

Voyage to Nusquam

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*This book is dedicated to
Anthony M. Kennedy,
who possesses the quality of mercy
far more than Portia ever did.*

Well I dreamed there was an island
That rose up from the sea.
And everybody on the island
Was somebody from TV.
And there was a beautiful view
But nobody could see.
Cause everybody on the island
Was saying: Look at me! Look at me!
Look at me! Look at me!

Laurie Anderson,
Language is a Virus

Preface:

Excerpts from a memorandum to University Chancellor More from Professor Malloy

I am more than a little embarrassed to attach to this memorandum the brief account of my experiences and observations concerning the Republic of Nusquam, but it was only after your office raised questions about the events of a year ago that it seemed advisable to finalize my notes. That it should take me but a few weeks to complete the task is not remarkable. As you may know, I had been working on the draft for some considerable time, and had already completed the bulk of the study and labor over it, and therefore it was a

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simple task to complete this account. I have not tried to dress this up into an eloquent piece of advocacy, because it is more a matter of straightforward reporting than an effort of persuasion. I have always prized simple, direct speech in all that I have written, as something more likely to approach the truth. This is and should be the aim of all my effort and study.

I admit that, having poured some concentrated energy into this account, I am disinclined to engage in any extended debate about the matters described. Laying these out and doing so in an accurate and even-handed matter was certainly a necessity, but if eloquence of expression or nimbleness of wit were required in the aftermath, then the effort would be beyond me. I am plain-spoken, perhaps blunt, but I do not view these qualities as negative – I speak only in an effort to be as truthful and instructive as my modest powers of expression make possible. Even this simple task

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was consuming, of course, and left me no time for simple pleasures. Each day is spent in teaching at the law school, or meeting with students, or consulting with and advising those who occasionally may ask for my assistance, or—dread tasks—attending committee or faculty meetings, where heart and soul are drained of energy for utterly no purpose. Then of course there are private daily matters to be attended to, with friends and family, so that there is little time for myself, my thoughts, and my writing. With so little time, why would I wish to waste it in rehearsing and defending matters done and gone?

It may seem that I have an abundance of time, outside of classes, but when I am at home, I must interact with my wife and be attentive to our children, and discharge the many petty tasks that daily life imposes. While I might prefer to steal away to read and reflect, to draft and annotate, the fact remains that on-

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ly a fool allows himself to become a stranger in his own home. I learned from observation of my father, in my youth, that one must firmly resolve to invest the time to be present and pleasant among the family, for there are always the early hours and the late evenings for one's own work and intellectual satisfactions. But these efforts do steal away the days, and there is never enough time to write. So, on the exchange floor of life, one trades sleep for contemplation and leisure for those moments of quiet discovery. Finally, though, attaching one stolen moment to the next, I finished this account of Nusquam, and I forward it to you for your information. I think it is largely complete, certainly in all material respects that might require explanation.

Of course, some of the factual circumstances towards the end of my involvement with Nusquam were confusing and more than a little ambiguous. My friend Clement in fact

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has suggested that I may have embellished the final incidents “for literary or dramatic effect,” as he put it, and I am willing to concede that that is certainly a reasonable conclusion. However, in all other material respects, I think that my account of Nusquam and my experiences there is an accurate representation.

Respectfully,

Michael P. Malloy, Ph.D.

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If he hadn't taken my course, Adnan Bren would still be alive. That is the simple, unembellished truth of the matter. It makes little sense to try to explain this away, to muffle it in explanations and distinctions. Still, it may be of some use to describe the circumstances that surrounded this sad fact, a tribute perhaps to his memory.

It was the first day of the new school year, and I was settled in my office trying to make sense of a ruffled mass of papers and office memos that had managed to accumulate in the previous three months. This is not a situation calculated to foster patience, though there is some satisfaction in throwing away so much of the detritus of inter-office communication.

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A discreet knock at the open door, barely even a tap, recalled me from this task. An ascetic-looking young man, not more than average height, stood in the doorway with an attitude of respectful reserve.

“Excuse me, please, but you are Professor Malloy?” he asked.

“That’s correct.” He did not move. Clearly he would require encouragement or he would spend the rest of the morning worshipping at the temple gate. “Please, come in. Sit down. Just clear a chair, one near the desk. You can put those files on the boxes. Fine, fine. How can I help you?”

“Thank you, sir.”

More silence. *Was I supposed to say something, I wondered. What next? Repetition seemed to be called for.*

“Yes. So. How can I help you?”

“My name is Adnan Bren. You may find my name on the roster for your class . . .”

“Which class is that? I teach . . .”

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"I am now in the master's program . . ."

". . . three courses in the Fall."

"Oh, sorry. Yes, I am in the seminar . . ."

"Law and Literature?"

"Yes, Law and Literature."

So much progress. I could probably keep reading the papers and pulp on my desk and still keep up my end of this conversation. Ah, but there was the roster for the seminar. And the third name was his.

"Mr. Bren, is it?"

"Yes, sir."

"LL.M. program, hmm?"

"Yes, I have arrived last night."

"I see. Where from?"

"I'm sorry?"

"Don't be. What school did you attend before this?"

"I received my degree in law from Nusquam University of Science and Technology."

"Nusquam?"

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"The Faculty of Law, Nusquam University of Science and Technology. NUST, we call it."

"I see. And where exactly is Nusquam?"
Even inexactly would help; I'd never heard of the place.

"On a tangent to the west perimeter of the Mariana Islands . . ."

"Oh, Saipan and Tinian . . ."

"And Guam, or more broadly, Micronesia. In the Philippine Sea."

"Yes, of course."

"I am most anxious to participate in the seminar. Is it true that you are reading only utopian books?"

"Well, we are reading *Utopia*, of course, and then a series of books inspired by it, directly or indirectly."

"And this includes Zamyatin's *We*?"

"No, I don't include that book in the course."

"Oh, I wondered, because Dean Blum said she thought that you might include this book."

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“Did she, now?” Obviously, I’d have to have a chat with the associate dean about this, a natural reason to huff and puff over lunch at the Facultatum, our lunch club. “Well, I’m sorry to tell you that we don’t read We.”

“I am sorry to hear this. It is still a great honor to participate in this seminar. You will understand that many believe that Nusquam is itself a utopian place, with our scientific planning and our devotion to rational policy in all matters affecting the welfare of the Nusquami population.”

“Well, that is interesting. But you understand that there is some dispute about the meaning, the connotations of this term ‘utopian.’ There is so much misunderstanding and misperception about the idea of a utopia.” Polite, smiling blankness faced me across the desk. “This is something that we’ll certainly discuss during the seminar.”

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“I look forward to this discussion. But I understand that ‘utopian’ is a good thing, correct?”

“Well, that is precisely the problem. In common parlance, people talk about some idea or some proposal as being ‘utopian,’ and what they mean is that it is idealistic but not realistic, or that it is somehow an ideal.”

“But a utopia is a good place, is it not?” Adnan asked me, with a rising level of perplexity evident in his voice and in his posture.

“I think the answer is no, to be quite honest.”

“How can that be?”

“Utopia is no place. It may be intended as an ideal construct, but frankly I’m not sure if even that’s true,” I explained, becoming entirely too wrapped up in subtleties that the seminar would be discussing for fourteen weeks. “It is an imaginary place constructed in such a way that it creates a sharp, almost ironic con-

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trast with a known society, typically our own or the author's."

"But I understood that the great Saint Thomas More, in his *Utopia*, was creating a *good* place, not *no* place," he squirmed. *N minus 1 on the roster*, I began to think. "That is something that we need to address in the seminar." *Calm, calm, now, mustn't drive all the students away*. "There are some scholars who would agree with you - that More intended a *good* place." *But they're goddamn wrong the ignorant toads*, I did *not* say out loud. I think I am reasonably sure that I did not say that out loud.

"This is my point exactly, Professor. My Nusquam is a good place, a utopian state, a place where the human potential is optimized in accordance with scientific planning and our devotion to rational policy in all matters affecting the welfare of the Nusquami population."

This was beginning to become a little singsongy. Yet Mr. Bren was obviously very serious about all of this. I glanced to the right, over

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his head, at the clock on the book cases behind him.

“That is the fundamental principle that guided Premier Toft in the establishment of our constitution. Science is the foundation of rational planning.”

Twenty minutes until the end of office hours. And then lunch at the Facultatum. I would have to hunt down Blum and ask her what she’s been telling students about the seminar.

“In the absence of this principle, Nusquam would be a dis-“ *He is going to say ‘dystopia,’ and I am going to scream.* “-appointment, because its whole reason for existing was to advance the human condition in accordance with reason, not the accidents of history. ‘Incidence, not accidents,’ as Premier Toft says.”

“Incidents?” I said, confused and distracted.

“No, incidence.”

Now I was totally confused, and I am afraid that it must have shown on my face.

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“It is by way of being an expression, almost a proverb, in Nusquam.”

“I see,” I replied blindly. “So, you are saying that Nusquam society is ‘utopian’ in the common sense of the term, in other words an ideal or optimal society.”

“Yes, exactly! It is common sense to rely on science and technology to achieve the goals of a just and ordered society, where the welfare of the people is ‘advanced by the advance of knowledge.’ ”

It sounded like he was talking in slogans. This made him sound rather naïve, but I had an uncomfortable feeling that there was more to this, and I wasn’t sure that it was at all pleasant. *I need an exit strategy here, I thought, but what is it?*

“So, is Nusquam a planned economy?”

“Not in the ordinary sense. Science guides planning.”

“But surely economics is a . . .”

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“Economics is merely quantified sociology.”

I began to think that I might enjoy having him in the seminar after all.

“This may require further exploration,” I said, preemptively adding “once the seminar is under way.”

“Yes, it is my hope that I may offer some explanation of the Nusquami approach to social planning.”

“This could be a rather provocative topic,” I said, but I noticed he seemed alarmed by this prospect. “Some might argue that Huxley’s *Brave New World* presents a picture of a society where the human condition is – how did you put it? –“

“Human potential . . .”

“Human potential is optimized through . . .”

“In accordance with . . .”

“In accordance with scientific planning and . . . uh . . .”

“Our devotion to rational policy . . .”

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“Rational policy in matters . . .”

“In all matters affecting the welfare of . . .”

“The Nusquami population.”

“Yes, professor, that is correct.”

“I see.”

“But that is not correct.”

“I’m sorry, didn’t you just say . . .”

“No, I am sorry; I meant that it is correct that, in Nusquam, human potential is optimized in accordance with scientific planning and our devotion to rational policy in all matters affecting the welfare of the Nusquami population. But it is not correct to say that the society in Mr. Huxley’s book is such a society.”

“Well, this may require further discussion,” I replied. *Especially since I have now completely lost track of what you could possibly mean*, I said to myself. “You must admit, I think, that the entire society depicted by Huxley is ruled rigorously – one might even say ruthlessly – in accordance with a set of scientific principles.”

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“But surely, sir, only in the sense that science, its power and techniques, are used as tools to control the population, not for the welfare of that population, but for other, extraneous reasons. These reasons do not optimize.”

“That may be, I suppose, but science and technology are ultimately only the media for social planning. Objectives, normative values, if you will, are always ‘extraneous’ to science.”

“This may be the case in some societies, perhaps most throughout history. But we believe that this separation of science from values is dangerous, that it encourages social dysfunction. Is this not the lesson of Zamyatin’s *We*?”

“What do you mean?”

“The narrator, this person known only by his alpha-numeric designation . . .”

“Good old D-503?”

“Yes, of course - he is honored as the ‘Builder of the *Integral*,’ a powerful and dangerous spaceship, and yet he cannot perceive the harm that his government does to the individual citi-

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zen. Science and surveillance disintegrates the individual and consolidates each into the integral 'we.' "

"But doesn't that prove the point of what I was saying before - that emphasis on 'scientific planning' or whatever one might call it carries with it the danger of de-individualization of its citizens - you might actually call it a de-moralization of society in a very literal sense. I think that is ultimately the lesson of *Brave New World* - that for moral judgment we substitute science, or technology, or 'law and economics,' or whatever the current cold-blooded lure happens to be, at great risk."

"Professor, with respect, I think that you may not understand what I have said. The fault is mine for the lack of clarity." *Ah, play that card and the game is yours, of course, I thought, because now I must back away from confrontation.*

"No, it may be that you do not understand what I have said," I nevertheless replied. *Still, a*

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little too aggressive, I thought, time to put a gracious spin on it. "I have not expressed myself as clearly as I should." Ha - a little 'punto-reverso,' huh?

"Not at all."

"Well, then?"

"I need to explain more clearly the fundamental principles invoked by Premier Toft in creating Nusquam and establishing the Republic. In this case, science was not simply the medium for social planning. No, scientific principles were employed as well to determine the 'moral judgments,' as you call them, that underlie the society that is being planned."

"But this seems circular - scientific principles determine moral judgments, which establish the direction of social planning, which uses science and technology to realize the objectives. This strikes me almost as amoral as the underpinnings of the society described in *Brave New World*. Or perhaps *We*."

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“Oh, no, Professor, not if you take into account the objectives that Premier Toft was pursuing in creating Nusquam . . .”

“Excuse me, but that is something else that I just don’t understand. You said that your premier ‘created’ Nusquam and ‘established’ the republic, but I am not sure I understand the difference. Was this the result of some post-colonial, revolutionary movement or . . .”

“I am sorry, Professor, but I did not make myself clear. No, when I said that Premier Toft created Nusquam, I meant that quite literally.” *And ‘literally’ nowadays means ‘figuratively,’ and virtually means actually,* I complained to myself. “There was no Nusquam before Premier Toft created it. Government naturally came afterwards.”

This explanation made less sense than the idea being explained. Perhaps lunch and an argument with Dean Blum would clear my head.

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“I’m sorry, but I have another appointment,” I told Bren with more or less genuine regret. “May I suggest that we continue this discussion during my office hours tomorrow, right after the seminar?”

“Of course, Professor. I look forward to this.” Still he sat. Was he expecting to wait here overnight?

I shuffled papers, stood up, shuffled around the desk, shook hands with Bren, and shuffled him out the door.