

Irish [and English and American] Poets, Learn Your Trade: Law and Economics in Poetry

Deirdre Nansen McCloskey¹

Abstract: The humanities are about proper categories, the social sciences about how many items are in the categories thus discerned. Law and the economy, categorized (mistakenly) as non-humanistic, are scorned in the realms of *Kultur*, especially in poetry, especially by William Butler Yeats. The scorn in the other direction is equally virulent. It should not be so. The sacred should converse amiably with the profane, as in Robert Frost's poetry. A bourgeois society needs such dignifying of the active life in a commercial culture, or else it is left with a nostalgia for aristocrats and peasants, warriors and monks. None of them are satisfactory heroes for a liberal democracy of free people under law, what the Blessed Adam Smith describes as "allowing every man to pursue his own interest his own way, upon the liberal plan of equality, liberty and justice."

What have we here? Law and "money" (equivocally: economics/the economy/wealth/the money supply)? What possibly could lofty *literature* have to do with these?

Quite a lot, if the poets would but learn their trade.

The indignant assumption that poetry, painting, theology, faith, and the Sacred can have nothing to do with law, jurisprudence, the economy, economics, daily work, prudence, and the Profane arises, I think, from a characteristically modern misunderstanding of the relation between the humanities and measurement. It is certainly "modern." Confucius, Rabbi Hillel, Jesus of Nazareth, and Aquinas were very willing to summarize the law while standing on one foot. Their law and their prudence brought things together. In the seventeenth century however, the dualism of Plato, or at least of the Platonists, drove things apart, positing a ghost in the machine which haunts us still.

The humanities – the systematic inquiry into human imagination by literary criticism or art history or philosophy or theology or pure mathematics, and the categorical stage of even quantitative sciences – are sciences of *quality*. They are not centrally about quantity, 1, 2, 3, A long time ago I was chatting with a friend in the Department of Mathematics, and asked him what he was doing in his work these days. He replied with a sigh, "Oh, *calculating*." He hated it. He regarded calculation as vulgar and tiresome and questionably mathematically relevant, a task for engineers and other impure, Mesopotamian-style workers. You can't "prove" the Pythagorean Theorem, he would have said with a sneer, by *calculating* even hundreds of right triangles. You need a lovely Greek-style proof that applies deductively to *all* right triangles

1 Distinguished Professor of Economics and of History, Professor of English and of Communication, Emerita, University of Illinois at Chicago. deirdre2@uic.edu website: deirdremccloskey.org. I thank Cheryl Herr of the University of Iowa, who organized a session of the Irish Literature Section of the Modern Language Association's annual conference, in December 2007, at which I first tried out some these ideas.

whatsoever. No mathematician is impressed, for instance, by the quantitative fact that no even number has been discovered that is *not* the sum of two prime numbers. Goldbach's Conjecture of 1742 has been calculated to be true up to 4×10^{18} . But until the mathematician finds a proof that *every* even number is so, Goldbach's will remain in the mathematician's humanistic mind a mere conjecture, no certitude, painfully lacking proper existence/non-existence.

The humanities, from literary criticism to number theory, that is, are systematic studies of what we humans imagine are proper categories:

Exist or not, for example, in theology or in pure mathematics. Does a God Who Died exist? Or does there exist, for every ε greater than zero, a δ such that . . . ?

Good or not, in music, whether a performance of Debussy is muddy or not, or whether Verdi and Wagner are, or are not, aesthetically superior to Puccini or Strauss.²

A horse or not, in evolutionary biology. When is the early cousin of rhinos and tapirs to be imagined as a "horse"? The (only partly quantitative) science of cladistics imagines such family trees.

A red giant star or not, in astronomy. What is a "giant"? What is "red"? We imagine such things: *imago*, image, always subject to human categorization and interpretation, since astronomers are humans and what matters to them and to the rest of us are human ways of saying things. As Niels Bohr put it, "It is wrong to think that the task of physics is to find out how nature *is*. Physics concerns what we can *say* about nature."³ Or again, "We must be clear that when it comes to atoms, language can be used only as in poetry. The poet, too, is not nearly so concerned with describing facts as with creating images and establishing mental connections."⁴

Just or not, in ethics or philosophical jurisprudence or in welfare economics. During a game of exchange between, say, Summers and Nussbaum, if the so-called contract curve is attained, the exchange is said to be "efficient," which is one way of speaking of a just outcome (Vilfredo Pareto's and Robert Nozick's way). If not, then not. It doesn't matter *how close* to the curve it is. It's not a quantitative matter, but qualitative, on/off, or yes/no, as in pure economic theory. For example, the Coase Theorem (the factually relevant one, which Ronald Coase espoused, as against the factually irrelevant one, which George Stigler espoused), is that in the presence of transactions cost one cannot suppose that an exchange reaches the contract curve. Such a category is about *existence*, on or off the contract curve. How far off is a matter of quantitative science, not economic theory. To come to a just conclusion about assigning liability, as Ronald Coase in effect argued in every paper he wrote, one must examine each spillover case by case.⁵ No blackboard suffices. For actual policy no existence

2 Kerman 1952, pp. pp. 258, 262, 264. For instance, he calls Puccini's *Tosca* a "shabby little shocker" (p. 254).

3 Quoted in *Niels Bohr: Reflections on Subject and Object* (2001) by Paul. McEvoy, p. 291.

4 1920, *Theorizing Modernism : Essays in Critical Theory* (1993) by Steve Giles, p. 28. I will examine the sources, secondary and primary. But have to confess that I got both quotations – though I have known their burden for decades – from Wikipedia.

5 McCloskey 1998.

theorems of the sort which litter the journals of economics, but are unheard of in journals of, say, physics, will do. But the category of on/off must nonetheless come before the measurement.

Remarks in legal or economic theory of the qualitative form that “X matters” are humanistic, that is, categorical, such as “*in rem* as against *in personam* does matter for property rights” or as in the neo-institutionalist assertion of recent economics that “institutions matter.”⁶ The remarks do not settle the question of *how much* they matter – though if a lawyer or economist does not distinguish qualitative from quantitative propositions she is liable to think they do. To count the institutions, efficiencies, just decisions, red giants, horses, operas as drama, or the gods alive or dead you need at the outset to perform a humanistic judgment telling what the humanly relevant categories are.

This is perfectly obvious, hardly a deep insight. But not getting right it has caused a lot of trouble, and a lot of sneering among moderns. Before modernity, European culture got the unity of humanistic categories and quantitative measurement right. As T. S. Eliot put it in 1921, “The poets of the seventeenth century [Donne], the successors of the dramatists of the sixteenth [Shakespeare], possessed a mechanism of sensibility which could devour any kind of experience.”⁷ Good: look at Montaigne. Not since then. Bad: look at Ditchkins. The dissociation of sensibility that separates emotion from wit, the sacred from the profane, sensibility from sense, meaning from behavior – or separates in English usage since the middle of the nineteenth century the humanities from the sciences – has therefore been a fool’s errand. (It errs less in other languages, all of which down to the present preserve the original meaning of “science” [which was the dominant meaning in English, too, before the birth of the *OED*’s sense 5b, itself arising from quarrels at Oxbridge about chairs in chemistry] as “any systematic study”: thus *die Geisteswissenschaften* meaning “the spirit sciences,” is the normal German word for “the humanities”; likewise, in part, *les sciences humaines*, “the human sciences”; or an Italian mother, bragging about her systematically studious 12-year old daughter, calling her *mia scienzata*.)

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Therefore, even if one takes, as Richard Posner once did, a strictly anti-humanistic and anti-ethical positivist, realist, and behaviorist view of law, literature, and economics it will not be a good idea to categorize the springs even of behavior, not to speak of meaning, as a matter of prudence only, a mere question of figures, a case of simple arithmetic, an exercise in budget lines.⁸ I understand the price theory involved, and honor it.⁹ Price and property, the *P* variables of prudence, price, profit, the Profane, do move people.¹⁰ But it does not follow that, as Richard and Gary and George so passionately argued against any passion beyond prudence, *de gustibus non est disputandum*. People are not moved, of course, exclusively by *P* variables.

6 Merritt and Smith 2001. McCloskey 2013

7 Eliot 1921.

⁸ Posner 1988; McCloskey 1991. By the way, I apologize for citing my own work in the present essay so much. I usually don’t, but for some reason this essay seems to require it, probably for some nefarious reason. Many of the pieces may be examined in live links at my web page, deirdremccloskey.org.

9 McCloskey 1985.

10 McCloskey 2008.

They are moved also by the *S* variables of speech, stories, shame, the Sacred, and by the use of the monopoly of violence by the state, the legal rules, the agreed common Law, the *L* variables. *Sunt disputanda*, if we are then going to get the quantitative science right.

To speak metaphorically, most behavior, *B*, is explained by *P* and *S* and *L*, together, of course:

$$B = \alpha + \beta P + \gamma S + \delta L + \varepsilon.$$

Such an obvious equation (a serious model might have another functional form, or additional equations bearing on the variables, but the point would be the same) is not wishy-washy or unprincipled or unscientific or airy-fairy. It is humanistic science in its desire to name proper categories and quantitative science in its desire then to measure them properly. (Nor are the *S* or *L* variables, as is sometimes said by those unreflectively committed to the *P* side, always less difficult to measure than the *P* variables. Often the *P* variable of national income is harder to measure accurately than, say, the *S* variable of religious affiliation or the *L* variable of the conditions for a valid contract.)

The message is that the *S* and *L* variables are the conditions under which the *P* variables work, and the *P* variables modify the effects of the *S* and *L* variables. A deep truth suggested by a version of the equation, for example, might be the old conservative argument that laws serve as education. Such an argument would connect *L* causally to *S*, by an additional equation. Similarly, the material conditions of *P* or *L* variables affecting printing and publishing (cheap paper and its taxation, rotary steam presses and the law of libel) can change the ideational conditions of *S*.

And so forth. When the money price that the Hudson Bay Company offered Indians in Canada for beaver pelts was high enough, the beaver population was depleted, in line with the *P*-logic of the common pool problem and the rest of blackboard economics. But *S*-logic mattered, too, making the particular *P*-logic relevant. As the economic historians Ann Carlos and Frank Lewis explain, "Indian custom regarding the right to hunt for food and other aspects of their 'Good Samaritan' principle mitigated against the emergence of strong trespass laws and property rights in fur-bearing animals; conflict in the areas around the Hudson Bay hinterland contributed to an environment that was not conducive to secure tenure, and attitudes towards generosity and even a belief in reincarnation may have played a role" in running against European rules of property.¹¹

You can get as technical as you want. Econometrically speaking, for example, even in the simple linear specification here if the *P* and *S* and *L* variables are not orthogonal, which is to say if they are not substantially independent statistically speaking, or alternatively if there is reason to believe that a combined variable such as *PS* has its own important influence, or there is yet to be identified some other salient relation among the variables, then an estimate of the coefficients α and β that ignore *S* (or *PS* or the identification problem) will give biased and inconsistent results. The included *P* variables will be correlated with the excluded pseudo error term, $\gamma S + \delta L + \varepsilon$. The fitted coefficients will be flat wrong, and larger samples will not improve things.

The bias matters quantitatively if the *S* and *L* variables have oomph. If laws adjust to trading, for example, as they did in the English medieval courts of pie powder, or in the modern settlement agreements of labor law, then *P* might affect *L* with substantial oomph, and an attribution of an exogenous effect of a particular *L* would be substantially biased. English common law is sometimes said to be necessary and even sufficient for modernity. The late

11 Carlos and Lewis 1999, p. 726.

lamented Douglass North was fond of claiming so, on the basis of an imagined regression of English modernity on *L*.¹² But among many other problems with the Northian story in its economics and in its history, the legal historian David Le Bris has shown that within France before the Revolution the north *was* a common-law area, while the south was a civil-law area, yet with little or no discernible differences in economic outcome during the next century, or for that matter during the centuries before. Places without such law, further, often developed alternatives, when the ideology turned in favor of betterment, as it often did quite suddenly – *P*-style from prices and incentives and *S*-style from ethics and ideology.¹³ In the other direction, contrary to the economist Timur Kuran’s attribution of deep legal history as the cause for present Arabic or wider Muslim backwardness, French corporate law was adopted with alacrity in the nineteenth century in, say, Egypt, and yet there was no upsurge of economic growth, as his account might lead one to expect.¹⁴ A change in an allegedly salient *L* had little effect, because of a crippling *S*, and because of traditional and socialist enthusiasms exercised through another parts of *L*. The anti-colonialist professor, judge, and Egyptian grand mufti Muhammad Abdu (1849–1905) remarked of the contrast between the then relatively rich and liberal France and his desperately poor and illiberal Egypt, “In Paris, I saw Islam [that is, the just and prosperous peace promised in the *Koran*] but no Muslims; in Egypt I saw Muslims, but no Islam.”¹⁵

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And language, how we talk (as Bohr put it), matters to all the variables. European civilization before the seventeenth century had been steeped for two thousand years in rhetorical theory, which the classicist Werner Jaeger called “the first humanism which the world had seen,” “the rhetorical *paideia*,” the first turning back to examine how human imagination in language works.¹⁶ (He perhaps overlooked Talmudic or Hindu or Confucian versions of a similar turning back.) But latterly the hard men of the seventeenth century, such as Bacon, Descartes, Hobbes, Spinoza, Newton, and Locke, eloquently denied such eloquence – as mere qualitative forms of words relating to the categories of the imagination – and initiated the naïve dissociation of sensibility still with us. In 1690 Sir William Petty announced his method of Dutch-English political arithmetic: “The method I take to do this is not yet very usual. For instead of using only comparative and superlative words and intellectual arguments [that is, the humanities in categorization] I have taken the course (as a specimen of the political arithmetic I have long aimed at) to express myself in terms of number, weight, or measure; to use only arguments of sense.”¹⁷ It was a manifesto for a Dutch and quantitative and bourgeois age, which was good. But it was a language-denying, rhetoric-devaluing, anti-humanistic, numbers-interpret-themselves program, which was not so good.

The political scientist Elinor Ostrom showed repeatedly that a situation that would in Samuelsonian *P*-only economics always be assumed to be a hopeless case of free riding, of the common pool, and of the tragedy of the commons, such as the overexploitation of the Los Angeles aquifer, can often be solved by sustained *S* talk among serious-minded, ethically

¹² North and Weingast 1989.

¹³ Le Bris 2013.

¹⁴ Kuran 2003, p. 312, and Kuran 2005, 2010.

¹⁵ Quoted in Armstrong 2009, p. 294.

¹⁶ Jaeger 1933 (1965), pp. 302-303.

¹⁷ Petty 1690 (1890), preface.

disciplined humans.¹⁸ It was true as well in medieval English villages, which in 1968 the eugenicist Garrett Hardin had on the contrary supposed without inquiry into the masses of evidence from leet court rolls were instances of the hopeless case.¹⁹ Ethics and categorical humanism in *S* undergirds water rights, grazing rights, civil and criminal laws, marriages, friendships, children's games, adults' games, clubs, seminars, lectures, traffic, science, business deals, constitutions – a point that Western political theorists from Machiavelli and Hobbes through James Buchanan and Martha Nussbaum, in their eagerness to devise a theory mainly out of the one virtue of prudence, have tended to overlook.²⁰

A danger in my little formula is that you might come to think, as the neo-institutionalists in economics such as North and Daron Acemoglu do, that *S* and *L* and for that matter *P* have *mechanical* outcomes in Behavior and even in Meaning. Such is the present orthodoxy at the World Bank, much influenced by North and his numerous followers chanting “institutions matter, institutions matter” – that world poverty can be cured by their own little formula, namely: Add “institutions” and stir. You can, to be sure, institute in a poor country a British-style court of law. You can even provide the judges and barristers with handsome wigs and gowns. Yet if in *S* variables the judges are venal and the barrister have no professional pride and if the public disdains them both, then the institution will fail to improve the rule of law.

The neo-institutionalists Acemoglu and James Robinson reported recently on an attempt to curb absenteeism among hospital nurses in India by introducing the *P* institution of time clocks. The economists in charge of the experiment were confident that the bare incentives of the “right institution” would work. But it didn't. The Indian nurses conspired with their bosses in the hospitals to continue not showing up for work, though paid. Acemoglu and Robinson draw the moral that “the institutional structure that creates market failures” is what went wrong.²¹ No it wasn't. The continuing absenteeism was not about institutions or incentives understood as *L* or *P*. A new institution with the right incentives had been confidently applied by the economists out of the tool kit of World-Bank orthodoxy, and had failed. The failure was rather about the lack of an ethics in *S*, of self-respecting professionalism among the nurses, of a sort that, say, Filipino nurses do have, which is why they are in demand worldwide. The time-clock experiment imagined only the categories of *P*-only constrained through *L*. But humans are also motivated by *S*, the human sciences of meaningful categories.

And *S* and *L* and even *P*, after all, are spoken. The results of such speech are deeply unpredictable. The rules of the social game are seldom entirely mechanical, being more of a free-form dance, a tango, we say, with two, but with the man not in charge. How can we know the dancer from the dance? It is why we have legal disputes. Admittedly, human affairs sometimes have a gratifyingly predictable structure, which has tempted social theorists to extrapolate. The rate of population growth is the birth rate minus the death rate plus the rate of net immigration, which tempted Malthus-inspired social engineers such as Hardin and Paul Ehrlich in the 1960s and 1970s to extrapolate a population bomb. Such ideas led to the Chinese one-child policy and to Indian compulsory sterilization, on the model of earlier eugenics in Sweden, Germany, and some America states – on the judgment that three generations of imbecilic children is enough. A recent example of a similar sort is Thomas Piketty's extrapolation on the basis of evidence from the U.K., U.S., and Canada (not importantly from

18 Ostrom 1990; Ostrom, Walker, and Gardner 1994.

19 Hardin 1968.

20 McCloskey 2011a. On children's games, see Piaget 1932 (1965), pp. 13, 25; Tomasello 2014.

21 Acemoglu and Robinson 2012, p. 450.

other countries) and a Ricardian-Marxian formula about physical capital (not at all human capital) that we are doomed. Piketty shows that he does not understand at a first-term economics level the economics of entry, entry in which profit is imagined.²² His lack of such understanding explains why he thinks that landlords of oil and property will keep getting richer and richer. Entry, on the contrary, is alertness, wise or foolish, dependent on imagination and on the sweet talk that rules the economy, with a liberalism in law permitting ordinary people to have a go, which erodes rents. It has been exercised 1800 to the present, and has eventuated by way of trade-tested betterment in a Great Enrichment of the poorest among us by 3,000 to 10,000 percent. A Great Enrichment arising from a new if rough equality of legal liberty and social dignity over the past two centuries is to be set beside the one-shot 30 percent achievable from redistribution.²³ Equality of real comfort has been achieved, and bids fair to be achieved worldwide.

And when language is acknowledged we have, of course, interpretation – another rhetorical point that the hard men of the seventeenth century denied, so much in love they were with Euclid, axioms, measurement, and clear and distinct ideas. It is a point that Stanley Fish, that one-time teacher of contract law at Duke Law School, always makes, that there is no self-interpreting text. And it is a point that any student of constitutional law, such as Robert G. McCloskey (1915-1969), doesn't need to make because it is so very obvious. Therefore we have a Supreme Court and departments of English and of Mathematics and of Philosophy.

Even the *P* variables themselves are rhetorical matters of interpretation, all the way down. What is "property," and does "intellectual property" qualify?²⁴ If information is asymmetrically distributed between buyer and seller, how is a used car brought to market to be interpreted? And so too of the sub-sciences of *P*, such as the notion of "statistical" significance, as in the case before the Supreme Court, *Matrixx v Siracusano*, decided 9-0 in 2011 in favor of the equally obvious proposition that *numbers* do not contain their own interpretation.²⁵ *P*, *S*, and *L* depend on quality and category, quantity and measurement, humanistic and quantitative science.

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And therefore language "matters." For example, that heightened version of language, poetry, matters. I was talking once to a colleague in art history who specialized in Mesopotamian art – 2000 B.C.E. and all that. I noted, as myself an economic historian, that because Mesopotamian civilization wrote on perdurable clay we know in many economic and legal respects a great deal more about it than about Egyptian or Greek civilization. To which my art-historian friend replied, "Yes, but 99 percent of what we know from the clay is merely about *the law and the economy*. We have so little poetry!" He didn't sympathize with my professional delight in the literally tons of legal contracts for land sales and for labor hiring, and business correspondence, from four millennia ago. Further, he thought of poetry as sharply opposed to the law and the economy. "What need you, being come to sense," sang Yeats in "September 1913," "But fumble in a greasy till/ And add the halfpence to the pence/. . . . For

²² See the bottom of p. 6 in Piketty 2014. I have checked the translation from the French. Its sense does not change. McCloskey 2014.

²³ You are invited to test your doubts that this is true by reading McCloskey 2006, pp. 1-54; 2010, Chaps. 6, 8, 9, 40, 44; 2016., Chaps. 1-9 and then asking if your doubts survive the evidence.

²⁴ Bell 2014.

²⁵ McCloskey 1998.

men were born to pray and save:/ Romantic Ireland's dead and gone,/ It's with O'Leary in the grave."

And indeed why would one expect to "find economics, or law, in a literature"? What would be the point?

It is: to lean against the premise in Irish poetry, or English and American poetry, or indeed in Mesopotamian poetry, Chinese poetry, Italian poetry, and it seems in every poetic tradition—I solicit exceptions to the rule—that law and the economy are not proper poetic subjects.

Poetry in such a view is disabled from making anything happen, Yeats' political career being a case in point: as senator in the Irish Free State his main project was to get good designs on the postage stamps. Yet wait. A rhetoric that feeds an anti-reality ideology *does* matter, and does make things happen, from central planning to Donald Trump. The point is that the rhetoric of poetry has peculiarly resisted modernity and all its principles of reality, the realities of (what humans can *say* about) economics or law. It leaves economics and law to the worst in politics on the left and on the right, full of passionate intensity. Poetry in Ireland, for example, was tempted during the late-Romantic Celtic Revival to indulge in nostalgia for bards and their aristocratic patronage. The corollary was an aristocratic or patriarchal notion that work in an economy is for slaves and women.

From Yeats, of course, son of a painter, friend of gentry and aristocrats, one would expect disdain for any work but Art. His ideology was Romantic in admiring "the imitation of Christ or of some classic hero," especially the classic heroes and heroines of pagan Ireland such as Deirdre of the Sorrows.²⁶ Setting imitations of Christ firmly aside, Yeats articulated the clerisy's theory of itself as a new aristocracy, "of merit," as it is modestly put by its members. "Every day I notice some new analogy," wrote Yeats in 1909, "between the long-established life of the well-born and the artist's life. We come from the permanent things and create them, and instead of old blood we have old emotions and we carry in our heads always that form of society aristocracies create now and again for some brief moment at Urbino or Versailles."²⁷ First to last, from the "Wanderings of Oisín" (1889) to "Last Poems" (1939) Yeats spurned commerce, as for instance that of his own merchant ancestors: "Toil and grow rich/ What's that but to lie/ With a foul witch?"²⁸ The stanza of "Under Ben Bulbin" (1938) that begins "Irish poets, learn your trade" recommends celebrating a non-bourgeois Ireland:

Sing the peasantry, and then
Hard-riding country gentlemen,
The holiness of monks, and after
Porter-drinker's randy laughter;
Sing the lords and ladies gay
That were beaten into the clay
Through seven heroic centuries.

Albright, ed., p. 375.

But perhaps it's merely Celtic Revival stuff, now gone even from Ireland? I think not. Consider Seamus Heaney, who is not a Romantic. He has, he said in his Nobel lecture, a "temperamental disposition towards an art that was earnest and devoted to things as they

26 *Mythologies*, quoted in Albright, p. 586n12, referring to "Ego Dominus Sum" (1918).

27 *Estrangement* (1909), number 25, in *The Autobiography* (1924 [1965], pp. 320-321. Yeats was an admirer of the early 16th-century *Book of the Courtier*, which is set in the court of Urbino.

28 "The Witch," 1912, Albright, ed., p. 172.

are."²⁹ "Things as they are" might include a good deal of getting and spending, toiling and growing rich. In his volume *Station Island* (1984), the "Old Smoothing Iron" and "The Scribes" and "An Artist" are about work. But they are about the unpaid domestic work of a woman, the ancient work of a scribe, and the modern work of an artist, "his hatred of his own embrace/ of working as the only thing that worked."³⁰ It is not the sort of work one does out in the agora. A promising title from a collection of 1979, "Field Work," proves to be a love, or lust, poem.³¹ "Things as they are," one might think, could involve the law and the economy. Yet Heaney is silent.³²

Now of course I realize that what a poem is "about" is often its least interesting feature. Much of poetry has as one of its subjects the very work of making the poem. The word *poiēma* means a thing made, a piece of workmanship. The one occupation that Yeats is willing to discuss in detail is that of making Art. Even such work, it is conventional to note, brings in an economics, a bit. Scarcity, the lamentable limit of time and money since Eden, always figures in the economy of a poem, especially a short one, most particularly the well-wrought, law-ruled forms that Heaney and early Yeats used. A short lyric may have as its nominal subject the sea or love or whatever. But it *enacts* scarcity, and therefore in an extended sense *is* economic, and lawful. Heaney's "Hailstones" (1987) is "about," well, hailstones. But at the end of the first of three tight stanzas, having just made out of the hail on the road "a small hard ball/ of burning water," he notes that it is "just as I make this now/ out of the melt of the real thing/ smarting into its essence."³³ Or consider George Herbert's turn in the third stanza of "Virtue": "Sweet spring . . . / My music shows ye have your closes."

But commercial civilization is in its declarations, at least, under attack in poetry. Wordsworth declared in his sonnet "Within King's College Chapel," composed in 1820, that "high Heaven rejects the lore / Of nicely-calculated less or more." And Yeats again, on the Industrial Revolution itself:

Locke sank into a swoon;
The Garden died;
God took the spinning-jenny
Out of his side.³⁴

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It's older than the Industrial Revolution. You see the disdain for bourgeois work and its economy in Greek and Roman poetry, too, and in all cultures, especially before the new admiration for bourgeois virtues in northwestern Europe around 1700.³⁵ As in some traditional societies even now, the honored men even in England before 1700 didn't work. They fought, beat the women, or made verse, or smoked. In Shakespearean England the only honor-giving activities were attending the Cadiz Raid or writing sonnet cycles. The literary critic Stephen Greenblatt notes that in Shakespearean England "there was virtually no respect for labor [and

29 "Crediting Poetry." Nobel Lecture, 1995, in *Opened Ground: Selected Poems, 1966-1996*, p. 418.

30 *Opened Ground*, pp. 206, 257, 259.

31 *Opened Ground*, p. 170.

32 I am not certain of the point about Heaney, and need to read him more to be sure, or to change my mind.

33 *Opened Ground*, p. 278.

34 Yeats 1928 (1992), p. 260.

35 McCloskey 2016, throughout.

the trade after labor]; on the contrary, it was idleness that was prized and honored."³⁶ The first thing we do, let's kill all the working lawyers. And none of Shakespeare's *admired* protagonists are bourgeois, or for that matter working proletarians. True, Antonio and Shylock, the sole bourgeois protagonists in Shakespeare, speak in noble blank verse, unlike the low-bred comic characters in the drama of his time. But one protagonist in *The Merchant of Venice* is in his bourgeois deal idiotically lovelorn and the other villainously proud. Even a putatively bourgeois play like Thomas Dekker's comedy *The Shoemaker's Holiday* (1599) has its hero, Simon Eyre, speaking in prose. He becomes Lord Mayor of London, but never literally Sir Simon. And after all he is an ignoble maker of shoes, though he keeps saying "Prince am I none, yet am nobly born." He's not. "Eyre" = *eer* does mean in Dutch – the play is full of Dutch jokes – "noble." Yet blank verse gets he none. Ha, ha.

But It's not 1600 any more. We are supposed to be living in a post-magical, post-bardic, post-aristocratic, and thoroughly democratic and bourgeois age. Nowadays we all work for others for money, and it is deemed shameful not to. In Trollope's *Phineas Redux* (1874) the contempt for a man without an occupation, such as the aged Duke of Omnium, is palpable. One of the heroines, Madame Goesler, herself the widow of a rich bourgeois (and Jew), by then "knew that no man should dare to live idly as the Duke had lived." A minor character in the novel, Gerard Maule, though not an aristocrat as was the Duke, was according to Mrs. Atterbury (of Florence, who "had been an intimate friend of Garibaldi") "the most insufferably idle man who ever wandered about the world without any visible occupation for his hours." "'But he hunts,' said Adelaide. 'Do you call that an occupation?' asked Mrs. Atterbury with scorn."³⁷

We live, that is, in a democracy of work and commerce, not in an aristocracy of leisure and fighting. Why then is economic poetry of the sort that, say, Robert Frost produced in bulk not more common in our post-aristocratic age? Why is our art opposed to work and earning and business? Why is the Frost of "Apple Picking" or "Men work together, I said it from the heart/ Whether they work together or apart" so very unusual? Why – considering how largely our lives are made of work and trade?

It is easy to find an *Oxford Book of English Mystical Verse* or a *Penguin Book of First World War Poetry*, but not a *Norton Anthology of Economic Poems*. The anthologies are overwhelmingly composed of nature poems or love poems or sea poems or whatever-that-is-not-the-reality-of-law-and-economy poems. And the few anthologies of work, usually of a socialist bent, containing "The Song of the Shirt" and the like, seldom extend to the rest of economic life, and certainly never praise the bourgeoisie and its wretched capitalism. A recent anthology of British socialist poetry from Blake to the present was of course "about" the economy.³⁸ Robert Burns, who did in fact talk about work and the economy quite a lot, and did a lot of plowing besides, was omitted. The selection exhibits the thinness of economic concerns in poetry.

Why does earning a living by the sweat of ones brow, or in a bourgeois way by the sweetness of ones words, in the market or in the courtroom, on which we devote so much anxious attention, deserve so much less poetic thought than an adolescent love affair or a flower in a crannied wall? Law makes out better than "money," of course, at any rate in novels and plays, if still not in poetry. Observe that even in the modern European novel, the natural home

36 Greenblatt 2004, p. 76.

37 Trollope 1874, vol. 1, pp. 226, 155. The theme persists throughout the novel, e.g., vol. 1, pp. 149, 183, 214, 269.

38 Mitchell and Croft 2003.

of a bourgeois attention to earning or arguing a living, we hear mostly about the vulgarity of merchants in *Middlemarch*, or about Rabbit Angstrom's sexuality. Eager attention to the economic side of life appears early in *Robinson Crusoe* and *Moll Flanders*, but not much in later European novels, with rare exceptions like *Moby Dick* or *Buddenbrooks* or *The Grapes of Wrath*. One systematic exception is Willa Cather, who for example in *O Pioneers!* describes Alexandra Bergson's ascent in business with sympathy. The plays of Ibsen after 1876, and much of those of Arthur Miller, treat the bourgeois not entirely without sympathy. Attention, attention, they say, must be finally paid to such a person.

Yet what *is* this drumbeat of disdain for the law and especially the economy and its agents?

§

One answer, though it leaves the more fundamental question unanswered, is the treason of the clerisy after 1848, the reactionary drift of figures such as Thomas Carlyle and John Ruskin and the progressive drift of figures such as John Stuart Mill and Arnold Toynbee — anyway a drift away from the once-leftish but by then more centrist liberalism of Voltaire, Smith, Paine, Say, Constant, Mill (*sic*), Tocqueville, Bastiat, Spencer. In 1912 George Bernard Shaw chronicled the drift:

The first half [of the nineteenth century] despised and pitied the Middle Ages. . . . The second half saw no hope for mankind except in the recovery of the faith, the art, the humanity of the Middle Ages. . . . For that was how men felt, and how some of them spoke, in the early days of the Great Conversion, which produced, first, such books as the *Latter Day Pamphlets* of Carlyle, Dickens' *Hard Times*, . . . and later on the Socialist movement.³⁹

The drift involved a battle of sons in the clerisy against fathers in the bourgeoisie. Thus a skillful squib by Arthur Hugh Clough (1819-1861; the son of a cotton merchant of Liverpool and Charleston), "The Latest Decalogue," published posthumously in 1862, just when the literary socialists were beginning to win the war against trade-tested betterment: "Thou shalt have one God only; who/ Would be at the expense of two?/ No graven images may be/ Worshipped except the currency," and so forth, down to, "Thou shalt not covet, but tradition/ Approves all forms of competition." In this spirit three-quarters of a century later Ogden Nash, the son of an executive in the import-export business, wrote "Man must labor./ Man must work./ The executive is/ A dynamic jerk."⁴⁰

Another answer is surely that the aristocratic and the Christian traditions weigh heavily still, and spurn work and trade. We don't reinvent such metaphors and stories each generation. We reweave them, in the way *Star Wars* reweaves yarns from *The Odyssey* and the knights of the Round Table into a technology of space craft. In the gathering twilight of Christianity and aristocracy the old rhetoric was reshaped as socialism or conservatism, Marx or Carlyle. Both left and right came to spurn such a non-aristocratic or non-Christian activity as the merely bourgeois economy. In 1940 Auden complaining in drearily conventional and historical erroneous terms that there had emerged:

. . . a new *Anthropos*, an

39 Shaw 1912.

40 I recall. I have temporarily misplaced my copy of Nash's poetry, and am not yet certain. . . but will be.

Empiric, Economic Man,
 The urban, prudent, and inventive,
 Profit his rational incentive
 And Work his whole *exercitus*,
 The individual . . .
 free
 To feel in splendid isolation
 Or drive himself about creation
 In the closed cab of Occupation.

W. H. Auden, "New Year Letter (January 1, 1940),"
 Part Three, p. 184

He had Benjamin Franklin in mind, which is not a sensible way of looking at Franklin, who emerged early from the closed cab to engage in public works suitable to what he most wanted to be, a gentleman.⁴¹

During the 1930s, of course, it is no surprise to find anti-bourgeois feelings expressed anywhere in Europe. But if one takes the whole of even modern *Dutch* poetry – from that pioneering place of the bourgeois life – the economic theme is faint at best. The anti-economic, anti-legal, anti-profanus is coming somehow from within poetic tradition, not from the society around it. I take as my text an amazing project, *Turning Tides: Modern Dutch and Flemish Verse in English Versions by Irish Poets*, 1994, edited by Peter van de Kamp, who teaches at University College Dublin and at the University of Leiden, too. In its 150 or so poems there's not one like Frost's, not one directly taking on work and economic relations – Frost's "The Death of the Hired Man," for example.

Admittedly, I repeat, the anti-bourgeois character of poetry is hardly confined to Romance or Literary Modernism. Townspeople such as the bourgeoisie have been despised since Isaiah and the *Mahabharata*, seen by the priest and the aristocrat as vulgar, associating with the urban mob. *Odi profanum vulgus*, "I hate the unholy mob," sang Horace in priestly style two thousand years ago, and claimed implausibly to spurn fashionable, riches in the city more burdensome than his farm in a lovely Sabine valley.⁴² The son of a freed slave, Horace adopted the social attitudes of his acquired knightly rank. The pastoral theme has resounded among the bourgeoisie itself. In the uproar of vendors in act 2 of *La Bohème*, the bohemian boy-bass philosopher Colline intones *Odio il profano volgo*, which an audience of educated if bustling and bourgeois Piedmontese men in 1896 would have instantly recognized as the Italian for Horace's line – and if they were a trifle vague, Colline helpfully provides the citation (*al par d'Orazio*).⁴³ Still today, as always, trade and betterment in the bourgeois town are threatened by the scorn of priest, knight, gentleman, professor, poet, populist, or thug, from Green to neo-Nazi, and even, I say, from the educated bourgeoisie itself.

The ancient premise of not-poetry in ordinary life, with rare exceptions such as Hesiod's *Works and Days* or Virgil's less exceptional *Bucolics*, might have come out of poetry's evocation of magic spells. Poetry adopts the incantatory form of magic, and magic attempts to get beyond a reality principle, a principle which economics and law would recommend, whether the economics and law be Marxian or bourgeois, positivist or realist. Flying carpets violate the laws of economics as much as they violate the laws of physics, and for that matter the blackletter

41 Wood 2004, p. 38.

42 *Odes* 3.1, concluding with this anti-economic query in the language of the marketplace: *cur valle permutem Sabina/divitias operosiores?*

43 Puccini, Illica, and Giacosa 1896 (1954), p. 13.

laws of traffic. Cheap and unregulated transport is made available through mere words, “cheap talk,” as the game theorists say. The magician intones, “I command thee, Genie,” to violate the scarcity that is the core of the reality principle. “Deer’s Cry,” c. 440 C.E., the earliest written Irish, attributed (probably falsely) to St. Patrick, resists but then credits magic, “spells of women and smiths and wizards.” Magic says you can have what you want. Law, economics, and law-and-economics, not to speak of physics, replies, “No, you can’t.” You may generously *want* to help the poor by raising the minimum wage, but the actual effect is (and in the Progressive Era its intended effect was most gratifyingly) to dis-employ women, blacks, and immigrants, and the young people in all these categories worldwide, such as the 47 percent of black men in Chicago in 2015 out of a job and not in school.⁴⁴

Unlike magic, however, as the literary critic Thomas Greene observed, poetry does in fact acknowledge its own inefficacy. In an ironic and sometime irritated way, the reality principle of adults then does prevail.⁴⁵ That is to say, we *could* have a poetry that inquired into how we live, instead of complaining in an ill-tempered and thoughtless fashion about people who buy low and sell high, and benefit us.

I think perhaps ultimately the rarity of legal or economic poetry comes from our deep annoyance with the law and the economy. The law makes us do things, most of which we do not want to do. The economy – though it permits specialization on an enormous scale, and though it has resulted under liberalism in a Great Enrichment, and though it makes for a massive and continuing equality of real comfort from top to bottom – annoys, too. In a voluntary deal both sides win, of course, and both have profits. But in the nature of mutual advantage, you could have got *more* profits. There’s always that annoying gap. Marshallian economists call the gap between willingness to pay and willingness to accept “the sum of consumer’s and producer’s surplus.” Marxists call it, more vividly, and with disapproval, “exploitation” or “surplus value.” Anyway it is the social gain from trade – the value created by trade – to be divided somehow between your profit from the transaction and the other person’s. We grumble. Did I get the best deal I could? Has he made a fool of me? He’s a vicious profiteer. Why doesn’t he gracefully give me a gift?

“It’s unfair” is the complaint of the zero-sum ideology. In Jane Smiley’s *The All-True Travels and Adventures of Lidie Newton* (1998) an honor-obsessed Southerner in Quincy, Illinois, in deep winter around 1840 threatens with his guns drawn a storekeeper and livestock dealer: “Horace Silk, you will cheat me no more! Those mules I sold you for a hundred dollars you turned around and sold to Jed Bindle for two fifty, and you ain’t given me none of the profits!” Imagine that – buying low, selling high, and keeping the profit. The Southerner’s Borderer-aristocratic code of honor demands violent satisfaction. “But then Horace’s father,” the narrator continues, “interposed and explained to the man . . . the role of the middleman in every mercantile transaction.” Such is the rhetoric of a Yankee and a bourgeois, which doubtless helped less than the narrator’s mother, who “stepped forward and persuaded [the Southerner] to come farther into the store and get warm,” with an implied invitation for peaceful, knightly gallantry toward women, which he accepts.⁴⁶ All this cheating magic of trade has long angered

44 Leonard 2016 has shown in detail the declared purpose of legislation on the minimum wage. The statistic on unemployment among young black men comes from the *Chicago Tribune*, January 26, 2016.

45 Compare McCloskey 1991b.

46 Smiley 1998, p. 128.

people. Zero-sum is the default in thinking about my gain and thine. It is the chief error in economic thinking in the street and in politics. And perhaps in the poet's study, too.

The annoying vulgarities of work and law and technology and science are supposed to have nothing to do with their own meaning, supplied from the outside by religion and poetry and music. The dichotomy is mistaken. Better to be "constantly amalgamating disparate experience" across the humanities and what English speakers now call "science," as Eliot said in his essay, though in his own poetry going not as far as the law and the economy. Anyone who has proven in school a mathematical theorem and also written a rock lyric knows that the two have similarities. Anyone who has raked hot-top for the Highway Department and made a clay pot on a wheel at the community college knows that the pleasures of plasticity are one. Anyone who has sold a car secondhand and read Lincoln's Second Inaugural knows that the varied joys of exercising the language for persuasion are rather similar.

Preserving the aristocratic/Christian disdain for the economy is bad for the mass of adults who work in home, office, or factory. It is nasty – besides it being false – to be told that our main occupation is beyond the reach of the sacred of poetry. No wonder we turn to other sources of lyric and myth, to rock music and country music, the TV soaps and the National Football League. The literary people keep telling us that what we do 9:00-5:00 is "alienating" and that the only real living happens in leisure time and in libraries, under a plane tree with stylus and waxed board. It is an erroneous prejudice of the clerisy that only nonmarket and especially nonprofit activities are truly creative. Most people cannot write Maxine Kumin's poems or assemble Marc Chagall's stained glass, but as the political philosopher John Tomasi observes, the liberty to exercise vital powers along lines of excellence in a life affording them scope is open in the economy of a liberal society to a much wider range of folk, opening a hairdressing salon or exercising the varied skills of a rich economy.⁴⁷

Eric Hoffer, the San Francisco dock worker and sage, made the same point. He was in a position to know. Thus in *The Ordeal of Change* (1963): "it is mainly by work that the majority of individuals prove their worth and regain their balance. . . . No one will claim that the majority of people in the Western world, be they workers or managers, find fulfillment in their work. But they do find in it a justification for their existence. The ability to do a day's work and get paid for it gives one a sense of usefulness and worth."⁴⁸ Or in *The Temper of Our Time*

There is a considerable literature on the barbarizing and dehumanizing effects of the machine; how it turns us into robots and slaves, stifles our individuality, and dwarfs our lives. Most of the indictments of the machine come of course from writers, poets, philosophers, and scholars -- men of words -- who have no first-hand experience of working and living with machines. . . . The proficient mechanic is an alert and intuitive human being. On the waterfront one can see how the ability to make a fork lift or a winch do one's bidding with precision and finesse generates a peculiar exhilaration.⁴⁹

§

I leave you, then, with the puzzle. Some very few writers, again like Frost or Walt Whitman, could fill a *Norton Anthology of Economic Poetry* by themselves, so often did they reflect on work and trade, as in Frost's "New Hampshire," published in 1923 ("Do you know,/ Considering the market, there are more/ Poems produced than any other thing?/ No wonder poets sometimes have to seem/ So much more businesslike than businessmen"). But almost all

47 Tomasi 2012.

48 Hoffer 1963, p. 34.

49 Hoffer 1967, p. 13.

poets, and most novelists, even in this bourgeois age, deal rarely with the law or the economy. T. S. Eliot did just once, "Journey of the Magi," casting a traveler to Christ's birth as making a business report, complaining of the assignment, the prices, the accommodations. Yet Eliot was a banker and publisher. Like most moderns he strictly separated his art from his business. The successor to Eliot as the most studied American poet, Wallace Stevens, might well have written legal and economic poetry in abundance, since he was a surety bond lawyer for Hartford Accident and Indemnity Company in the decades after 1916, writing poetry in his lunch hour (*New Yorker* cartoon from 1978: the boss scolds an employee writing at a desk, "Yes, I know Munger. But Wallace Stevens didn't scribble his damned verses on company time"). Yet he never wrote a line on legal or economic themes. Auden, though politically conscious in a way that neither Eliot nor Stevens was, produced only a handful of legal or economic poems.

Of course one could be reductive and stick everything into the economy, thereby harvesting every poem as "basically" economic. After all, the host of golden daffodils that Wordsworth saw in never-ending line along the margin of a bay were some farmer's field infected with weeds, or else a venture into the cut flower trade. The legal reduction is possible, too, since after all a Shakespearean sonnet has law-like rules. Yeats' "Easter 1916" can then be cast into the category of economic because it is political and, after all, politics is basically economic. But without such reductions the poetic world is strangely non-secular, non-bourgeois, certainly in Holy Ireland but even in businesslike Holland, certainly in aristocratic ancient Rome but even in liberal America. Northrop Frye said that "the fundamental job of the imagination in ordinary life . . . is to produce, out of the society we have to live in, a vision of the society we want to live in."⁵⁰ But the vision could be bourgeois, could be of a liberal democracy of free people under law, a democratic vista. Mostly it is not.

What's going on here? Why is the poetic vision so relentlessly careless of our laws and our livings?

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50 Frye, 1964, p. 140.

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