Highway to India and Brazil. Navarre is a land of mountainous cup-depressions (*navas*); Galicia, of *rias* and valleys; Andalusia, of the Guadalquivir and Genil *vegas* and the coast lands that face Africa. All these divergent interests make for variety in Peninsular life, and therefore in Peninsular languages; but they have not always been equally prominent, and the unification of the whole area has more than once been within sight.

Language is the repository of man's experience. It contains a record of what is normal and of what has occurred but once. Were it possible fully to analyze the languages of our study, we should doubtless be able to present a portrait of the peoples more intimate and exact than that which we see in their literatures. But we should require a more precise psychological method than is at present at our disposal. It has been possible to cull from the Spanish language, for instance, evidence of realism, courtesy, stoicism, fancy, impulsiveness, etc. But a phenomenon like the "country style" of the sixteenth and seventeenth centuries is itself complex. That *usted* "you" was originally *vuestra merced* "your worship" is certain, but its use was as much to exact a corresponding honorific as to show deference to another person; and it has lost all implications of "courtliness" since the Golden Age, to become merely a symbol of formality. Indeed it has gone so far as to become familiar and suspect in some varieties of American Spanish, so that new devices have been adopted to indicate respect.

Moreover, though *usted* represents an

experience common to all Spaniards, at least in a given epoch, there are other words which must be deemed exceptional. To give meaning to the word *quijotismo* "quixotry" required the divine accent of Don *Quijote* and Cervantes' genius, while by *quijotizar* "to defy public opinion with the sang-froid of Don Qizote" Sr Unamuro indicates hostility to the common norm. Yet more, the linguistic experience is not necessarily ethical; it may have its basis in plain fact. Thus there is a small, but definite, nautical element in American varieties of Spanish (e.g., *amarrar* for *atar*, "to tie a hawser" becoming simply "to tie"), which suggests colonists seeking, while still on shipboard, to adopt the colonial pose. So the qualitative interpretation of these languages is one which lies within the more ample historical account of their growth and the influences affecting their development; and it is on the historical statement, though in mere outline, that I wish to dwell. Such an account is often described as the "external" history of the language, as opposed to the "internal" history of its sounds, forms and constructions; but there is reason to reject the invidious adjective. The analyses of sounds, forms and constructions separately are partial studies which look forward to the history of the language as a whole. They are essential to the training of the philologist, but he should also not fail to strive towards the whole of which these are part. It is the whole which concerns the general reader and student of literature, who must strive to acquire a sense of phases of development in the speech and an appreciation of difference in its texture.

In view of these considerations this book imposes its own plan. A sketch is first attempted of the Peninsula before Romanization so as to indicate the linguistic conditions encountered by the Romans. Basque survives from that epoch either as representing a widespread "Iberian" speech or on a narrower basis, and I describe Basque chiefly by its contacts with the Romance languages, its successors. The latter are forms taken by Latin in different portions of the Peninsula; the primitive conditions are in no sense the foundation of Spanish Romance, since they have no relevance except in so far as adopted into the Latin of Spanish. With an account of Spanish Latinity the main theme of the book is proposed, and suggestions are made as to possible causes of the later diversity of languages.

The earliest of these bifurcations is that which drew apart Catalan and Ibero-Romance. Catalan therefore occupies the

fourth chapter, and is studied down to the present day. The remaining chapters are devoted to Ibero-Romance in its two leading forms: Spanish and Portuguese. As this study is pivoted on Spanish, much of what is common to both tongues, and even to both and Catalan, is described under the rubric of Spanish. For instance, the strong Arabic element in all three tongues is treated in association with the Mozarabic dialect of Old Spanish. In three stages we follow the rise of Castilian, so as to understand why Castilian, and not Mozarabic or Leonese, has come to be standard Spanish, though in the older periods Castilian was at variance with common Hispanic speech-habits; we watch the standardization of this Castilian-Spanish under the influence of literature, and its enrichment at various periods; and we note the effect of the American adventure on the language, and the traffic with European and aboriginal tongues. In two more chapters we see how Portuguese-Galician bifurcated from the central dialects at a relatively late date, how they themselves separated, and how Portuguese acquired a rich literature and maintained its cultural independence; briefly we note also what effects have been produced in Portuguese by the expansion of the language in Africa, Asia and Brazil. An anthology which would fairly illustrate this diversity of Hispanic languages and dialects would be more bulky than the format of this book permits. It must be left to the reader's initiative. No attempt is made to give the systematic account of phonology and morphology which can be obtained in several excellent and well-known text-books, since this work treats only of those facts which have most historical significance; but a tabular summary of comparative phonology is appended, so as to serve for a first reference.

In writing this book I have sought to keep in mind the languages as they can now be heard. It is an account of mod-

ern Spanish, Portuguese and Catalan, and how these have come to be what they are. This is not a study of Vulgar Latin in the Peninsula, and nothing is to be gained by picking on medieval and hypothetical forms which would be unfamiliar to the reader, save when attempting the description of a particular period in past time; but on the other hand, I hope attention will be called to the amount of Old Spanish which may be found to-day in use by archaic dialects. This method brings as much of the subject as possible under a listener's personal observation, and should involve the least admixture of conjecture. Lastly, I have endeavoured to choose examples from the most obvious and fundamental elements of the Peninsular speeches, risking a charge of platitude. In constructing a history of the Peninsular languages the best evidence for conclusions in what is self-evident.

The reader is recommended to study the treatises of Sr Menéndez Pidal on subjects connected with Spanish philology, and particularly his *Manual de gramática histórica española* and *Orígenes del español* (Madrid, 1926), to which I am deeply indebted in this book. His article "Filología (idiomas y dialectos españoles)" in *España* (Madrid, 1925) is the treatment of this subject which stands close to that which I am attempting. Useful also are the articles on Gröber's *Grundriss der romanischen Philologie* (by Baist, Cornu Saroïhandy, etc.), and the comparative sketch of the Peninsular languages in E. Bourciez, *Éléments de linguistique romane*. F. Hansen's *Spanische Grammatik auf historischer Grundlage* (Halle, 1910; Spanish translation, 1913) contains syntax as well as phonology and morphology, and the same is true of Sf Menéndez Pidal's *Cantar de mio Cid*, 1, ii: *Gramática* (Madrid, 1908). The standard inventory of modern Spanish idiom is R.J. Cuervo's revision of A. Bello's *Gramática castellana*. A number of suggestive details are

discussed in R. Lenz. *La Oración y sus partes* (Madrid, 1925). Spanish has received an "idealistic" analysis from E. Lerch in *Handbuch der Spanienkunde* (Frankfurt a.M. 1932). For Portuguese consult particularly J. Leite de Vasconcellos, *Opúsculos* (Coimbra, 1928 ff.) *Lições de Filologia Portuguesa* (Lisbon, 1926) and *Esquisse d'une dialectologie portugaise* (Paris, 1901), together with J.J. Nunes, *Gramática histórica portuguesa* (Lisbon, 1919). For Catalan there is A. Grierá's *Gramática històrica del català antic* (Barcelona, 1931) and W. Meyer-Lübke's *Das Katalanische* (Heidelberg, 1925). Useful also are A. Zauner's *Altspanisches Elementarbuch* and J. Huber's *Altportugiesisches Elementarbuch* (both from Heidelberg).

Texts illustrative of linguistic history may be seen in Menéndez Pidal's *Orígenes* and his *Documentos lingüísticos*, J. Leite de Vasconcellos's *Textos arcaicos* (Lisbon, 1923), J.D.M. Ford's *Old Spanish Readings*, and W. Giese's *Anthologie der geistigen Kultur auf der Pyrenäen-Halbinsel (Mittelalter)* (Hamburg, 1927).

The standpoint of this book resembles that of O. Jespersen's *Growth and Structure of the English Language* (8th ed. Leipzig, 1935) and W. von Wartburg's *Evolution et structure de la langue française* (Leipzig, 1934).

The current bibliography of linguistic studies referring to the Spanish Peninsula is to be found in the quarterly *Revista de Filología Española* and in the annual *Year's Work in Modern Language Studies*. These works may excuse me from attempting a formal bibliography.

I take this opportunity of thanking Professor González-Llubera, of Belfast, for his great kindness in reading the book in its first draft and suggesting improvements. I thank also my colleague Mr. A.A. Rodrigues, Lecturer in Portuguese in the University of Oxford, for similar courtesies. Neither gentleman is responsible for any blemishes that may remain in the book. I desire also to tender my respectful homage and thanks to my distinguished master in these studies, Sr R. Menéndez Pidal, Litt. D. (Oxon.), who has generously permitted me to make use of his innumerable additions to Spanish philological science. He has discovered much of the truth, and we who write after him, if we would wish to speak the truth, cannot do otherwise than repeat his conclusions and demonstrations.

To my friend, Professor A. Ewert, I am indebted for courteously reading the proofs.■