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unable to prevent the Democrat-controlled House from approving President Reagan's budget-cutting measures. "I regret to say, Tip is reeling on the ropes," observed Representative Les Aspin (D.-Wisc.).

Smith, however, does not blame O'Neill alone for the Democrats' defeats. The Speaker's political skills, he concludes, "could not overcome weaknesses in party [cohesion]."

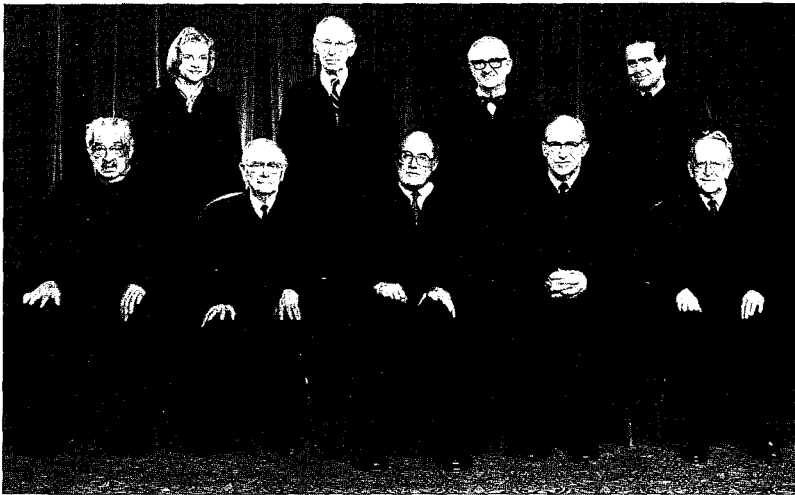
Rehnquist's Choice

"The Supreme Court: What to Expect" by David M. O'Brien, in *PS* (Winter 1987), 1527 New Hampshire Ave. N.W., Washington, D.C. 20036.

The ideological makeup of the nine-member U.S. Supreme Court seemed to change very little when William H. Rehnquist became chief justice last September. Rehnquist had already served on the Court since 1972. And Antonin Scalia, who took Rehnquist's former post as associate justice, was, like departing chief justice Warren E. Burger, a judicial conservative.

But O'Brien, a University of Virginia government professor, predicts that, compared with his predecessor, Rehnquist will exercise far more influence over the *choice* of cases that the Court will consider. That is why the new Court, he says, "holds the potential. . . for greater change than at any other time in the recent past."

Nearly 20 years have elapsed, O'Brien observes, since the Supreme Court acted as a strong force for social change. Under Earl Warren (1953-69), the Court "revolutionized constitutional law and American society" by



The Supreme Court: (l. to r.): Thurgood Marshall (sworn in: 1967), Sandra Day O'Connor (1981), William J. Brennan, Jr. (1956), Lewis F. Powell, Jr. (1972), William H. Rehnquist (1972), John Paul Stevens (1975), Byron R. White (1962), Antonin Scalia (1986), and Harry A. Blackmun (1970).

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handing down a series of rulings that greatly expanded the rights of the individual vis-à-vis the state. The Court's "liberal-egalitarian jurisprudence" rankled many conservatives. They believed, however, that under Burger (1969-86), the Court would reverse many of the Warren Court's liberal decisions. But Burger, O'Brien says, lacked both the strength of personality and intellectual prowess needed to lead his independent-minded brethren to the right.

Rehnquist, O'Brien observes, is "sharper, more thoughtful, more commanding, and wittier than his predecessor." As chief justice, he will exercise more influence over the Court's most crucial function: deciding, out of some 5,000 possible cases each year, which 170 will receive consideration.

According to custom, the chief justice circulates, before each weekly conference, a short "Discuss List," and a much longer "Dead List" of cases that the Court will not discuss at the weekly conference.

The chief justice then leads the meeting. As the Court is now constituted, Rehnquist does not have four dependable allies who will vote with him. But only four votes are needed to *select* cases for review. Thus, Rehnquist and three fellow conservatives (Antonin Scalia, Sandra Day O'Connor, and Byron White) will be able to pick cases that will enable ad hoc majorities "to carve out exceptions or to cut back on Warren Court rulings expanding [civil rights] guarantees."

Rehnquist and his conservative allies may not decide the outcome of many cases. "But controlling the Court's agenda," O'Brien says, "is the first step in altering the direction of the Court and redefining its role in American society."

Bureaucrats

"The American Bureaucrat: A History of a Sheep in Wolves' Clothing" by Barry D. Karl, in *Public Administration Review* (Jan.-Feb. 1987), American Society for Public Administration, 1120 G St. N.W., Washington, D.C. 20005.

During the 1972 presidential campaign, Alabama's Governor George Wallace complained that Washington was full of "pointy-headed government bureaucrats who couldn't park their bicycles straight."

Then, as later, many other Americans (including Ronald Reagan) agreed that the federal bureaucracy in Washington—like all bureaucracies—was bloated, inefficient, and perhaps even un-American. Karl, a University of Chicago historian, argues that such sentiments are deeply rooted in U.S. history and the American psyche.

The framers of the U.S. Constitution, Karl says, considered government bureaucracies—along with political parties, patronage, and self-interest—to be antidemocratic. Both Jeffersonians and Federalists believed that the public interest was best served when elected officials carried out the functions of government. When Thomas Jefferson was president, he employed only one secretary—whom he paid out of his own pocket.

But by 1828 the United States could no longer be governed by politicians and their small circles of friends and allies. President Andrew Jackson's populist supporters, Karl says, sought an administrative system that