Before the boom went bust, Act 200, the Vermont Growth Bill, passed in 1988. Proponents, led by an embattled Governor Kunin, tiptoed through a minefield of opposition, claiming Act 200 made the state more responsive to local decisions, revitalized local control of town plans, and attempted to balance economic and environmental needs. Opponents countered that the vague and badly written law was a Draconian measure that lawyers loved and people, if they could understand it, hated. By 1990, led by a statewide group called Citizens for Property Rights, thousands had signed petitions demanding that the law be repealed. A landmark attempt to confront the tremendous complexities of land-use, Act 200's test would come in the nineties.

In counterpoint to Pyramid Mall, the success story of Ben and Jerry's Homemade captured the support, enthusiasm, and limited investment dollars of many Vermonters.

The company went public in May 1984. It was a xenophobic affair: for Vermonters only. The prospectus was heavy with warnings: the offering was in excess of book value; there was no market for the stock; if you decided to sell your shares within nine months another bona fide Vermonter had to take them off your hands. Proceeds from the offering, around $700,000, were to be used to buy equipment and land for a new plant. Ben and Jerry's planned to expand to meet the demands of scoop-shop franchises and supermarkets in the Northeast that wanted to sell superpremium ice cream with the pictures of two hippies on the top and with down-home copy ("This carton contains some of the finest ice cream available anywhere. We know because we're the guys who make it") on the side. The whole scheme sounded just crazy enough to work. I bought fifty shares at $10.50 a share.

What the prospectus had failed to tell me about was the biggest threat of all to Ben and Jerry's: the Doughboy. The Pillsbury Corporation's Doughboy, that is. Pillsbury, owner of Häagen-Dazs, the Danish-named superpremium ice cream, wanted to eliminate "the best ice cream in the world," as an article in *Time* had called Ben and Jerry's Homemade in 1982, from supermarket shelves.

Ben Cohen, thirty-three, and Jerry Greenfield, also thirty-three but semi-retired ("Mr. Greenfield does not participate in daily management," the prospectus said), were the company founders. They had started the business in a rented gas station on the corner of Pine and College streets in downtown Burlington in 1978 and expanded slowly and not without a certain amount of sixties' ambivalence about being in commerce. For instance, a friend of mine went to the ice cream shop one day only to find the door locked and a note posted. Business was harder than the owners had anticipated, the note said, and they had taken the day off "to get their shit together." My friend said he particularly remembered the last phrase. By 1980, operations had smoothed out enough so that Ben and Jerry's opened their first franchise in Shelburne. In 1984, the year of Orwell's Big Brother and the Island Pond Raid, they decided to go big-time.

Recent requests from ice cream distributors in New York and Washington, D.C., the prospectus said, had been turned down for lack of product.

An article in the *New Yorker* in 1985 by Calvin Trillin described Ben and Jerry's ice-cream-making facility as "a tiny galvanized-tin building that a Ford dealer had formerly used to repair trucks—a production setup that a succinct visitor might have described as five dropouts in a garage." But the heart of the piece contrasted the unconventional Cohen and Greenfield and their rise to respectability, albeit with no cashiering of their hippie souls, with the story of Reuben Mattus, the corporate hero of another business era and the fellow behind Häagen-Dazs. Because Mattus, a Jewish streetfighter who had survived ice cream wars in New York for decades, had sold his company to Pillsbury, staying on as a manager, he became the heavy in the article. Cohen and Greenfield looked like New Age folk heroes.

Trillin's account was a classic David and Goliath tale. Little guys lobbing ice cream bombs at a giant named the Doughboy. Counterattacks at Pillsbury's illegal tactics in the pages of *Rolling Stone*. Bumper stickers asking "What's the Doughboy afraid of?" An 800 number to call if you wanted the true scoop, from the little guy's side, and packets of information mailed free to explain what was happening. In effect, taking one scoop counterculture idealism, two scoops Jewish chutzpah, and a lot of high-butterfat milk from Vermont dairy cows, the hippies had fought back.

The media loved the story of two guys who looked like munchy-crazed remnants of the cannabis culture on their pint lids taking on big business without losing their cool. Here were two graduates of liberal arts schools, Cohen from Skidmore and Greenfield from Oberlin, who gave MBAs pause. The twosome had no business training, Trillin wrote, and had "capped off their preparations by sending away to Pennsylvania State University for a five-dollar correspondence course in ice-cream making—two-fifty apiece." Like a lot of people who were in college during the late sixties and early seventies, they had been educated to "think small."

And dream big.

One unorthodox corporate ritual the ice cream makers had initiated was something called the annual Fall Down. At the Fall Down, Jerry Greenfield, who flew in from Arizona, swung a sledge hammer and smashed a cinder block on Ben Cohen's sizable stomach (too much product testing, Trillin thought), and then partying commenced.

Reuben Mattus liked the boys' sense of humor and even their product. Nevertheless, they should have borrowed some money and gone into bagels, he concluded, rather than compete against Häagen-Dazs. When the two hippies from Vermont wanted to place their crazy brands of rich, expensive ice cream, with names like Dastardly Mash and Heath Bar Crunch, alongside the more sedate chocolate, vanilla, and coffee containers of Häagen-Dazs, Mattus transformed into the streetfighter—or in this case, supermarket shelf-fighter—of old. Except now, as a member of the Doughboy's family, he had more muscle.

"We were really scared," Chico Lager, president of Ben and Jerry's in 1985, told Trillin. Though the company's corporate style seemed predicated on fun and laugher, and on crazy stunts and weirdness, Lager said, "This was not a joke to us. How we responded was a lot of fun, but the matter itself was very serious."

The matter was unfair competition, a violation of the Clayton Act. Ben and Jerry's lawyer, Howard Fuguet of Boston's prestigious Rope and Gray, who handled the case against Pillsbury's formidable legal department, which had been acting as if it was brushing the gnat off its sizable back, got the defendant to see that an out-of-court settlement was to his advantage. Pillsbury had already gotten a taste of the unorthodox countermeasures dreamed up by the hippies in their fairy-tale hangout up north. And how the measures had generated thousands of inches of press patter, very little of which made Pillsbury look like anything but a greedy giant and Ben and Jerry's like the boys next door. Boys who used to make you wince with their antics but who now were intent on playing hard ball.

Said Fuguet to Pillsbury: "It would be wishful thinking on the part of your subsidiary's offices to imagine that it can bully Ben and Jerry's, stifle its growth, and cause it to roll over." He listed precedents. The Doughboy backed off.

Ben and Jerry's adroit publicity campaign not only increased sales, but captured the admiration of dozens of other eager nouveau-capitalists. Cohen soon achieved a national stature similar to that of Paul Hawken, the driving force behind Smith and Hawken, a Mill Valley, California, gardening tools company that had made quality, the environment, and customer service its themes. The philosophy that united Ben and Jerry's Homemade with Smith and Hawken, and that linked them to hundreds of lesser though like-minded ventures begun in the eighties, was that you could disdain the more oppressive corporate conventions while still adopting good operating methods; you could make a healthy profit without selling your soul; and you could employ people and remain sensitive to their humanity. These were lessons big business, like the ice cream giants squeezing milk out and puffing air into their products, still were fighting. Lessons the Japanese had taken to heart.

Ben and Jerry's also emerged in Vermont as leaders of the "Made in Vermont" phenomenon of the eighties. From chocolates and running bras to recycled fertilizer and computer software, the eighties witnessed a boom in small entrepreneurships. Many new businesses united handcrafted quality with innovations in sales and marketing. Their products often bore the state-approved "Seal of Quality." Social activism and corporate responsibility integrated with more traditional company goals, such as making a profit, drew nonbusiness types into the corporate fold.